

REGULAR MEETING
Morning Session
Monday, August 27, 2018
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 27th day of August, 2018 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Lando.

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

The Clerk of the Legislature read the following memoriam:

IN MEMORIAM

THOMAS H. HOPPER, JR.

1921 – 2018

The death of our former colleague, Thomas H. Hopper, Jr., who passed away on July 19, 2018, is acknowledged by this Legislature with deep sadness.

Tom was born in Painted Post to Thomas H. Hopper, Sr. and Jenny B. Campbell, and lived in Addison for most of his life. A member of the Greatest Generation, Tom married Wilma Burlingame in 1942. Soon thereafter, he joined the U.S. Army and served in Europe in World War II. Upon returning home, he worked at the Corning Glass Works. He became a pioneer in first generation computer systems, leading the team that installed the first mainframe computer in Corning. He wrote some of America's earliest systems and spent his career helping to bring Corning's systems to maturity, retiring in the late 1980's.

Widowed after 25 years, Tom married Marilyn (Missy) Underwood in 1992. Like so many of his generation, he believed strongly in service to country, community and family. This belief led him to Steuben County government where he represented the residents of District 11 in Addison, Lindley and Tuscarora from 1994 through 1999.

During Tom's tenure on the Legislature, he held the leadership position of Chairman of the Rules Committee, and also served as a member of the Public Safety and Corrections Committee and the Administration Committee.

During his tenure on the Legislature, Tom additionally lent his expertise and leadership to a variety of advisory boards, including the Ad Hoc Data Processing & Communications Review Committee; the 911 Communications Technology Task Force; the Records Management Advisory Board; and the Financial Strategy Ad Hoc Committee. Tom always served with honor and distinction, and represented the Legislature with dignity and professionalism.

Tom will be remembered as a member of the Legislature who always considered the impact of his decisions on all of the residents of the County, not just the few. He was a dedicated public servant who was always generous to his community with his time, talents and support.

The members of this Steuben County Legislature respectfully move that the above "Memoriam" be spread upon the minutes of this meeting and that the Clerk of the Legislature forward a copy of this Memoriam to his wife Missy, his son David Hopper (Elizabeth) and his daughters Karen Buckley

(Lewis); Ruth Cannava (Marc) and Becky Van Brunt (Jim), as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.

Chairman Hauryski asked Calvin Clark to come forward. Mr. Clark is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and a clock in recognition of his retirement with 23 years of service to Steuben County.

Chairman Hauryski asked Ruth Verbanic to come forward. Ms. Verbanic is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 29 years of service to Steuben County.

Chairman Hauryski asked Lucy Whitney to come forward. Ms. Whitney is an employee in the Public Works Department. He presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 29 years of service to Steuben County.

Chairman Hauryski asked Larry Guild to come forward. Mr. Guild is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and a clock in recognition of his retirement with 29 years of service to Steuben County.

Chairman Hauryski asked Vince Spagnoletti to come forward. Mr. Spagnoletti is the Commissioner of Public Works. He presented him with a Certificate of Appreciation in recognition of his 25 years of service to Steuben County.

Chairman Hauryski opened the floor for opportunity for public comment.

Wayne Wells, Cameron, spoke about his concerns that over the weekend there were once again a number of constituents without phone service and how nothing is being done. He also spoke about what the priorities of government should be and shared his views about President Trump.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting Upon the Agricultural District within the Towns of Avoca, Bath, Howard, Prattsburgh, Pulteney, Urbana and Wheeler, New York, known as Agricultural District No. 3, to consider the recommendations of the Agricultural and Farmland Protection Board, and any proposed modification of the District. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the purpose of hearing public comments on the community development needs of Steuben County and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2018 program year. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

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

Mr. Swackhamer stated a week ago Monday he was asked to represent the Public Works Committee at a mandatory meeting at the Landfill. We had a great time recognizing staff with years of service from 10 to

40 years. We had donuts and coffee and the staff really appreciated it and thanked us for doing that. Chairman Hauryski thanked Mr. Spagnoletti for supporting that event. Mr. Spagnoletti stated Ms. Mori, Ms. Tracy and Mr. Rapalee organized everything.

RESOLUTION NO. 127-18

Introduced by S. Van Etten.

Seconded by R. Nichols.

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

RESOLVED, 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>Crown Atlantic Co., LLC</u>
Parcel No.	<u>370.00-01-004.200</u>
Municipality	<u>Town of Lindley</u>
Disposition	<u>2018 Court-Ordered Refund and 2019 Correction</u>

Resolution No.	<u>A-2</u>
Name	<u>Crown Atlantic Co., LLC</u>
Parcel No.	<u>406.00-01-015.200</u>
Municipality	<u>Town of Lindley</u>
Disposition	<u>2015, 2016, 2017 Court-Ordered Refund and 2019 Correction</u>

Resolution No.	<u>A-3</u>
Name	<u>Michallyn Newfang</u>
Parcel No.	<u>040.00-03-011.111</u>
Municipality	<u>Town of Wayland</u>
Disposition	<u>2019 Parcel Split</u>

Resolution No.	<u>A-4</u>
Name	<u>Moses and Sarah Garippa</u>
Parcel No.	<u>041.00-02-017.210</u>
Municipality	<u>Town of Wayland</u>
Disposition	<u>2019 Parcel Split</u>

Vote: Roll Call – Adopted.

RESOLUTION NO. 128-18

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 27, 2018 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

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

July 16, 2018

Steuben County Industrial Development Agency – Re: 2019 Budget request in the amount of \$75,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

July 20, 2018

NYS Department of Transportation – Re: Notification of the draft investigation work plan for the Brownfield Cleanup Program (BCP) on the Miller Hill Yard (site #C851045) located at 7578 State Route 21 in the Town of Fremont is available for public comment. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Education Department – Re: Federal and State Grant Quarterly Status Report for the Local Government Records Management Project#0580187022. *Referred to: Mitch Alger, Deputy County Manager; and Patrick Donnelly, Commissioner of Finance.*

July 26, 2018

The ARTS Council of the Southern Finger Lakes – Re: 2019 Budget request in the amount of \$36,700. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

July 27, 2018

Finger Lakes Tourism Alliance – Re: 2019 Budget request in the amount of \$18,500. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

Cornell Cooperative Extension – Re: 2019 Budget Request in the amount of \$390,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Amy Dlugos, Planning Director.*

July 30, 2018

NYS Office for the Aging – Re: Revised notification of grant award and annual implementation plan budget for the EISEP, CSE, CRC, WIN, and HIICAP programs for the period of April 1, 2017 through March 31, 2018. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.*

NextEra Energy – Re: Supplement (CD format) to the application for the Eight Point Wind, LLC. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

August 2, 2018

Federal Aviation Administration – Re: Notification of an aeronautical study (ASN# 2018-WTE-2297-OE) on the Wind Turbine 4 located in Greenwood, NY. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

August 6, 2018

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$39,156, which represents the net revenue payable for the second quarter of 2018 combined with the surcharge payment for the month of June 2018. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

NYS Homeland Security and Emergency Services – Re: Notification of not being selected for grant funding for the FY2017 Explosive Detection Canine Team. *Referred to: Public Safety & Corrections Committee; and Sheriff Allard.*

Young/Sommer LLC – Re: Case No. 15-F-0122, third supplement application for the Baron Winds LLC to construct a major electric generating facility in the Towns of Cohocton, Dansville, Fremont, and Wayland, NY. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

CSEA Employee Benefit Fund – Re: Memorandum of Agreements for the CSEA Employee Benefit Fund for Vision & Dental Plans for the CSEA Main Unit and the Steuben County Corrections Officers/Dispatchers and Court Security Officers. *Referred to: Nathan Alderman, Personnel Officer; Patrick Donnelly, Commissioner of Finance; and filed with the Clerk of Legislature, Brenda Mori.*

August 15, 2018

NYS Office for the Aging – Re: Notifications of approval to the annual update of the 2016-2020 Four Year Plan for Steuben County. The applications for the Older Americans Act (OAA), Title III-B, Title III-C-1, Title III-C-2, Title III-D, Title III-E, HIICAP and if applicable, Title V funds have been approved. In addition, the applications for the Expanded In-home Services for the Elderly Program (EISEP), the Community Services for the Elderly (CSE) program, the Wellness in Nutrition (WIN) Program, the Congregate Services Initiative (CSI), the State Transportation program and the State Caregiver Resources Center (CRC) program for the period of April 1, 2018 – March 31, 2019 has also been approved. *Referred to: Human Services/Health & Education Committee; and Patricia Baroody; OFA Director.*

August 16, 2018

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the second quarter SFY 2018-2019 Statewide Mass Transportation Operating Assistance (STOA) payments. *Referred to: Amy Dlugos, Planning Director and Brenda Mori, Clerk of the Legislature.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 129-18

Introduced by C. Ferratella and S. Van Etten.

Seconded by G. Swackhamer.

ACCEPTING AND APPROPRIATING ENHANCED CHILD PROTECTIVE SERVICES FUNDS INTO THE 2018 BUDGET.

WHEREAS, Chapter 53 of the Laws of 2018 appropriates additional state aid to reimburse 100 percent of districts' expenditures related to the improvement of staff-to-client ratios in Child Protective Services (CPS) workforces, including the hiring of new staff to increase the number of caseworkers and supervisory staff in their CPS workforce; and

WHEREAS, the Office of Children & Family Services of the State of New York has awarded Steuben County \$57,000 in this additional State Aid to support the improvement of staff-to-client ratios in the local district Child Protective Services workforces; and

WHEREAS, the funds are intended to help districts achieve, or move closer to achieving, the recommended CPS caseload size of 15 active reports per month; and

WHEREAS, the Steuben County Department of Social Services work plan submitted to the New York State Office of Children & Family Services has been approved; and

WHEREAS, that work plan submitted to the New York State Office of Children & Family Services includes one additional work staff; and

WHEREAS, a Senior Caseworker will provide the much needed support to CPS casework staff by increasing the level of availability to staff, and increasing the ability to assist in training new staff; and

WHEREAS, \$18,500.00 of the \$57,000 would be used to offset overtime funds as the overtime needs continue for child protective caseworkers to complete tasks in a timely manner.

NOW THEREFORE, BE IT

RESOLVED, that effective with the adoption of this resolution, Steuben County accepts and appropriates these funds into the 2018 Department of Social Service's budget as follows:

Expenditures:	
601000 51900671 Overtime	\$18,500.00
601000 5100671 Personnel Services	\$38,500.00

Revenues:	
601000 43610000 State Revenue	\$57,000.00

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer and the Commissioner of Social Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 130-18

Introduced by C. Ferratella and B. Schu.

Seconded by G. Roush.

AUTHORIZING A POSITION RECLASSIFICATION WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, the Principal Social Welfare Examiner position in the Department of Social Services is an administrative position involving responsibility for planning, coordinating, supervising and managing performance and activities of either a group of employees, a unit or a section of the agency; and

WHEREAS, the recited Principal Social Welfare Examiner position would have added duties of assisting the Director of Temporary and Disability Assistance; and

WHEREAS, the Personnel Officer has determined that an Assistant Director of Temporary and Disability Assistance position more appropriately performs these duties; and

WHEREAS, good cause is present to establish the grade of the Assistant Director of Temporary and Disability Assistance as a Grade XVII.

NOW THEREFORE, BE IT

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

One (1) Principal Social Welfare Examiner, Grade XVI (\$42,712 – \$60,297), to
Assistant Director of Temporary and Disability Assistance Position, Grade XVII (\$46,904 – \$66,216).

AND BE IT FURTHER RESOLVED, that the 2018 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 131-18

Introduced by B. Schu.

Seconded by R. Lattimer.

AUTHORIZING A MEMORANDUM OF AGREEMENT MODIFYING THE CSEA MAIN UNIT COLLECTIVE BARGAINING AGREEMENT.

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

WHEREAS, the Deputy Superintendent of Buildings and Grounds position in the Department of Buildings and Grounds and the Deputy Probation Director II position within the Probation Department shall be removed from Addendum II and placed in Addendum I of the CSEA Steuben County Local Unit #851 Collective Bargaining agreement as these titles do not have community interest with the members of the bargaining unit covered in said CBA; and

WHEREAS, the Personnel Officer, County Manager and Administration Committee have approved the adjustment in said titles; and

WHEREAS, adjustment of these titles is contingent upon the signing of a Memorandum of Agreement between the CSEA Local Unit #851 of the County of Steuben and the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, with the adoption of this resolution and pending approval of CSEA, the following positions within said CBA are hereby modified as follows:

Addendum II of the CBA shall be amended to remove the titles of Deputy Superintendent of Buildings and Grounds, and Deputy Probation Director II. These titles will be placed under Addendum I of the CBA. It is proper and appropriate for these titles to be excluded in Addendum II of the CBA.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the CSEA Local Unit #851 of the County of Steuben.

Vote: Roll Call – Adopted.

RESOLUTION NO. 132-18

Introduced by B. Schu.

Seconded by R. Weaver.

AUTHORIZING AN AMENDMENT TO THE MANAGEMENT SALARY PLAN.

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

WHEREAS, the Deputy Superintendent of Buildings and Grounds position in the Department of Buildings and Grounds, the Deputy Probation Director II position within the Probation Department are existing positions that currently are not included in the Management Salary Plan; and

WHEREAS, it is necessary to incorporate these titles into the Management Salary Plan; and

WHEREAS, the Personnel Officer, County Manager and the Administration Committee have approved the inclusion of said titles in the plan.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution and the signing of the Memorandum of Agreement between CSEA Local Unit #851 and the County of Steuben, the following positions are hereby added to the Management Salary Plan as follows:

Deputy Superintendent of Buildings and Grounds, Grade D (\$47,101 – \$72,691)
Deputy Probation Director II, Grade F (\$56,742 – \$87,952)

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance, Superintendent of Buildings and Grounds, and the Probation Director.

RESOLUTION NO. 133-18

Introduced by G. Swackhamer and S. Van Etten.

Seconded by J. Malter.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF FINANCE TO TRANSFER \$105,000 FROM THE COUNTY ROUTE 25 ROAD PROJECT TO THE COUNTY ROUTE 122 DRAINAGE CAPITAL PROJECT.

WHEREAS, \$105,000 of the County Route 25 Road project account is not needed; and

WHEREAS, the current balance of the County Route 122 Drainage capital project stands at \$205,000; and

WHEREAS, the total revised estimate to complete all of the required County Route 122 Drainage capital project work is \$310,000; and

WHEREAS, the revised estimate includes drainage work, asphalt milling, additional asphalt square footage for driveways and liquid asphalt escalation costs.

NOW THEREFORE, BE IT

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

- Decrease 511200-5 251 049 County Route 25 Road Project \$105,000
- Increase 5112HA County Route 122 Capital Project \$105,000

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 134-18

Introduced by R. Lattimer.

Seconded by R. Nichols.

MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 3 AS A RESULT OF THE EIGHT YEAR REVIEW.

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

WHEREAS, pursuant to the procedures and timetable set forth by the New York State Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed its recommendations, relative to the eight year review of this Agricultural District with this Legislature; and

WHEREAS, this Legislature did hold a Public Hearing on the proposed modifications to said district recommended by the Agricultural and Farmland Protection Board on August 27, 2018; and

WHEREAS, modifying an Agricultural District is an Unlisted Action and a Short Environmental Assessment Form was prepared.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

- (1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and
- (2) The district has, since its creation, been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and
- (3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and
- (4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values; and be it further

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 3 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that modifying the District will not have a significant adverse environmental impact; and be it further

RESOLVED, that the Clerk of this Legislature be, and she hereby is, directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the Department of Agriculture and Markets at Albany; to the Director of the Steuben County Planning Department; to the Director of the Steuben County Real Property Tax Service Agency; and to Cornell Cooperative Extension – Steuben County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 135-18

Introduced by R. Lattimer and S. Van Etten.

Seconded by J. Malter.

ACCEPTING FEDERAL 5311 CAPITAL PROJECTS FUNDING AND ADJUSTING CAPITAL PROJECT ACCOUNTS.

WHEREAS, the Planning Department is responsible for the administration of grants, contracts, and finances related to the county-wide bus system; and

WHEREAS, due to multi-year funding cycles of these state and federal grants, these funds should be placed in capital projects to allow for more efficient tracking of expenditures; and

WHEREAS, Steuben County has been approved for a grant of funds by the New York State Department of Transportation pursuant to Section 53 Federal Programs, Title 49, United States Code; and

WHEREAS, the specific funds awarded are as follows:

Description	Project Cost	Federal Share	State Share	Local Share
New Technology: bus WiFi connections	\$45,000	\$36,000	\$4,500	\$4,500 (2018-2019 NYDOT ATC Grant Award)
2017 Mobility Management	\$292,317	\$233,853	\$29,232	\$29,232
2018 Mobility Management	\$302,205	\$241,764	\$30,221	\$30,220
ADTAP Transp. Research & Planning Project	\$47,725	\$38,180	\$4,773	\$4,772
2017 ADTAP Operating: bus token program	\$12,820	\$6,410	\$0	\$6,410
2018 ADTAP Operating bus token program	\$12,820	\$6,410	\$0	\$6,410

WHEREAS, Steuben County and the State of New York will be entering into an agreement which authorizes the undertaking of the Projects and payment of the Federal and State shares.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Commissioner of Finance is directed to modify the Bus Operations Capital Project (5630H1) to reflect additional appropriations of \$45,000 for Minor Equipment and revenues of \$40,500; to modify the Mobility Management Services Capital Project (5630H2) to reflect additional appropriations and revenues of \$594,522; and to modify the Transportation Research Capital Project (5630H3) to reflect additional appropriations and revenues of \$73,365; and be it further

RESOLVED, that the Planning Director is hereby authorized to sign any and all agreements with the State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, that Steuben County certifies through this resolution that the local share for the New Technology/WiFi project will be provided by the 2018-2019 New York State Accelerated Transit Grant, as awarded, accepted, and appropriated by separate resolution; and be it further

RESOLVED, that Steuben County certifies through this resolution that the local share for Mobility Management, ADTAP Transportation Research and Planning Project, and the ADTAP Operating bus token program, shall be fulfilled by the Institute for Human Services, Bath, NY; and be it further

RESOLVED, that four certified copies of this resolution shall be sent to Amy Dlugos, Steuben County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-18

Introduced by R. Lattimer.

Seconded by F. Potter.

AUTHORIZING THE PLANNING DEPARTMENT TO SUBMIT AN APPLICATION TO THE NEW YORK STATE HOMES AND COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, Steuben County is an eligible applicant for New York State Community Development Block Grant (CDBG) funding for Housing Activities; and

WHEREAS, Steuben County and Arbor Development, Inc. want to continue their program of housing rehabilitation for low and moderate income persons; and

WHEREAS, well and septic replacement, and lateral connection assistance, are eligible expenditures of CDBG funds; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to provide said assistance.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Planning Department is hereby authorized to submit an application to the NYS Homes and Community Renewal for a Community Development Block Grant to provide funding for well and septic systems repairs or replacements or lateral connections to water or sewer systems; and be it further

RESOLVED, that the Planning Director is hereby authorized to sign the application on behalf of Steuben County; and be it further

RESOLVED, that should said grant be awarded, Steuben County hereby accepts the grant award and the Steuben County Commissioner of Finance is hereby authorized to appropriate the grant funds into the Steuben County Budget; and be it further

RESOLVED, that the Steuben County Planning Director is hereby authorized to sign all appropriate and necessary documents to implement said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Steuben County Planning Director, and to the Executive Director, Arbor Development, Inc., 26 Bridge St., Corning NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-18

Introduced by R. Lattimer and S. Van Etten.

Seconded by C. Ferratella.

AUTHORIZING THE PLANNING DIRECTOR TO ACCEPT AND APPROPRIATE THE 2018-2019 ACCELERATED TRANSIT CAPITAL GRANT.

WHEREAS, the Planning Department is responsible for administration of grants, contracts, and finances related to the countywide bus system; and

WHEREAS, Steuben County has been approved for grant of funds by the New York State Department of Transportation pursuant to State Finance Law Section 89-c; and

WHEREAS, the specific funds awarded are as follows for the local share of a 2018-2019 5311 funded capital project to supply WiFi connections on buses:

Project Cost	Federal Share	State Share	Local Share
\$4,500	\$0	\$4,500	\$0

WHEREAS, Steuben County and the State of New York will be entering into an agreement which authorizes the undertaking of the Projects and payment of state shares.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Commissioner of Finance is authorized and directed to modify the Bus Operations Capital Project H5630 5630H1 to reflect revenue of \$4,500 for the 2018-2019 5311 Project: New Technology: bus Wifi connections; and be it further

RESOLVED, that the Planning Director is hereby authorized to sign any and all agreements with the State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, that four certified copies of this resolution shall be sent to Amy Dlugos, Steuben County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-18

Introduced by R. Lattimer.

Seconded by R. Weaver.

REAFFIRMING STEUBEN COUNTY’S COMMITMENT TO FURTHER FAIR HOUSING BY UPDATING AND ADOPTING A COUNTY FAIR HOUSING PLAN.

WHEREAS, Steuben County is a recipient of grants from the Community Development Block Grant funded by the U.S. Department of Housing and Urban Development, and implemented in New York State by New York State Homes and Community Renewal; and

WHEREAS, grant regulations require that recipients affirmatively further fair housing in their communities; and

WHEREAS, the furtherance of fair housing is implemented by a Fair Housing Officer, whose duties are specified in the Steuben County Fair Housing Plan; and

WHEREAS, the Steuben County Planning Department is the lead agency for the Steuben Community Development Block Grant program; and

WHEREAS, said department has the technical expertise necessary to affirmatively further fair housing in the County through the publication of materials, placement of legal advertisements and other actions deemed necessary to affirmatively further fair housing in Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby reaffirm its commitment to affirmatively further fair housing in Steuben County; and be it further

RESOLVED, that the Steuben County Legislature does hereby adopt the updated Fair Housing Plan so as to better serve the needs of the residents of Steuben County; and be it further

RESOLVED, that a certified copy of this resolution shall be distributed to Amy R. Dlugos, Steuben County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-18

Introduced by B. Schu.

Seconded by R. Lattimer.

AUTHORIZING THE ANNUAL RPS V4 CHARGEBACK TO THE TOWNS AND CITIES FOR LICENSE AND SUPPORT FEES.

Pursuant to County Law, Section 233a.

WHEREAS, the Administration Committee has approved the report of RPS V4 charges by Assessing unit which includes an annual charge for the New York State Office of Real Property Services License Fee and a fee for County support of this system; and

WHEREAS, the Administration Committee has approved the invoicing of the fees to the Cities and Towns; and

WHEREAS, the Real Property Tax Service Agency has paid the assessing units' annual license fee charge to the State for this fiscal year.

NOW THEREFORE, BE IT

RESOLVED, the Real Property Tax Office will invoice each City and Town for their share of the Real Property System Version 4 (RPS V4) License and Support Charge; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the Director of the Real Property Tax Service Agency, and to each Town and City.

RPS V4 TO BE BILLED FOR 1/1/19 LEVY

.rpsv4chargeback/resolutions

7/26/2018

Swis	Municipality	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback	ORPS License Fee Schedule	
4603	Corning City	4,236	\$1,500	\$200	\$1,700		
4606	Hornell City	3,731	\$1,300	\$200	\$1,500		
4620	Addison	1,295	\$1,000	\$200	\$1,200		
4622	Avoca	1,335	\$1,000	\$200	\$1,200		
4624	Bath	5,170	\$1,500	\$200	\$1,700		
4626	Bradford	577	\$850	\$200	\$1,050	Number of Parcels	Fee
4628	Cameron	755	\$850	\$200	\$1,050	0-500	\$750
4630	Campbell	1,621	\$1,000	\$200	\$1,200	501-1000	\$850
4632	Canisteo	2,052	\$1,200	\$200	\$1,400	1001-2000	\$1,000
4634	Caton	1,303	\$1,000	\$200	\$1,200	2001-3000	\$1,200
4636	Cohocton	1,849	\$1,000	\$200	\$1,200	3001-4000	\$1,300
4638	Corning Town	3,231	\$1,300	\$200	\$1,500	4001-6000	\$1,500
4640	Dansville	1,293	\$1,000	\$200	\$1,200		
4642	Erwin	3,213	\$1,300	\$200	\$1,500		
4644	Fremont	792	\$850	\$200	\$1,050		
4646	Greenwood	729	\$850	\$200	\$1,050		
4648	Hartsville	571	\$850	\$200	\$1,050		
4650	Hornby	1,007	\$1,000	\$200	\$1,200		
4652	Hornellsville	2,392	\$1,200	\$200	\$1,400		
4654	Howard	1,229	\$1,000	\$200	\$1,200		
4656	Jasper	886	\$850	\$200	\$1,050		
4658	Lindley	1,041	\$1,000	\$200	\$1,200		
4660	Prattsburgh	1,876	\$1,000	\$200	\$1,200		
4662	Pulteney	1,722	\$1,000	\$200	\$1,200		
4664	Rathbone	766	\$850	\$200	\$1,050		
4666	Thurston	987	\$850	\$200	\$1,050		
4668	Troupsburg	962	\$850	\$200	\$1,050		
4670	Tuscarora	906	\$850	\$200	\$1,050		
4672	Urbana	2,012	\$1,200	\$200	\$1,400		
4674	Wayland	2,319	\$1,200	\$200	\$1,400		
4676	Wayne	1,581	\$1,000	\$200	\$1,200		
4678	West Union	538	\$850	\$200	\$1,050		
4680	Wheeler	999	\$850	\$200	\$1,050		
4682	Woodhull	1,170	\$1,000	\$200	\$1,200		
		56,146	\$34,900	\$6,800	\$41,700		

Steuben County
 Real Property Tax Service Agency
 3 E. Pulteney Square
 Bath, New York 14810
 Wendy Jordan, Director

Vote: Roll Call – Adopted.

RESOLUTION NO. 140-18

Introduced by A. Mullen and S. Van Etten.

Seconded by C. Ferratella.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER \$88,000.00 FROM THE CONTINGENT FUND TO THE DISTRICT ATTORNEY’S 2018 BUDGET.

WHEREAS, the District Attorney oversees the administration of the District Attorney’s Budget; and

WHEREAS, the purpose of the funding is to provide for the operations of the District Attorney’s Budget; and

WHEREAS, sufficient funds are not available in the District Attorney’s Budget to cover the 2018 expenses.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to transfer \$88,000.00 from the Contingent Fund to the District Attorney’s Budget as follows:

116500 5407100	Books & Subscriptions	\$ 3,900.00
116500 5423400	Transcripts	\$25,100.00
116500 5424210	Investigation Expenses	\$25,000.00
116500 5423310	Professional Witnesses	\$25,000.00
116500 5423300	Witness Fees & Travel	\$ 5,000.00
116500 5402245	Cell Phone – Carrier Chgbks	\$ 3,000.00
116500 5406000	Office Supplies	\$ 1,000.00; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 141-18

Introduced by A. Mullen and S. Van Etten.

Seconded by K. Fitzpatrick.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER \$25,000 FROM THE CONTINGENT FUND TO THE SHERIFF’S 2018 JAIL BUDGET.

WHEREAS, the Steuben County Jail is in need of replenishing the Lodging of Prisoners fund; and

WHEREAS, the Public Safety and Corrections Committee and Finance Committee have recommended an appropriation of \$25,000 from the Contingent Fund to replenish the fund.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to transfer \$25,000 from the Contingent Fund (A 199000 5499000) to the Jail’s 2018 budget 315000-5424500; 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. 142-18

Introduced by G. Swackhamer.

Seconded by R. Nichols.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH FULTON COUNTY.

WHEREAS, the Department of Public Works of Steuben County owns a 1992 Ingersoll-Rand 10 ton roller that is surplus for operations at its County Landfill; and

WHEREAS, the County of Fulton Solid Waste Department owns a surplus 2007 Aljon compactor; and

WHEREAS, the Fulton County compactor has a nearly new engine that can be used for parts for the Steuben County front line compactor; and

WHEREAS, the Commissioner of Public Works recommends an Inter-Municipal Agreement for an even exchange of the Ingersoll-Rand roller for the Aljon compactor.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager be, and the same hereby is, authorized to sign an Inter-Municipal Agreement with the County of Fulton to trade Steuben County's 1992 Ingersoll-Rand 10 ton roller in an even exchange for the Fulton County's 2007 Aljon compactor; and be it further

RESOLVED, that said Agreement is subject to the approval of the Law Department; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 143-18

Introduced by A. Mullen.

Seconded by K. Fitzpatrick.

AUTHORIZING THE DIRECTOR OF EMERGENCY MANAGEMENT TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE VILLAGE OF COHOCTON.

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and

WHEREAS, Steuben County emergency responders are dependent on the County-wide Radio Communications System; and

WHEREAS, the County has a difficult time getting radio communication into the Village and Town of Cohocton; and

WHEREAS, the Village of Cohocton owns property located on County Route 121 which houses the Cohocton Village Water Tank; and

WHEREAS, the Village of Cohocton agrees to provide Steuben County access to this property for the purpose of installing needed Radio Communications Equipment at this location; and

WHEREAS, the Director of Emergency Management requests an Inter-Municipal agreement with the Village of Cohocton to effectuate radio communications in the Cohocton area.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the Director of Emergency Services to sign an Inter-Municipal agreement with the Village of Cohocton upon approval of the terms by the County Law Department; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Emergency Services, the Law Department and the Village of Cohocton Municipal Clerk.

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-18

Introduced by A. Mullen.

Seconded by F. Potter.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH MOTOROLA SOLUTIONS FOR THE VHF FIRE SIMULCAST PROJECT.

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and

WHEREAS, Steuben County emergency responders are dependent on the County-wide Communications System; and

WHEREAS, Steuben County has identified the need for an enhanced radio system for County Fire Services Agencies; and

WHEREAS, Steuben County has identified the need for additional capabilities within the system to address interoperable communications with all response agencies to address operational issues; and

WHEREAS, the New York State Department of Homeland Security and Emergency Services (DHSES) Office of Interoperable & Emergency Communications (OIEC) has provided grant funding to support the build out of radio system technology; and

WHEREAS, Motorola Solutions has provided a proposal for the enhancements to the County Radio System to assist with Fire System Communications in the amount of \$1,220,886.99.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager is hereby authorized to execute a contract with Motorola Solutions for the provision of the recited enhanced radio system set forth in the proposal under terms and conditions approved by the County Law Department, in the amount of \$1,220,886.99; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Richard Angelillo, Motorola Solutions, 123 Tice Blvd. Suite 202 Woodcliff Lake, NJ 07677; and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 145-18

Introduced by B. Schu.

Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO AN AGREEMENT WITH BENEFIT RESOURCES, INC. TO PROVIDE HEALTH CARE REIMBURSEMENT ACCOUNTS FOR THE BENEFIT OF COUNTY RETIREES.

WHEREAS, the County offers retirees aged 65 (sixty-five) and over the option of receiving the County healthcare subsidy via a Healthcare Reimbursement Account (HRA) rather than being enrolled in the County group Medicare Advantage Plan(s); and

WHEREAS, the County Benefits Consultant, Gallagher Benefits Services, Inc., has obtained quotes from third parties for administering the retiree Healthcare Reimbursement Accounts; and

WHEREAS, the County has evaluated the proposals and concludes that Benefit Resources, Inc. will provide the best value to the County and the electing retirees.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Commissioner of Finance is hereby authorized to enter into an agreement with Benefit Resources, Inc. for the purpose of administering the Healthcare Reimbursement Accounts on behalf of electing retirees; and be it further

RESOLVED, the term of the contract shall be for one year with authorization to renew for up to four additional years should the Steuben County Commissioner of Finance determine that to be in the best interest of the County; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 146-18

Introduced by J. Hauryski.

Seconded by R. Weaver.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

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

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

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

WHEREAS, one members' term has expired.

NOW THEREFORE, BE IT

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

Seth M. Corwin
48 Hillside Place
Hornell, NY 14843
Term: September 1, 2018 through August 31, 2021

AND BE IT FURTHER RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

Vote: Acclamation – Adopted.

Mr. Swackhamer stated going back to the resolution approving the Contingent Fund transfer for the District Attorney's Office, he stated that he would like to have Mr. Baker explain that so the voters understand what those costs are. Mr. Baker explained there are two components; a large piece, about one-third, is due to the additional grand jury presentations, which is related to the opioid epidemic. We now hold three grand juries per month instead of two and that has resulted in a 50 percent increase in costs that we did not expect. The second component which is about two-thirds of the request is directly related to the Neurauter trial. We have 70 people under subpoena and have a number of expert witnesses that will testify. We don't budget for things like this as these types of trials do not happen very often.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7 Article 7 105.1.F. The Medical, Financial, Credit or Employment History of a Particular Person or Corporation, or Matters Leading to the Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal or Removal of a Particular Person or Corporation made by Mr. Roush, seconded by Mr. Mullen and duly carried.

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

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