

REGULAR MEETING
Morning Session
Monday, August 24, 2020
Annex Building Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Annex Building Legislative Chambers in Bath, NY on the 24th day of August, 2020 at 10:15 a.m. and was called to order by the Chairman of the Legislature, Scott J. Van Etten.

Roll Call and all members present except Legislator Potter.

Secretary's Note: Legislators Potter, Roush, and Van Caesele attended via Zoom. Mr. Potter was noted as absent for the first part of the meeting and then was able to log on later in the meeting.

Ms. Fitzpatrick led the Pledge of Allegiance and Mrs. Lando provided the Invocation.

IN MEMORIAM
L. RONALD NIELSEN
1928 – 2020

The death of our former colleague, L. Ronald Nielsen, who passed away on July 25, 2020, is acknowledged by this Legislature with deep sadness.

Ronnie was born on September 23, 2918, in Prattsburgh to Niels and Dorothy Nielsen. He was a US Army Veteran serving in the Korean War. Upon his return, he owned and operated Ronnie's Atlantic and worked for Empire Abstract, where he eventually retired as President of the company. His wife of 65 years, Phyllis (Muller) Nielsen, predeceased him in 2015.

Ronnie was elected as Steuben County Legislator representing the residents of District 3 in the Town of Bath beginning in 1994. During his tenure on the Legislature, Ron served as a member of the Administration Committee, Finance Committee and Human Services Committee. He also served as the Vice Chair of the Public Works Committee and the Public Safety & Corrections Committee. He also served with honor as Steuben County's representative on the Inter County Association of Western New York.

Ron always served with honor and distinction, and represented the Legislature with dignity and professionalism throughout his 14 years of service. He will always be fondly remembered as a member of this Legislature. He was a dedicated public servant who was generous to his community with his time, talents and support. He will be sadly missed by all who knew him.

The members of this Steuben County Legislature respectfully move that the above "Memoriam" be spread upon the minutes of this meeting and the Clerk of the Legislature shall forward a copy of this Memoriam to his daughter Susan and his son Scott, as an expression of the sympathy felt by this Legislature on the passing of their loved one. ***Adopted by rising silent affirmation.***

Chairman Van Etten stated that due to the Zoom outage that was experienced this morning, we will be postponing public comment. Additionally, we will also be postponing the public hearing relative to Local Law Tentatively No. One of 2020 until September.

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

Mrs. Hurd-Harvey stated that Mr. Donnelly will be officially retiring on September 11, 2020. She stated she has hired Mitch Alger as Deputy Commissioner of Finance and he will be starting on September 14, 2020. She stated that although Mr. Donnelly will be officially retiring, he will still come back and help us out when needed.

Mr. Donnelly stated thank you for all of the respect and courtesy you have afforded me; it has been a very positive experience for me. I have enjoyed working with all of you and will always remember my association with the County fondly.

Chairman Van Etten stated we appreciate what you have done for the County. You started as a Legislator, then you were the Chair of the Legislature and then you became the Finance Director. You really did a great job as our first Finance Director, especially on the real estate side because of the breadth of your experience in banking. What I enjoyed most is some of your more colorful explanations of the properties. Hopefully you will pass along that humor to Mr. Alger.

Mr. Mullen stated I would like to voice concerns on the policy relative to what people do outside of work. I am not sure where the line is administratively versus policy and I think we should have a discussion about that. Mr. Wheeler explained anything like that requires the Chairman's input and there is not a hard and fast line in this case. We had talked before about a travel policy; that if someone travels to a State on the quarantine list, then they have to use their own leave to quarantine upon their return. The gathering issue came after weeks of discussion and many complaints from employees regarding an individual who attended a large wedding of 300 plus people. We have seen in neighboring counties were there were cases due to attendance at weddings. A number of employees were calling and expressing concern about their co-workers attending large gatherings and the safety of the workplace. This is not a punishment, but this does require those employees to use their own leave to quarantine. There have been many reports of people attending large events and the safety of our workplace and our employees is paramount and we want to preserve that.

RESOLUTION NO. 149-20

Introduced by G. Swackhamer.

Seconded by K. Fitzpatrick.

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

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, 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 William M. Thall
 Parcel No. 206.00-05-005.122
 Municipality Town of Bath
 Disposition 2021 Court-ordered a/v reduction

Resolution No. A-2
 Name William Pfitzenmaier
 Parcel No. 154.00-01-009.000 and
154.00-01-011.110
 Municipality Town of Howard
 Disposition 2020-21 Parcel split & combined

Resolution No. A-3
 Name Pennsylvania Lines LLC
 Parcel No. 318.00-01-084.000
 Municipality Town of Corning
 Disposition 2020 Cancel tax/ceiling RR property

Resolution No. A-4
 Name Pennsylvania Lines LLC
 Parcel No. 318.00-01-084.000
 Municipality Town of Corning
 Disposition 2021 Correction / ceiling RR property

Resolution No. A-5
 Name Pennsylvania Lines LLC
 Parcel No. 336.00-02-008.000
 Municipality Town of Corning
 Disposition 2020 Cancel tax/ceiling RR property

Resolution No. A-6
 Name Pennsylvania Lines LLC
 Parcel No. 336.00-02-008.000
 Municipality Town of Corning
 Disposition 2021 Correction / ceiling RR property

Resolution No. A-7
 Name Dean and Shelly A. Warriner
 Parcel No. 215.00-01-005.111
 Municipality Town of Canisteo
 Disposition 2020-21 Parcel split

Resolution No. A-8
 Name Robert E. Crowley Jr.
 Parcel No. 173.00-01-032.200
 Municipality Town of Bath
 Disposition 2021 Court-ordered a/v reduction

Resolution No. A-9
 Name Steve T. & Kathleen S. Coots
 Parcel No. 160.00-01-043.100
 Municipality Town of Bath
 Disposition 2020 Court-ordered Refund

Resolution No. A-10
 Name Steve T. & Kathleen S. Coots
 Parcel No. 160.00-01-043.200
 Municipality Town of Bath
 Disposition 2020 Court-ordered Refund

Resolution No. A-11
 Name Steuben County Land Bank Corp.
 Parcel No. 349.08-02-007.000
 Municipality Village of Addison
 Disposition 2020-21 Cancel Tax - Exempt

**Vote: Roll Call – Adopted. Yes – 8650; No – 0; Abstained – 597; Absent – 625
 (Abstained – Legislator Mullen, due to a client matter; Absent – Legislator Potter)**

RESOLUTION NO. 150-20

Introduced by S. Van Etten.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 24, 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:

July 23, 2020

Federal Aviation Administration – Re: Notification of an aeronautical study (ASN# 2019-WTE-9487-OE) concerning the project located in Cohocton, NY. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Federal Aviation Administration – Re: Notification of completed aeronautical study concerning the project located in Cohocton, NY. The determination can be viewed at <http://oeaaa.faa.gov>, using signature control number: 425026181-445564142. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

July 30, 2020

NYS Department of Transportation – Re: Notification of the 2019-2020 Federal Transit Administration (FTA) Section 5311 Award Listings. *Referred to: Amy Dlugos, Planning Director.*

August 3, 2020

City of Corning – Re: Correspondence letter for the Steuben County Land Bank Corporation. *Referred to: Steuben County Land Bank Corporation; and Amy Dlugos, SCLBC Executive Director.*

August 5, 2020

Western Regional Off-Track Betting Corporation – Re: Revised letter on the comparison of the May 2019-2020 surcharge and net revenues for Steuben County. *Referred to: Finance Committee; Administration Committees; and Tammy Hurd-Harvey, Commissioner of Finance.*

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$1,180, which represents the June 2020 surcharge payment for Steuben County. *Referred to: Finance Committee; Administration Committees; and Tammy Hurd-Harvey, Commissioner of Finance.*

Vote: Acclamation – Adopted.

T A B L E D

RESOLUTION NO. 151-20

Introduced by B. Schu.

Seconded by J. Horton.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2020, STEUBEN COUNTY ETHICS LAW.

Pursuant to Article 18 of the General Municipal Law of the State of New York.

WHEREAS, on July 27, 2020 the Steuben County Legislature was presented with Local Law Tentatively No. One for the Year 2020, repealing Local Law No. 5 of 1990- “Steuben County Ethics and Disclosure Law in Compliance with Article 8 of the General Municipal Law” and replacing the same with this law- “Steuben County Ethics Law; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on August 24, 2020, at 10:00 A.M., and all persons having appeared via Zoom and given the opportunity to be heard, and the Clerk of this Legislature having filed proof of publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, it is hereby presented to each member of this Steuben County Legislature, Local Law Tentatively No. One of 2020, repealing Local Law No. 5 of 1990- “Steuben County Ethics and Disclosure Law in Compliance with Article 8 of the General Municipal Law” and replacing the same with this law- “Steuben County Ethics Law”.

STEBEN COUNTY ETHICS LAW
PART A

LEGISLATIVE INTENT:

It is the intent of the within Local Law to replace Local Law No. Five for the Year 1990, as amended, Resolution No. 200-90, titled "Steuben County Ethics and Disclosure Law in Compliance with Article 8 of the General Municipal Law";

SECTION 1. DEFINITIONS

Unless otherwise indicated, the following terms shall be defined as such for purposes of this article:

AGENCY — The Steuben County Industrial Development Agency ("SCIDA"), the Steuben County Land Bank Corporation, Steuben Tobacco Asset Securitization Corporation and any other nongovernment organization or entity that performs or is organized to perform County-related functions. An initial list of agencies that are subject to this Ethics Law shall be created by resolution of the County Legislature.

APPROPRIATE BODY — Pursuant to Article 18 of General Municipal Law, the Board of Ethics of the County of Steuben.

CHILD — Any son, daughter, stepson or stepdaughter of a County official, employee or County elected or appointed official.

CONTRACT — An agreement with the County, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance or other proceeding where such publication is required or authorized by law.

COUNTY — The County of Steuben or any department, board, division, institution, office, branch, bureau, commission, or agency thereof.

COUNTY OFFICIAL

- A. Local officers or employees:
 - 1. The heads (other than County elected officials) and any members of the Board of Directors of any County agency, department, division, council, board, commission or bureau and their deputies and assistants, whether paid or not;
 - 2. Other employees of such departments, divisions, boards, bureaus, commissions, councils or agencies who hold policy-making positions, whether paid or not;
 - 3. The term "local officer or employee" shall not mean a judge, justice, officer or employee of the Unified Court System, unless the individual is also a County employee.
- B. County elected officials: County Legislators, Clerk, Sheriff, Coroners and District Attorney.
- C. Other employees: other employees of the County whose duties involve the negotiation, authorization or approval of:
 - 1. Contracts, leases, franchises, revocable consents, concessions, variances, special permits or licenses;
 - 2. The purchase, sale, rental or lease of real property, goods or services, or a contract therefor;
 - 3. The obtaining of grants of money or loans; or
 - 4. The adoption or repeal of any rule or regulation having the force and effect of law.
- D. "Specific Listing," not in limitation of the positions, titles or entities covered by Subsections A, B and C, above, the County Legislature shall, by resolution, set forth a specific list of the positions, titles and entities which shall be particularly covered by this article, and such

resolution shall remain in full force and effect unless and until modified in a subsequent resolution by a majority of the County Legislature.

DEPENDENT — Any person, related or unrelated, living in the same household with a County official or employee and claimed as a dependent for income tax purposes by said County official.

EMPLOYEE — Any employee or official of the County of Steuben, other than those designated as County officials herein.

INTEREST —

- A. A direct or indirect financial or material benefit accruing to a County official, employee, his or her relative or dependent, whether as a result of a contract with the County or otherwise. A benefit shall include, but not be limited to, employment, a gift, service, payment, permit, approval, waiver, authorization, travel, entertainment, hospitality, or gratuity, or a promise of any of the foregoing. A County official shall be deemed to have an interest in a contract of:
 - 1. His or her dependent or relative except a contract of employment with the County;
 - 2. A firm, partnership or association of which such County official or his or her dependent or relative is a member or employee;
 - 3. A corporation of which such County official or his or her dependent or relative is an officer or director; or
 - 4. A corporation, at least 10% of the outstanding capital stock of which is owned by a County official or his or her dependent or relative.
- B. A financial or material benefit shall not include a campaign contribution authorized by law.
- C. An "interest" shall not include the setting of County official and employee salaries and benefits, or an action statutorily mandated upon a County official when there is no other County official authorized to undertake such statutorily mandated action. In that event, the statutorily mandated action shall not be undertaken until the County official delivers written disclosure of the interest to the Clerk of the Legislature.

JURISDICTION — Having authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of the County or agency.

LEGISLATION — A matter which has been placed upon the calendar or agenda of the Legislature of Steuben County or a committee thereof, upon which official action has been or may be taken, and shall include adopted acts, local laws, ordinances or resolutions.

RELATIVE — A spouse, child, grandchild, sibling, child of a sibling or parent of a County official.

SIBLING — A brother or sister, half-brother or half-sister, stepbrother or stepsister of a County official.

SIGNIFICANT OTHER — An individual, whether of the same sex or the opposite sex, living in a current spousal relationship, but who is not legally a spouse of, a County official.

SPOUSE — A husband, wife, or domestic partner, whether of the same sex or the opposite sex, of a County official, unless legally separated from the County official.

SECTION 2. CODE OF ETHICS

- A. Every County official and employee shall be subject to and abide by standards of conduct. These standards of conduct are in addition to those which apply to County employees as set

forth in the Steuben County Employee Handbook distributed to each employee at his/her orientation session.

B. Prohibited activities.

1. No County official or employee shall use or permit the use of County property (including land, vehicles, equipment, materials and/or any other property) for personal convenience or profit, except when such use is available to County citizens generally, or is provided as a condition of County employment or is set as a matter of County policy.
2. Certain County officials are precluded from taking part in the purchase of real or personal property owned by the County of Steuben. The titles and positions of those County officials who may not bid for, or acquire or purchase real or personal property, in any manner, offered for sale by the County of Steuben as a result of the tax delinquency of such parcel or parcels or otherwise, shall be separately identified by resolution of the County Legislature. Exempt from this provision are Agency Board members, unless the individual is subject to this prohibition by another law. This includes a prohibition against bidding upon or acquiring or purchasing such properties directly or through an agent, representative, attorney or other third party, including, but not limited to, a relative, sibling, spouse or significant other. It shall be presumptive proof of a violation of this article if such County official shall have acquired any interest in the property whatsoever, including, but not limited to, the holding of a mortgage, lien or other financial interest, no matter how acquired, either directly or through any third parties, within two years of the date upon which such property was sold or conveyed by the County of Steuben.
3. A County official or employee shall take no action on a matter before or against the County or agency, including, but not limited to, official acts and legislation, when he or she has an interest in such matter, as defined herein, which, to his or her knowledge, would conflict with or impair the proper discharge of his or her official duties unless authorized by specific law(s). The County official or employee shall disclose such interest, in writing, to the County Legislature, as soon as he or she has knowledge of such interest. Every such written disclosure shall be made part of and set forth in the official record of the proceedings of the County Legislature.
4. A County official or employee may not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before any agency of which he or she is an officer, member or employee or over which he or she has jurisdiction, or to which he or she has the power to appoint any member, officer or employee. This preclusion does not include circumstances when the Legislature declares there to be an urgent need for the specific services so long as any conflict of interest is disclosed in writing and prior to a vote of the Legislature regarding same.
5. A County official may not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any agency whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter.
6. A County official or employee shall not vote on, or administer, a matter in which he or she has a direct financial interest.
7. A County official shall not knowingly invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction, which creates a conflict of interest with his or her official duties. The County official shall disclose the conflict within 10 business days of attaining knowledge of same, and shall immediately undertake efforts either to divest himself or herself of the investment or resign his or her position. The conflict must be resolved within a reasonable time, but no later than 60 days from the date the County official first learned of it. During the

- period of time the conflict of interest exists, the County official shall not have direct oversight of the underlying matter and shall recuse himself or herself from any involvement in, discussion of, or vote upon, the matter.
8. A County official shall not engage in, solicit, negotiate for, or promise to accept, private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official duties.
 9. A County official shall not, for one year after the termination of service or employment, appear before his or her own board, agency or division of the County of Steuben in relation to any case, proceeding or application in which he or she personally participated or over which he or she had jurisdiction during the period of his or her service or employment.
 10. No County official shall use or attempt to use his/her official position to advance or obtain any unwarranted privilege, exemption or advantage for himself, herself or others, not generally available to County citizens.
 11. No County official shall directly or indirectly solicit or accept gifts, whether in the form of money, services, loan, travel, entertainment, hospitality, item or promise, or otherwise under circumstances in which it reasonably could be perceived to influence the performance of official duties or was intended as a reward for any official action. In addition to, and notwithstanding the foregoing, in no event shall a County official accept any gift or benefit which alone or in the aggregate exceeds \$75 in any given twelve-month period, from any person or firm that he or she knows or should know, does or intends to do, business with the County of Steuben. Nothing contained herein shall prohibit a County official from accepting a gift from a family member or personal friend which is customary on family and social occasions. A County official should seek an advisory opinion from the Board of Ethics prior to accepting a gift from such a person or firm in the event the County official believes that acceptance of the gift may create a conflict of interest. Violation of this Subsection B (11) shall constitute a conflict of interest.
 12. No County elected official shall use his or her official position or office, or take or fail to take any action, in a matter in which he or she knows or has reason to know, may result in a benefit to a person or entity from whom the County elected official has received election campaign contributions of more than \$250 in the aggregate during the 12 months prior to taking or failing to take such action. The County elected official shall disclose his or her perceived conflict of interest and thereafter shall abstain on any vote involving the person or entity. The abstention shall not be counted as a vote in favor of the matter before the County elected official.
 13. No County official or County elected official shall engage in bid-rigging or any coercive conduct, such as: influence peddling, threats, fear of retribution, loss of job, intimidation, bullying, or loss of business, for the sake of personal gain or benefit.

C. Confidential information.

1. No County official or County employee subject to the provisions of this article shall disclose confidential information or use such information to further a personal interest.
2. Public Officers Law of New York State requires counties to make certain records available for public inspection and copying. Permissible exceptions to this requirement are listed in §87, Subdivision 2 of that law. Information defined by this Code of Ethics as either disclosable or confidential are intended to be consistent with the provisions of that law.
3. For the purposes of this section, all information falls into one of three categories: the class of information which is never confidential; the class of information which is always confidential; and the class of information which may be confidential.
 - a) Never confidential:
 - i. Some internal or interagency records, communications and reports are never confidential. According to the Public Officers Law, these include information that is:
 - 1) The result of an external audit; or

- 2) Statistical data; or
 - 3) An instruction to staff that affects the public; or
 - 4) A final policy or determination made by the county or one of its departments.
- ii. Disclosure or use of such information is not restricted by this article.

b) Always confidential:

- i. Information is always confidential when its disclosure would:
 - 1) Impair current or imminent contract awards or collective bargaining negotiations; or
 - 2) Interfere with law enforcement investigations or judicial proceedings; or
 - 3) Deprive a person of his or her right to a fair trial or impartial adjudication; or
 - 4) Constitute an unwarranted invasion of privacy; or
 - 5) Endanger the life or safety of any person.
- ii. Information that is always confidential includes:
 - 1) Civil service examination questions or answers prior to the administration of the exam; or
 - 2) Computer access codes; or
 - 3) Information that is specified as non-disclosable by federal or state law.
- iii. No County official may disclose such information, unless pursuant to court order, statute or specific law and may never use such information to further a personal interest.

c) May be confidential:

Information which does not clearly fall into one of the above categories may still be confidential. In those instances where a request has not been filed pursuant to §87 of the Public Officers Law (F.O.I.L.), and a County official or employee is uncertain as to whether information may be disclosed or used, prior to any determination being made with regard to disclosure or personal use, all County officials and employees must submit a written request to the County Attorney as to whether a given piece of information is confidential or not. The County Attorney shall advise whether the County official or employee is at that time legally obligated to deem the information confidential. The County Attorney shall make every best effort to provide the requesting party with a written determination within five business days.

4. The restrictions on disclosure and use of confidential information apply without regard to the circumstances in which the information was sought or acquired.

- D. Failure to comply with this Section may result in the imposition of any appropriate penalty set forth in Section 5 hereof.

SECTION 3. BOARD OF ETHICS

- A. Membership and eligibility. There shall be a County Board of Ethics, the members of which shall be appointed by the County Manager, subject to confirmation by the County Legislature. The Board of Ethics shall consist of three members, only one of whom shall be a County official or employee. Members of the Board of Ethics shall be volunteers, and shall receive no compensation for the performance of duties as members. The Board shall have access to and the assistance of County administrative staff to the extent required to conduct its business, at no expense to the Board. County administrative staff shall be required to maintain complete confidentiality of all matters brought before and discussed by the Board. The Board shall be entitled to legal counsel. Each member of the Board shall be a resident of the County of Steuben.
- B. Term. Each member of the Board of Ethics shall serve a term of three years and may be reappointed without term limitation. Each member shall serve until his or her successor has been appointed, except that of the three members first appointed, one shall serve for one year; one shall serve for two years; and one shall serve for three years.

- C. Quorum. Two members shall constitute a quorum.
- D. Meetings.
1. Annual meeting. The Board of Ethics shall meet annually on or before June 1st. Such meeting shall serve as an orientation for any new members. At the meeting, the Board shall review the annual disclosure statement filings submitted by required County Officials and employees, and any other business that may come before it.
 2. Regular meetings. The Board of Ethics may hold additional meetings throughout the year as shall be called by the Chair or any two members, provided a meeting of the Board of Ethics shall be held within 15 days after the filing of a complaint alleging a violation of this section, at which meeting such complaint shall be considered by the Board in the manner set forth in Section 4 hereof.
- E. Vacancies and removals.
1. In the event a vacancy occurs, it shall be filled for the unexpired term in the same manner as the original appointment. Such appointment shall be made no later than 30 days after the vacancy occurs, or as soon as practicable.
 - a) A member may be removed for cause by the County Manager, with confirmation of the County Legislature. Grounds for removal are: substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office, or violation of this Ethics Law or conviction of a crime.
 - b) The provisions of Section 4 shall control and be applied to removals sought pursuant to this section.
- F. Powers and duties of the Board of Ethics.
1. The Board of Ethics shall have the following powers and duties:
 - a) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with this article;
 - b) To review financial disclosure statements submitted by Steuben County officials, employees and agencies required to file said statements;
 - c) Upon review of a financial or transactional statement, if it is determined to be deficient or reveals a potential violation of this article, the Board shall notify the person in writing of the deficiency or potential violation and of the penalties for failure to comply with this article. A copy of such notice shall be provided to the County Manager and County Attorney. The notice shall be confidential and shall not be subject to disclosure unless required in an employee disciplinary or removal proceeding or by order of court;
 - d) To investigate any alleged impropriety and recommend or undertake appropriate actions and proceedings, as required. To do so, the Board shall have the power to, among other things, administer oaths, affirmations, subpoena witnesses, compel their attendance, and require the production of relevant or material books and records;
 - e) To review the filing of waivers or extensions of time to file financial disclosure statements as set forth in detail in Part B of this article;
 - f) To render, index and maintain on file advisory opinions;
 - g) To recommend any changes to the Ethics Law, including provision of definitions, disclosure forms and instructions for filling them out and filing procedures;
 - h) To maintain records of its reports, proceedings, recommendations, financial disclosure filings and Ethics attestations as recommended by NYS Archives and Records Administration's CO-2 Schedule. Records deemed "confidential" shall be segregated from all other records to maintain their confidentiality until they are destroyed.

2. Meetings and proceedings of the Board concerning an alleged violation of this article shall not be open to the public except upon the request of the accused County official or employee or as required by law.
3. The Board of Ethics may act only with respect to Steuben County officials and employees, or on behalf of local municipalities who submit a request for the same in writing to the Steuben County Manager due to their inability to seat a Board of Ethics at the local level. The resignation or termination of a County official or employee from a County office or from employment subsequent to the filing of a complaint, shall not affect the jurisdiction of the Board.
4. The following records of the Board of Ethics shall be available for public inspection:
 - a) The information set forth in the annual statement of financial disclosure filed pursuant to Part B of this article, except the categories of value or amount and personal information, which shall remain confidential.
 - b) Notices of civil assessments imposed under this article.
 - c) Documents required to be disclosed by Public Officers Law §87, Subdivision 2; however, at no time shall a document produced or made available as part of a confidential investigation be released or made available for inspection.
 - d) Documents mandated to be disclosed by court order.

SECTION 4. INVESTIGATION OF ALLEGED VIOLATIONS; ADVISORY OPINIONS

- A. Complaints. Upon receipt of a complaint of a person alleging a violation of this article, or upon determining on its own initiative that a violation of this article may exist, the Board of Ethics shall have the power and duty to undertake an investigation to determine whether a violation has occurred.
 1. A proceeding may be commenced by the filing of a complaint, or by the Board of Ethics' own determination to investigate.
 - a) In the event a proceeding is commenced by complaint, within five business days or as soon as practicable, the Board shall review the allegations to determine whether or not a violation of this article has occurred. The Board shall render its determination by majority vote. In the event the Board determines that the complaint does not result in a violation of this article, the complaint shall be dismissed and simple notice of the complaint and of its dismissal, without further detail, shall be mailed to the complainant and the subject of the complaint. The complaint and the determination shall be sealed and not available to any person who is not a member of the Board of Ethics.
 - b) In the event a member of the Board of Ethics raises the possibility of a violation by a County official or employee, the Board shall first determine, by majority vote, whether the alleged conduct, if undertaken, would constitute a violation of this article. In the event the Board determines that the conduct would not constitute a violation of this article, it shall render a written determination. The allegation, preliminary investigation and determination shall be sealed and not available to any person who is not a member of the Board of Ethics.
 2. In the event the Board determines that an allegation, if true, would constitute a violation of this article, it shall mail written notification to the accused individual. The Board's notification shall describe the alleged violation and provide a fifteen-day period in which the accused individual may submit a sworn, written response setting forth information and/or documentation relating to the alleged violation. The Board's notification shall also inform the accused individual of its rules regarding the conduct of adjudicatory proceedings, appeals, and the due process procedural mechanisms available to such individual. In the event the Board of Ethics determines at any stage of the proceeding that there is no violation or that any potential conflict of interest or violation has been rectified, it shall provide

written notice to the accused individual and the complainant, if any. The foregoing shall be kept confidential, except the subject of the complaint may disclose the facts alleged and determination of the Board.

- a) In the event the Board of Ethics determines there is reasonable cause to believe a violation has occurred, it shall, within 20 days, provide written notice either in person or by certified mail, of reasonable cause: to the accused individual; to the complainant, if any; in the case of a County official or employee, to the appointing authority for such person; and, in the case of a County elected official, to the Chair of the County Legislature. In the event of a conflict with the Chair, then to the Vice Chair. Such determination of reasonable cause shall be confidential and shall not be made public or disclosed unless required by Public Officers Law or required for use in a discipline or proceeding under this article involving the subject individual, complainant, or another County official.
 - b) Once reasonable cause has been established, the Board of Ethics shall schedule a hearing, to be held within 60 days, at which the accused individual is entitled to legal representation of his or her own choosing and at his or her own expense. Testimony shall be taken under oath and the proceeding shall be recorded. The Board shall issue a decision containing specific findings within 30 days of the completion of the hearing. A copy of the decision shall be served, by certified mail, on the accused individual or his or her legal representative, the complainant, the Clerk of the Legislature and, if appropriate, the District Attorney. The decision of the Board of Ethics shall not be deemed confidential.
3. Dispositions. The Board shall state in writing the disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition. The report shall be made in accordance with Section 3, subject to the confidentiality requirements set forth herein.
4. Advisory opinions.
- a) A County official or employee may request an advisory opinion from the Board of Ethics prior to that County official or employee engaging in any behavior which he or she reasonably believes may cause a violation of this article. The request for an advisory opinion shall be written and contain sufficient facts to permit the Board to make its determination. An individual requesting the opinion is obligated to be forthcoming and cooperative throughout the process, in the absence of which no advisory opinion will be provided. The Board shall endeavor to provide written notice of its determination within 10 business days.
 - b) Advisory opinions shall be filed with the Clerk of the Legislature; however, the Board of Ethics shall first redact all names, identifying features, and any other information which would tend to identify the complainant and the subject of the request for the advisory opinion.
 - c) In the event a complaint is subsequently filed against a County official or employee in which a violation of this code is alleged based upon the facts which formed the basis of the request for the advisory opinion, it shall be a complete defense to the alleged violation that the County official or employee acted consistent with, and in reliance upon, said advisory opinion. An unredacted advisory opinion shall be available to the County official who sought or needs it to defend himself or herself.
5. Complaints against the Board of Ethics. The Board of Ethics shall not conduct an investigation of itself or any of its members or staff. In the event the Board of Ethics receives a sworn complaint in which it is alleged that the Board or any of its members or staff has violated any provision of this article or any other law, it shall transmit a copy of the complaint to the Chair of the Legislature, County Manager and the County Attorney within 48 hours of receipt of same. The Chair of the Legislature shall, within five business days, create a three-person subcommittee of Legislators, at least one of

whom is a member of a minority party, to address the complaint, and provide the complainant with written notice of the subcommittee members. The subcommittee shall thereafter conduct whatever investigation or hearing necessary in the same manner and with the same authority as provided generally in this section. A copy of the subcommittee's decision shall be distributed to all members of the Legislature. Further action, if any, shall comply with the provisions of this article.

6. False complaints. Any person who knowingly files a false complaint may be subject to disciplinary action, civil liability, or criminal prosecution.

SECTION 5. PENALTIES FOR OFFENSES

- A. Any person who willfully and knowingly violates this article shall be subject to a civil action, civil penalty, disciplinary action or relevant criminal prosecution. Penalties are not exclusive.
- B. In addition to the foregoing, a person who knowingly and intentionally violates the provisions of this article may be fined up to \$10,000 per occurrence, unless the violator is subject to the protections and limitations set forth in the Civil Service Law. A County official or County employee may also be reprimanded, suspended, or removed from office or employment, subject to the provisions of the Civil Service Law or any collective bargaining agreement.

SECTION 6. VOIDABLE CONTRACTS

Any contract knowingly entered into in violation of this article shall be voidable at the discretion of the County Legislature.

SECTION 7. SUITS AGAINST COUNTY

Nothing set forth herein shall be deemed to bar or prevent the filing of a lawsuit or claim for or against the County of Steuben under any other provision of law.

SECTION 8. TESTIMONY

No County officer or employee shall decline or refuse to answer any question specifically or directly related to the performance of his or her official duties before any official, board or agency authorized or empowered to so inquire into the performance of such duties. This section shall not be construed to bar any Steuben County officer or employee from exercising his constitutional privileges against self-incrimination; however, when such body or agency is wholly civil in nature, failure to cooperate with and diligently answer the inquiries shall constitute grounds for dismissal or removal, subject to any other provision of law.

SECTION 9. CONFLICT WITH OTHER PROVISIONS

In the event two or more provisions of this article are in conflict with one another, the more restrictive provision shall apply.

SECTION 10. DISTRIBUTION OF CODE OF ETHICS

The Clerk of the Steuben County Legislature shall cause a copy of this Ethics Law to be distributed to every County official and employee, electronically or otherwise, and posted on the County website, within 30 days of its effective date. Each County official, elected or appointed, and each employee thereafter, shall be furnished with a copy of this article as a part of their employment orientation,

electronically or otherwise, before entering upon the duties of his office or employment. Acknowledgement of receipt of this article shall be submitted to the Clerk of the Legislature by regular or inter-office mail and must be provided by each County official or employee who is subject to its terms. Receipt of the acknowledgement shall be required in order to commence employment or volunteer work. Acknowledgement of receipt of this article shall be required by current County officials within 30 days after its effective date.

SECTION 11. EFFECTIVE DATE

This article shall take effect 60 days after adoption, upon filing with the New York State Secretary of State, subject to all applicable provisions of law.

PART B (Financial Disclosure)

SECTION 12. DEFINITIONS

In addition to the definitions set forth in Part A of this law, the following terms shall have the meanings described below:

ANNUAL FINANCIAL DISCLOSURE STATEMENT — A form adopted by the Legislature of the County of Steuben which requires the identification of certain personal and business assets of a required filer.

REPORTING CATEGORY — For the purpose of completing annual financial disclosure statements, the category of interest, income, value or worth of reported items. All amounts are to be indicated using the following categories only:

- A. Under \$5,000.
- B. Five thousand dollars to under \$20,000.
- C. Twenty thousand dollars to under \$60,000.
- D. Sixty thousand dollars to under \$100,000.
- E. One hundred thousand dollars to under \$250,000.
- F. Two hundred fifty thousand dollars or over.

REQUIRED FILER — A County elected official, County official, or other employee and any other individual whose position within or with the government of the County of Steuben requires him or her to file an annual financial disclosure statement.

- A. On or before the 1st of April of each year, the Chair of the County Legislature shall identify those positions which require the filing of annual financial disclosure statements.
- B. On or before the 1st of March of each year, the Board of Ethics may recommend to the Chair of the County Legislature modifications to the positions listed as required filers.

SECTION 13. ANNUAL FINANCIAL DISCLOSURE STATEMENTS

- A. Time period. On or before the 15th day of May of each year, required filers shall complete and file their annual financial disclosure statements. An individual who accepts a position or is appointed to a position identified as a required filer by the Chair of the County Legislature after May 1 of any year shall file an annual financial disclosure statement for the year within 30 days of accepting the position.
- B. Place to file. A required filer shall submit to the Clerk of the County Legislature a completed annual financial disclosure statement on the form prescribed by the Steuben County Board of Ethics.

- C. Request for extension of time. On or before May 1 of each year, a required filer may request an extension of time to file his or her annual financial disclosure statement for a period not to exceed 30 days. Such request shall be made in writing to the Clerk of the Legislature. The request shall be approved only upon a showing of justifiable cause or undue hardship. The Clerk shall provide the required filer with written notice of his or her determination within five business days of receipt of such request.

SECTION 14. RESPONSIBILITIES OF CLERK OF LEGISLATURE

- A. The Clerk of the Legislature shall be the official repository of all annual financial disclosure statements and shall not release for observation or otherwise any such statement unless authorized to do so by this or other law.
- B. Upon written request, and as required by the Freedom of Information Law, the Clerk of the Legislature shall make an annual financial disclosure statement available, but shall withhold from inspection personal information as permitted by law. All written requests for access to annual financial disclosure statements shall be kept on file by the Clerk of the Legislature.
- C. The Clerk of the Legislature shall receive and catalog all annual financial disclosure statements to determine whether a required filer has filed his or her financial disclosure statement. In the event a required filer has failed to file an annual financial disclosure statement, the Clerk shall provide written notice of the violation and 10 days to correct it. In the event the violation is not cured within 10 days, the Clerk shall report it to the Board of Ethics. In the event the required filer is a member of the Board of Ethics, the Clerk shall report the violation to the Chair of the Legislature.

SECTION 15. VIOLATIONS

- A. A required filer who violates this article may be warned, reprimanded, suspended or removed from office or employment, or be subject to any other sanction as authorized by law. A warning, reprimand, suspension, removal or other authorized sanction may be imposed in addition to any other penalty contained in this article or in any other related provision of law.
- B. In the event of a violation of this article, or in the event the Board of Ethics receives a complaint alleging a violation, or in the event the Board of Ethics determines on its own initiative to investigate a possible violation, the Board of Ethics shall provide written notice to the required filer, in which the alleged violation is set forth in detail. The Board of Ethics shall provide a 10 day period in which the required filer shall submit a detailed written response
 1. In the event the Board of Ethics determines further inquiry is justified, it shall provide the required filer with an opportunity to be heard.
 2. The Board of Ethics shall inform the required filer of its rules regarding the conduct of adjudicatory proceedings and appeals and the due process procedural mechanisms available as set forth in Part A, Section 4, hereof.
 3. In the event the Board of Ethics determines at any stage of the proceeding that there is no violation or that a violation has been cured, it shall so advise the required filer and the complainant, if any. All of the foregoing proceedings shall be confidential.
- C. In the event the Board of Ethics determines there is reasonable cause to believe that a violation exists, it shall send a notice of reasonable cause to: the required filer; the complainant, if any; and, in the case of a County official, his or her appointing authority.
 1. The Board's determination of reasonable cause shall not be made public or disclosed unless required by the Freedom of Information Law (Public Officers Law, Article 6) or required for use in a discipline or proceeding involving the required filer.

2. Any further proceedings shall adhere to the procedural requirements set forth in Part A, Section 4, of this article.
3. In the event the Board of Ethics determines that a violation of this article has occurred, it shall provide a copy of its determination to the required filer's appointing authority or, in the event the required filer is a County elected official or member of the Board of Ethics, to the Chair of the County Legislature, for further action. The determination of the Board of Ethics shall include a recommendation as to penalty, sanction or other action.

AND BE IT FURTHER RESOLVED, within twenty (20) days after such Local Law is adopted, the Clerk of this Legislature of the County of Steuben shall cause a copy of the Local Law to be published in the two officially designated county newspapers of the County, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of Steuben County by the filing of a petition within forty-five (45) days from the date of the final adoption of the Local Law with the Clerk of this Legislature demanding such referendum, which petition must be signed by qualified electors of the County registered to vote therein at the last preceding election, in number equal to at least ten per centum (10%) of the total number cast for Governor at the last gubernatorial election in the County; and be it further

RESOLVED, within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum of said Local Law, the Clerk of the Legislature shall cause one certified copy thereof to be filed in the office of the Secretary of State of the State of New York, and the said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

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

Vote to Table: Roll Call – Adopted. Yes – 9247; Absent – 625
(Absent – Legislator Potter)

RESOLUTION NO. 152-20

Introduced by C. Ferratella and G. Swackhamer.

Seconded by R. Lattimer.

AUTHORIZING AND ACCEPTING FUNDING FROM HEALTH RESEARCH INC., FOR COVID-19 ENHANCED DETECTION.

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

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

WHEREAS, these awards are to be used for enhanced detection, surveillance and prevention of COVID-19; and

WHEREAS, Public Health & Nursing Services has been awarded a COVID-19 Response Grant in the amount of \$310,840.00; 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 Director of Public Health is authorized and directed to accept \$310,840.00 as revenue and appropriate \$65,000.00 into the 2022 Public Health & Nursing Services COVID-19 Project Budget, \$150,840 into the

2021 Public Health & Nursing Services COVID-19 Project Budget and \$95,000 into the 2020 Public Health & Nursing Services COVID-19 Project Budget as follows:

403000	4 4401303	COVID 19 Response	\$95,000
401000	5 110000	Salaries & Wages	\$66,000
403000	5 419100	Advertising	\$1,000
403000	5 446460	Administration	\$8,500
401000	5 810000	NYS Employees Retirement	\$6,170
401000	5 830000	Social Security	\$5,000
401000	5 840000	Workers Compensation	\$3,330
401000	5 860000	Group Medical Insurance	\$5,000

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: Roll Call – Adopted. Yes – 9247; Absent – 625
(Absent – Legislator Potter)**

RESOLUTION NO. 153-20

Introduced by R. Lattimer and G. Swackhamer.

Seconded by K. Fitzpatrick.

ACCEPTING FEDERAL 5311 CAPITAL PROJECTS FUNDING FOR MOBILITY MANAGEMENT SERVICES AND ADJUSTING CAPITAL PROJECT ACCOUNT.

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

WHEREAS, mobility management services are provided for Steuben County through a contract with the Institute for Human Services, Inc. (IHS); and

WHEREAS, the 10% local share is derived from the transportation scheduling contract between IHS and the Steuben County Department of Social Services; 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
2019 Mobility Management	\$412,606	\$330,085	\$41,261	\$41,260
2020 Mobility Management	\$424,739	\$339, 791	\$42,474	\$42,474

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

NOW THEREFORE, BE IT

RESOLVED, the Director of Planning is authorized to accept the Mobility Management Services funding of \$837,345; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate said funds into the Mobility Management Services Capital Project (5630H2) to reflect additional appropriations and revenues of State of New York, third party subcontractors, and any vendors for the purposes of fulfilling the grant requirements; and be it further

RESOLVED, Steuben County certifies through this resolution that the local share for Mobility Management shall be fulfilled by the Institute for Human Services, Bath NY; and be it further

RESOLVED, four certified copies of this resolution shall be sent to the Planning Director and one certified copy to the Commissioner of Finance.

**Vote: Roll Call – Adopted. Yes – 153-20; Absent – 625
(Absent – Legislator Potter)**

RESOLUTION NO. 154-20

Introduced by B. Schu and G. Swackhamer.

Seconded by C. Ferratella.

AUTHORIZING THE COUNTY MANAGER TO ACCEPT AND APPROPRIATE A CYBER SECURITY GRANT.

WHEREAS, the Board of Elections has received a contract from New York State Board of Elections (NYSBOE) for grant #C004277; and

WHEREAS, New York State authorized a total of \$9 million, combined from the 2018 Federal HAVA funds and 2020 Federal HAVA funds, for use by county Boards of Elections to implement Cyber Security remediation services, the grant reimbursement is 100 percent to the county with no match from the county; and

WHEREAS, the County’s portion of the Cyber Security Remediation and Mitigation Grant is \$85,689.43; and

WHEREAS, the 2019 Security Assessment Report completed by Grant Thornton, lists the recommendations needed to improve the County’s election security; and

WHEREAS, many items will benefit the entire County not just the Board of Elections.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to accept the Cyber Security Remediation and Mitigation Grant #C004277; and be it further

RESOLVED, the Commissioner of Finance shall appropriate these funds to Revenue account number 44089201; and be it further

RESOLVED, that the County Manager is hereby authorized to execute all documents for receipt of grant #C004277; and be it further

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

**Vote: Roll Call – Adopted. Yes – 9247; Absent – 625
(Absent – Legislator Potter)**

RESOLUTION NO. 155-20

Introduced by B. Schu.

Seconded by H. Lando.

APPROVING THE ANNUAL RPSV4 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 1/1/21 LEVY																																								
.rpsv4chargeback/resolutions						07/31/2020																																		
Swis	Municipality	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback	ORPS License Fee Schedule																																		
4603	Corning City	4,256	\$1,500	\$200	\$1,700	<table border="1"> <tr> <th>Number of Parcels</th> <th>Fee</th> </tr> <tr> <td>0-500</td> <td>\$750</td> </tr> <tr> <td>501-1000</td> <td>\$850</td> </tr> <tr> <td>1001-2000</td> <td>\$1,000</td> </tr> <tr> <td>2001-3000</td> <td>\$1,200</td> </tr> <tr> <td>3001-4000</td> <td>\$1,300</td> </tr> <tr> <td>4001-6000</td> <td>\$1,500</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Number of Parcels	Fee	0-500	\$750	501-1000	\$850	1001-2000	\$1,000	2001-3000	\$1,200	3001-4000	\$1,300	4001-6000	\$1,500																				
Number of Parcels	Fee																																							
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4001-6000	\$1,500																																							
4606	Hornell City	3,721	\$1,300	\$200	\$1,500																																			
4620	Addison	1,303	\$1,000	\$200	\$1,200																																			
4622	Avoca	1,339	\$1,000	\$200	\$1,200																																			
4624	Bath	5,165	\$1,500	\$200	\$1,700																																			
4626	Bradford	581	\$850	\$200	\$1,050																																			
4628	Cameron	758	\$850	\$200	\$1,050																																			
4630	Campbell	1,630	\$1,000	\$200	\$1,200																																			
4632	Canisteo	2,056	\$1,200	\$200	\$1,400																																			
4634	Caton	1,312	\$1,000	\$200	\$1,200																																			
4636	Cohocton	1,863	\$1,000	\$200	\$1,200																																			
4638	Corning Town	3,240	\$1,300	\$200	\$1,500																																			
4640	Dansville	1,300	\$1,000	\$200	\$1,200																																			
4642	Erwin	3,206	\$1,300	\$200	\$1,500																																			
4644	Fremont	809	\$850	\$200	\$1,050																																			
4646	Greenwood	733	\$850	\$200	\$1,050																																			
4648	Hartsville	576	\$850	\$200	\$1,050																																			

4650	Hornby	1,010	\$1,000	\$200	\$1,200
4652	Hornellsville	2,397	\$1,200	\$200	\$1,400
4654	Howard	1,244	\$1,000	\$200	\$1,200
4656	Jasper	901	\$850	\$200	\$1,050
4658	Lindley	1,042	\$1,000	\$200	\$1,200
4660	Prattsburgh	1,878	\$1,000	\$200	\$1,200
4662	Pulteney	1,729	\$1,000	\$200	\$1,200
4664	Rathbone	777	\$850	\$200	\$1,050
4666	Thurston	992	\$850	\$200	\$1,050
4668	Troupsburg	967	\$850	\$200	\$1,050
4670	Tuscarora	901	\$850	\$200	\$1,050
4672	Urbana	2,015	\$1,200	\$200	\$1,400
4674	Wayland	2,335	\$1,200	\$200	\$1,400
4676	Wayne	1,578	\$1,000	\$200	\$1,200
4678	West Union	536	\$850	\$200	\$1,050
4680	Wheeler	992	\$850	\$200	\$1,050
4682	Woodhull	1,184	\$1,000	\$200	\$1,200
		56,326	\$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. Yes – 9247; Absent – 625
(Absent – Legislator Potter)**

RESOLUTION NO. 156-20

Introduced by B. Schu and G. Swackhamer.

Seconded by G. Roush.

REPEALING THE ACCEPTANCE OF THE CENSUS OUTREACH GRANT AWARD.

WHEREAS, the Administration Committee approved the application to the census outreach grant and issuance of a request for proposals at their December 10, 2019 meeting; and

WHEREAS, the Planning Department submitted an application to Empire State Development (ESD) in February 2020 seeking funds to assist with complete count outreach efforts; and

WHEREAS, this Legislature adopted Resolution number 063-20 accepting the census grant award amount of approximately \$180,000 at their March 23, 2020 meeting; and

WHEREAS, the COVID-19 pandemic resulted in a halt of all census related activity at the end of March 2020; and

WHEREAS, the resulting shutdown in US census activity caused an unforeseen change in timeframe, scope and dollar amount of the original census outreach grant.

NOW THEREFORE, BE IT

RESOLVED, that the resolution accepting the census outreach grant award in the amount of \$180,910 at the March 2020 Legislative meeting is hereby repealed; and be it further

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

Mr. Swackhamer asked for an explanation of what happened with this. Mr. Wheeler stated the State cut the initial award in half. Previously we had accepted the full grant amount and then we received word that it had been cut to half the original amount. Mr. Swackhamer asked so the State gave us a budget, we accepted, then they cut it and now we have to rescind the prior approval and accept the new budget amount? Mr. Wheeler replied correct.

**Vote: Roll Call – Adopted. Yes – 9247; Absent – 625
(Absent – Legislator Potter)**

RESOLUTION NO. 157-20

Introduced by B. Schu and G. Swackhamer.

Seconded by K. Fitzpatrick.

ACCEPTING THE CENSUS OUTREACH GRANT.

WHEREAS, enumerating every resident in Steuben County during the National Census 2020 is crucial to receiving numerous revenue streams from the Federal and State governments; and

WHEREAS, the New York State Census Outreach Grant will assist in strategically targeting and enumerating hard to count populations; and

WHEREAS, the Administration Committee approved said grant and issuance of a request for proposals at their December 10, 2019 meeting; and

WHEREAS, the Planning Department received four requests for proposal responses from not-for-profit partners to administer the census outreach grant on behalf of the county; and

WHEREAS, the Planning Department submitted an application to Empire State Development (ESD) in February 2020 seeking funds to assist with complete count outreach efforts; and

WHEREAS, the Planning Department was notified of said grant award on or about Tuesday August 4, 2020.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is authorized to accept said grant award of up to \$90,455.00; and be it further

RESOLVED, the County Manager is hereby authorized to sign a grant agreement and any other necessary documents for said grant; and be it further

RESOLVED, the Director of Planning is authorized to enter into a contract with various not-for-profit partners to administer this grant; and be it further

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

Mrs. Lando asked had we spent any money from the original award? Mr. Wheeler replied no. We lined up the contractors who functionally, might be doing the outreach work already, but we have not expended money as we do not have it yet. Mrs. Lando asked are we working with ProAction? Mr. Wheeler replied we are working with most of the human services agencies, including ProAction.

Vote: Roll Call – Adopted.

RESOLUTION NO. 158-20

Introduced by G. Swackhamer.

Seconded by R. Lattimer.

AUTHORIZING THE REIMBURSEMENT TO THE GENERAL FUND FROM CARES ACT 2020 FUNDS.

WHEREAS, the County contracts with the Institute for Human Services (IHS) for transportation coordination services that the County is obligated to provide; and

WHEREAS, on May 18, 2020 this Legislature adopted resolution number 116-20 that advanced funds to IHS from the general fund in the amount of \$170,788.13 to cover short falls created by the COVID 19 pandemic; and

WHEREAS, said resolution stated that the General Fund would be reimbursed \$170,788.13 upon receipt of Section 5311/NYS DOT Mobility Management funds; and

WHEREAS, the County was subsequently awarded CARES Act 2020 funds for Mobility Management programs which is expected to be received much sooner than 5311 funds; and

WHEREAS, IHS has indicated they would like to reimburse the County’s General Fund using CARES Act dollars; and

WHEREAS, the Finance Committee has approved reimbursement using CARES Act 2020 funds.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to reimburse the General Fund of Steuben County \$170,788.13 upon receipt of CARES Act 2020 funds for the Mobility Management Program; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 159-20

Introduced by G. Swackhamer.

Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF FINANCE TO CREATE A CAPITAL PROJECT FOR DSRIP FUNDING.

WHEREAS, the County has participated in the Finger Lakes Performing Provider System Medicaid Reform DSRIP Projects; and

WHEREAS, the County has been awarded \$289,545 resulting from the County Programs meeting performance measures identified in the various project goals; and

WHEREAS, the County has seen an increase in homelessness and need for Public Welfare Benefits; and

WHEREAS, these funds can be used to improve the overall housing and basic needs of this population.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to create a new Capital Project, account #6010H6 entitled “Delivery System Reform” for these DSRIP funds; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 160-20

Introduced by R. Nichols and G. Swackhamer.

Seconded by J. Malter.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER \$800,000.00 FROM THE GENERAL REPAIRS, SALARIES & WAGES ACCOUNT, TO VARIOUS DEPARTMENT OF PUBLIC WORKS SALARIES & WAGES ACCOUNTS.

WHEREAS, the 2020 budget appropriated all Salaries & Wages into the General Repairs Salaries & Wages account; and

WHEREAS, various Salaries & Wages accounts were not funded in the original budget; and

WHEREAS, funds need to be transferred from the General Repairs Salaries & Wages into various contractual Salary & Wages cost centers; and

WHEREAS, said transfers will not increase the Public Works Department budget; and

WHEREAS, the Public Works Committee and Finance Committee recommend said transfers.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to transfer \$800,000.00 from the General Repairs, Salaries & Wages, 511000 5 1100 000, to various Salaries & Wages accounts as follows:

- 511200 5 1100 000 Permanent Improvements \$300,000
- 512000 5 1100 000 Maintenance of Bridges \$250,000
- 514200 5 1100 000 Snow Removal - County \$250,000

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 161-20

Introduced by R. Nichols.

Seconded by H. Lando.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH ALLEGANY COUNTY TO SELL THE SURPLUS BALER.

WHEREAS, the Steuben County Solid Waste Division purchased a new recycle baler for the Erwin Transfer Station; and

WHEREAS, the Solid Waste Division has determined that the old 2010 recycling baler is surplus equipment and desires to liquidate said asset; and

WHEREAS, Allegany County desires to purchase the above mentioned baler for \$2,000 as is; and

WHEREAS, the Public Works Committee recommends an Inter-Municipal Agreement (IMA) for the sale of the 2010 Reaction Distribution, THB-6048 Recycle Baler to Allegany County.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is authorized to sign an Inter-Municipal Agreement with Allegany County for the sale of the 2010 Reaction Distribution, THB – 6048 Recycle Baler for \$2,000; and be it further

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

RESOLVED, certified copies of this resolution shall be forwarded to Allegany County, Department of Public Works, Highway Superintendent, County Office Bldg., Rm 210, Belmont, NY 14813, the County Manager, Risk Manager and the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 162-20

Introduced by R. Nichols.

Seconded by C. Ferratella.

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100 PERCENT OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS.

WHEREAS, a project for the BridgeNY (2): Bridge Replacement (BIN 3255800) CR 115 over the Canisteo River, Town of Erwin, Steuben County, PIN 6755.33 (“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 95% Federal funds and 5% non-federal funds; and

WHEREAS, the County of Steuben will design, let, and construct the Project; and

WHEREAS, the County desires to advance the Project by making an initial commitment of 100% of the costs of the work for the Project or portions thereof.

NOW THEREFORE, BE IT

RESOLVED, this County Legislature does hereby approve the Project; and be it further

RESOLVED, this County Legislature does hereby authorize the County to pay in the first instance 100% of the cost of Design and Right of Way Incidentals and Acquisition work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from BridgeNY funds; and be it further

RESOLVED, an additional \$12,500 is hereby appropriate and made available for a total sum of \$523,500 (of which \$511,000 has been previously appropriated) is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and be it further

RESOLVED, this County Legislature hereby agrees that the County shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or BridgeNY funding awarded to the County of Steuben; and be it further

RESOLVED, in the event the Project costs not covered by federal-aid, state-aid, or BridgeNY funding exceed the amount appropriated above, the County shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, the County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

RESOLVED, the County Manager is hereby authorized to execute on behalf of the County all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid or BridgeNY funds 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 County of Steuben's first instance funding of Project costs and permanent funding of the local share of federal-aid and/or state-aid or BridgeNY eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, four certified copies of this Resolution shall be forwarded to the Commissioner of Public Works to be filed with the New York State Department of Transportation by attaching them to any necessary Agreement in connection with the Project.

Vote: Roll Call – Adopted.

RESOLUTION NO. 163-20

Introduced by C. Ferratella and B. Schu.

Seconded by S. Maio.

AUTHORIZING THE RECLASSIFICATION OF ONE (1) VACANT SUPERVISING CLERK POSITION, GRADE XI, TO A CASE SUPERVISOR, GRADE B POSITION, GRADE XVI, WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, the Supervising Clerk position in the Department of Social Services is vacant; and

WHEREAS, there is a need for a Case Supervisor, Grade B position in the Department of Social Services; and

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

NOW THEREFORE, BE IT

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

One (1) Supervising Clerk Position #4120-01, Grade XI (\$35,279 - \$49,804), to
One (1) Case Supervisor, Grade B Position #0680-09, Grade XVI, (\$44,437 - \$62,733).

AND BE IT FURTHER RESOLVED, that the 2020 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 the Department of Social Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 164-20

Introduced by B. Schu.

Seconded by G. Swackhamer.

AUTHORIZING THE IMPLEMENTATION OF A VOLUNTARY RETIREMENT INCENTIVE.

Pursuant to Older Worker Protection Act 29 USC §623 and §626.

WHEREAS, nearly unprecedented fiscal constraints warrant extreme measures due to the Covid-19 Pandemic;
and

WHEREAS, to the extent possible it is necessary and desirable to reduce staff through attrition to avoid layoffs in this year and next year; and

WHEREAS, a voluntary early retirement incentive is intended to promote those wishing to retire and provide adequate consideration for doing so; and

WHEREAS, the Ad Hoc Reopening and Recovery Committee recommended this incentive to the Administration Committee of the Steuben County Legislature who has approved said action.

NOW THEREFORE, BE IT

RESOLVED, there be and hereby is established a voluntary early retirement incentive to be conducted consistent with the Older Workers Benefit Protection Act 29 USC §623 and §626; and be it further

RESOLVED, participation in said incentive is subject to approval by the County Manager and/or County Legislature; and be it further

RESOLVED, terms and conditions for participation are as follows:

- 1.) The employee must be eligible to and in fact retire and execute a revocable release and waiver which may be revoked within seven (7) business days of execution and is thereafter binding if not revoked;
- 2.) The incentive is to be targeted and result in the cost savings of a position over this and the ensuing fiscal year; positions in 24/7 operations may be backfilled after the County Manager has determined there shall be a net savings;
- 3.) The decision to target a position after an employee opts to participate is that of the County Manager and/or County Legislature and not subject to a veto by a department head;
- 4.) The Personnel Department in conjunction with the County Manager shall develop the necessary forms, releases, waivers, and notices for implementation of the incentive;
- 5.) Participation in the incentive is strictly voluntary on the part of the employee subject to approval of the County Manager;
- 6.) Any employee opting to participate must notify the Personnel Officer no later than September 30, 2020 and retire from service on or before November 13, 2020. Failure to so retire invalidates the incentive; and be it further

RESOLVED, the voluntary early retirement incentive shall consist of the following:

- 1.) Employees who are age 55 by the date of retirement with 25+ years of County service are eligible for the 50% Health Insurance payment; the County will match current payment percentage up to age 65 or provide a one-time payment of \$20,000;
- 2.) Employees who are age 55 by the date of retirement with more than 20 years of County service but less than 25 years who receive 25% of a single policy contribution at retirement, the County will match 25% through age 65 or provide a one-time payment of \$10,000; and be it further

RESOLVED, any persons who have previously retired are not qualified to receive this voluntary retirement incentive; and be it further

RESOLVED, any request to refill a position shall follow normal channels by filing a vacancy request with the Personnel Officer; the Vacancy Committee shall have the sole discretion to authorize the filling of such vacancy; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Personnel Officer, Commissioner of Finance, and the Presidents of CSEA local 851, Unit #8700-00 and Unit #8700-01, and the Deputies Association of the County of Steuben.

Mrs. Lando asked how many employees are qualified to participate? Mr. Wheeler replied there are approximately 110 employees that would qualify. We don't think that many will participate simply because there are a number that are on the edge without a State incentive. Mrs. Ferratella commented at Inter-County it was brought up that some other counties are offering a flat amount to encourage people to leave whether they are eligible for retirement or not.

Mr. Mullen stated I don't understand how these scenarios are different from what would normally happen. Could you explain? Mr. Wheeler stated so you are essentially doubling the County portion of their insurance premium upon retirement, up to the age of 65. So generally if someone is retiring with 20 years of service, the County would pay 25 percent of their insurance premium and this incentive bumps it up to 50 percent. For someone with 25 or more years of service, for the County would pay 50 percent of their insurance premium and this incentive bumps it up to 100 percent. Mr. Van Etten stated there is also a cash option if they choose not to take the insurance.

Mr. Mullen asked how much savings will there be? Mr. Wheeler replied it depends which employees retire. Conservatively we will see a first year savings of about \$300,000 all the way up to \$1,000,000; it all depends on who retires. We will not be filling all of the vacancies. There are many individuals in the promotional chain and we will replace senior positions from within but not junior positions. Our goal is to reduce headcount. Mr. Van Etten stated there will be follow-up action by us to fill spots and promote individuals who are working out of classification. Overall the cost savings are still significant.

Mr. Swackhamer commented the County is trying to be generous to the employees rather than doing what other counties are doing by layoffs and furloughs. We hope this will help with our finances so that we don't have furlough or lay-off employees.

Mr. Maio asked do your numbers take into account, with what Chairman Van Etten just said, follow-up actions? Mr. Wheeler replied yes. We had the departments model out from the ideal to extreme where we are not filling the vast majority of vacancies. As we get into the budget process you will be involved in looking at vacancies.

**Vote: Roll Call – Adopted. Yes – 9271; No - 601
(No – Legislator Hanna)**

RESOLUTION NO. 165-20

Introduced by G. Swackhamer.

Seconded by J. Malter.

ESTABLISHING THE DATE, TIME, AND PLACE FOR THE 2020 REAL PROPERTY SPECIAL PUBLIC AUCTION.

WHEREAS, the County’s annual Delinquent Real Property Tax *In Rem* procedure pursuant to Article 11 of the New York State Real Property Tax Law was tolled due to the 2020 Coronavirus Pandemic; and

WHEREAS, the County currently holds title to multiple parcels within its borders, with said title to the parcels acquired through previous *In Rem* proceedings; and

WHEREAS, it is desirable to hold a Real Property Special Public Auction for the purpose of offering those previously acquired parcels by public auction to the highest bidder; and

WHEREAS, that due to current guidelines and restrictions relative to the pandemic, it is desirable to offer online bidding as an alternative for bidders who may not be able to bid in person; and

WHEREAS, it is necessary to establish the date, time, and place for the Steuben County 2020 Real Property Special Public Auction.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County 2020 Real Property Special Public Auction shall be conducted on Friday, October 2, 2020, commencing at 10:00 a.m. at the Annex Building located at 20 East Morris Street in the Village of Bath, New York; and be it further

RESOLVED, those bidders wishing to submit bids online shall submit bids through the internet via www.proxibid.com, subject to its user agreement and subject to the *Steuben County Notice to Bidders and Terms of Sale – October 2, 2020*; and be it further

RESOLVED, anyone wishing to bid on parcels offered through this Special Public Auction must pre-register by 5:00 p.m. on September 30, 2020. Forms for pre-registration will be available on the Steuben County website and from the Steuben County Finance Office; and be it further

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

Mr. Swackhamer stated bidders will need to pay attention to the rules and regulations that we have had to set for this with regard to COVID. He asked if Mr. Wheeler could explain this. Mr. Wheeler stated essentially we will have this special auction and we will have a “gate keeper” to say what we are bidding on and interested bidders will be able to come into the conference room area on the 2nd floor of the Annex Building. We can segment the auction by properties.

Mrs. Lando commented Chemung County recently had their auction online. Have we heard how successful that was? Mrs. Hurd-Harvey stated that she heard that they had a very good experience and felt they did better than they had historically, however, that is hard to quantify. Their feeling was that they had higher participation and more robust bidding. Chemung County structured their online auction more like EBay. What we are doing is having people bidding online during the in-person auction. Pirrung Auctioneers will have staff monitoring the bidding online.

Mrs. Lando asked how many properties do we have? Mr. Donnelly replied we have 17 properties for sure with another possible two if the non-refundable undertakings are not received by August 31, 2020. Mrs. Lando asked when will the public find out which properties are in the sale? Mrs. Hurd-Harvey replied September 1, 2020.

RESOLUTION NO. 166-20

Introduced by G. Swackhamer.

Seconded by P. Van Caesele.

RATIFYING AND CONFIRMING THE 2020 NOTICE TO BIDDERS AND TERMS OF SALE.

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

WHEREAS, it is desirable to hold a Special Public Auction relative to multiple parcels for which the County currently holds title; and

WHEREAS, the Steuben County 2020 Real Property Special Public Auction is scheduled to be conducted on Friday, October 2, 2020, commencing at 10:00 a.m. at the Annex Building located at 20 East Morris Street in the Village of Bath, New York; and

WHEREAS, on August 11, 2020, the Commissioner of Finance was authorized and directed by the Finance Committee of the Legislature to establish and publish the terms and conditions of the recited sale in advance of said sale, subject to the approval of the County Attorney; and

WHEREAS, the Commissioner of Finance did present the *Notice to Bidders and Terms of Sale – October 2, 2020* to the County Attorney for review and approval.

NOW THEREFORE, BE IT

RESOLVED, that the attached *Notice to Bidders and Terms of Sale – October 2, 2020* is hereby ratified and confirmed; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to publish the *Notice to Bidders and Terms of Sale – October 2, 2020* in advance of said sale; and be it further

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

Vote: Roll Call – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.F. The Medical, Financial, Credit or Employment 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. Malter, seconded by Ms. Lattimer and duly carried.

Motion Temporarily Removing Legislator Steve Maio from all Standing Committee Assignments made by Mr. Van Etten. Seconded by Mr. Malter. Roll Call – Adopted. Yes – 9330; No – 542. (No – Legislator Maio)

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

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