

**REGULAR MEETING**  
**Morning Session**  
**Monday, December 17, 2018**  
**Legislative Chambers**

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 17<sup>th</sup> day of December, 2018 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all member present.

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

**IN MEMORIAM**

**STEPHEN D. BIGGER**  
**1940-2018**

The death of our former colleague, Stephen D. Bigger, who passed away on December 8, 2018, is acknowledged by this Legislature with deep sadness.

Steve was born in Scranton, PA, to Michael and Helen Bigger. He grew up in Hornell and was a graduate of Hornell High School. Upon graduation, he enlisted in the U.S. Navy, serving his country aboard the USS Yorktown. Upon being honorably discharged, Steve became a New York State Trooper and served in that capacity for 22 years, primarily in the Hornell, Bath and Canisteo area. He retired in 1987.

Steve had been a member of Our Lady of the Valley Parish and a communicant of St. Ann's Church. A true outdoorsman, he was an avid hunter and fisherman who enjoyed these sports not only locally, but throughout the United States including Alaska, Wyoming and Nebraska. There was no place on earth Steve would rather be than outdoors enjoying all that Mother Nature had to offer.

Having a lifelong interest in government, Steve pursued the position of Steuben County Legislator where he represented the residents of District 7 in Avoca, Fremont, Howard and Wheeler from 1993 through 2002.

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

Steve additionally lent his expertise and leadership to a variety of county advisory board, including the Fish and Wildlife Management Act Board, Traffic Safety Board, Fire Advisory Board, Jury board and the Solid Waste Ad Hoc Committee. Steve always served with honor and distinction, and represented the Legislature with dignity and professionalism.

Steve 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 family 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 Brenda Campbell to come forward. Ms. Campbell is an employee in the Buildings & Grounds Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski asked Amanda Chapman to come forward. Mrs. Chapman is the Deputy Clerk of the Legislature. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Mr. Wheeler stated it is with sadness that he would like to recognize Mitch Alger. Mr. Alger will be leaving us at the beginning of next year. He has done a fantastic job and we wish him well.

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

Mark Alger, Bath, stated he came back to see if he could get the fruitcake back. In all seriousness, he is here to discuss two things. First, he would like to offer Mr. Wheeler a public apology. He hit send on an email that he composed to the Chairman and he is sorry about that. He stated he does not want that to diminish the respect that he has for Mr. Wheeler or the Chairman and he apologizes for that. His intention was not to create or cause additional angst at a time when he knows that you have a full plate with Raise the Age, Counsel at Arraignment and the Deputy County Manager leaving, as well as other day to day issues. Mr. Alger stated the second reason he is here is that when he sent the email, he was concerned about the Raise the Age issue that deals with the location of a State facility to house youthful offenders for the 11-county consortium. He feels as a community member, an obligation to at least voice his opinion. He really does not think we need to have this in Bath. He knows that it needs to go somewhere and there are issues involved. Everyone is trying to do the best for the county and the residents while trying to maintain some type of rational control over the costs. There will be a significant cost to the taxpayers. We are only dealing with the front-end costs in the county. There are significant systemic changes happening. He had expressed his concern and apologizes to Mr. Wheeler. He does not know any more than what he read in the paper.

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

Mr. Alderman stated that he would first like to thank Mr. Alger for the honor of being the keeper of such a big piece of county history. He did take the opportunity add his own personal touch; a Corvette insignia. It has been a daunting task to keep the fruitcake safe and frozen for an entire year. However, he is pleased to announce that the fruitcake remained frozen and in his custody. As Personnel Officer, he did attempt to write a job spec for the fruitcake, but it turns out the fruitcake is really not qualified for anything. Mr. Alderman stated that he believes for the coming year the only individual qualified enough to do a good job keeping the fruitcake safe is...Sheriff Allard.

***Motion Adopting the Minutes of the Previous Meeting(s) made by Mr. Van Etten. Seconded by Mrs. Lando and duly carried.***

Mr. Ryan stated that he would like to recognize Caylea Lautner and Josh Hammond who are currently serving, or have served in the military.

Mr. Hauryski commented the Legislative Flower Fund is getting low and he would appreciate any donations the Legislators could make.

**RESOLUTION NO. 207-18**

Introduced by S. Van Etten.

Seconded by R. Weaver.

**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**, the Chairman of the Steuben County Legislature is authorized and directed to execute the requisite documents to convey the parcel contained in Schedule "B" and sold by public auction held on December 7, 2018, pursuant to Resolution 163-18 approved by the Steuben County Legislature on September 24, 2018; and be it further

**RESOLVED**, the said grantee(s), recited in Schedule "B" must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale – Hornell Courthouse" as applicable; and be it further

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

**SCHEDULE "A"**

Resolution No.	<u>A-1</u>
Name	<u>George E. &amp; Patricia A. Fuller</u>
Parcel No.	<u>211.00-01-014.000</u>
Municipality	<u>Town of Hornby</u>
Disposition	<u>2018-19 Correction of STAR Ex.</u>

Resolution No.	<u>A-2</u>
Name	<u>Dennis K. Potter</u>
Parcel No.	<u>378.20-01-001.000</u>
Municipality	<u>Town of Troupsburg</u>
Disposition	<u>2019 Correction of Veterans Ex.</u>

Resolution No.	<u>A-3</u>
Name	<u>Brian Gennello</u>
Parcel No.	<u>142.00-01-022.110</u>
Municipality	<u>Town of Bath</u>
Disposition	<u>2017 Parcel Split</u>

Resolution No.	<u>A-4</u>
Name	<u>Mary Ann Eicher</u>
Parcel No.	<u>166.10-02-056.000</u>
Municipality	<u>City of Hornell</u>
Disposition	<u>2018-19 Correction of STAR Ex.</u>

Resolution No.	<u>A-5</u>
Name	<u>Richard C. Ruppert</u>
Parcel No.	<u>329.00-01-010.100</u>
Municipality	<u>Town of Rathbone</u>
Disposition	<u>2019 Parcel Split</u>

Resolution No.	<u>A-6</u>
Name	<u>James A. &amp; Michelle A. Coots</u>
Parcel No.	<u>174.00-01-055.210</u>
Municipality	<u>Town of Bath</u>
Disposition	<u>2019 Court-Ordered Change of Assessment</u>

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Steuben County
Date of Public Auction:	December 7, 2018
Parcel No.	151.71-04-013.000
Municipality	City of Hornell
Highest Bidder	Dalton E. Cady
Highest Bidder's Address	7046 County Rte. 119, Cameron Mills, NY 14820
Consideration	\$2,505.00, inclusive of buyer's premium & recording fees

**Vote: Roll Call – Adopted. Yes – 9275; Abstained – 597**  
**(Abstained – Mr. Mullen due to a client relationship)**

**RESOLUTION NO. 208-18**

Introduced by J. Hauryski.

Seconded by G. Roush.

**RECEIVING AND ACCEPTING THE DECEMBER 17, 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:

**November 16, 2018**

NYS Board on Electric Generation Siting and the Environment – Re: Notice of availability of the intervenor funds and deadline for submitting funding requests issued November 14, 2018 for Canisteo Wind LLC (Case 16-F-0205). **In addition, ruling requiring action concerning party status. Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.**

**November 19, 2018**

Steuben County Republican Committee – Re: Appointment of Veronica Olin to the position of Republican Election Commissioner of Steuben County pursuant to the New York State Election Law for a two year term beginning January 1, 2019. **Referred to: filed with the Clerk of the Legislature, Brenda Mori.**

Steuben County Democratic Committee – Re: Appointment of Kelly J. Penziul to the position of Democratic Election Commissioner of Steuben County pursuant to the New York State Election Law for a two year term beginning January 1, 2019. **Referred to: filed with the Clerk of the Legislature, Brenda Mori.**

City of Corning – Re: Request for the board member replacement of the Southern Tier Central Regional Planning and Development Board (STC). **Referred to: Jack Wheeler, County Manager; and filed with the Clerk of the Legislature, Brenda Mori.**

**November 21, 2018**

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

NYS Board on Electric Generation Siting and the Environment – Re: Ruling adopting protective order on the Eight Point Wind, LLC project issued November 14, 2018. **Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and filed with the Clerk of the Legislature, Brenda Mori.**

**November 26, 2018**

NYS Board of Electric Generation Siting and the Environment – Re: Case 18-F-0498, Application of EDF Renewables Development for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 to construct a Solar Electric Generating Facility. Notice to nominate four potential candidates to serve as ad hoc public members on the siting board. *Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Jack Wheeler, County Manager.*

**November 30, 2018**

NYS Board of Electric Generation Siting and the Environment – Re: Ruling on Cmore’s request for remaining pre-application intervenor funding and request for removal of confidential information from DMM issued November 28, 2018 for Canisteo Wind Energy LLC (Case 16-F-0205). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

**December 4, 2018**

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Railhead Brewing Company, LLC PILOT (payment in lieu of tax) agreement and RP-412-a form for property located at 30 Park Drive, Hornell, NY. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Alan Reed, County Attorney.*

**December 6, 2018**

NYS Board of Electric Generation Siting and the Environment – Re: Issues on the ruling on Baron Winds LLC issued December 3, 2018 (Case 15-F-0122). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Board of Electric Generation Siting and the Environment – Re: Reissue of ruling on Baron Winds LLC issued December 3, 2018 (Case 15-F-0122). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Homes and Community Renewal – Re: Notification of the Annual Performance Report on the Steuben County Woodlands Community Sewer Project (NYS CDBG Project#1115PR170-16) is due by January 11, 2019. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Homes and Community Renewal – Re: Notification of the Annual Performance Report on the Steuben County Wells & Septic Program (NYS CDBG Project#1115WS324-17) is due by January 11, 2019. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 209-18**

Introduced by B. Schu.

Seconded by J. Malter.

**APPROVING THE STATEMENT OF TAXES DUE AND DIRECTING DELIVERY OF THE COMPLETED TAX ROLLS WITH ATTACHED WARRANTS.**

Pursuant to Sections 900, 902, 904 and 1330 of the Real Property Tax Law and Section 361 of the County Law of the State of New York.

**WHEREAS**, the County Legislature pursuant to Section 361 of the County Law of the State of New York, is deemed to have passed a budget for Fiscal Year 2019, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2019; and

**WHEREAS**, the Director of the Steuben County Real Property Tax Service Agency has prepared the statement of taxes due January 1, 2019, for all towns and cities showing the respective real property tax levies and tax rates; and

**WHEREAS**, upon the tax rolls of the several tax districts, the several taxes have been duly extended as provided by Law and said completed tax rolls have been laid before this County Legislature for its approval.

**NOW THEREFORE, BE IT**

**RESOLVED**, the said statement of taxes due January 1, 2019, tax rates and tax rolls for the taxes for the year 2019 extended on the several assessment valuations of parcels of land of the several tax districts for the County and Town purposes be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and be it further

**RESOLVED**, there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Legislature and heretofore laid before the Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several Warrants be signed by the Chairman and Clerk of this Legislature, under the Seal of the Legislature; and that the said rolls with the said Warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts in the County; and be it further

**RESOLVED**, the Warrant shall designate the amount payable to the Commissioner of Finance and the amount payable to the Supervisor, and shall constitute the authority of such collectors of taxes to collect and receive the several amounts thereof to be paid over to the respective Commissioner of Finance and Supervisor on or before April 2, 2019; and it be further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 210-18**

Introduced by G. Swackhamer.

Seconded by F. Potter.

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

**WHEREAS**, Sponsor will design, let and construct the “Project”.

**WHEREAS**, a Project for the Bridge NY Bridge Replacement (BIN 3333290) CR 22 over Canisteo River, Town of Cameron, Steuben County, P.I.N. 6755.06 (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 desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Steuben County Legislative Board approves the Project; and it is further

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

**RESOLVED**, that the Steuben County Legislative Board hereby agrees that the County of Steuben shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding awarded to the County of Steuben; and it is further

**RESOLVED**, that the sum of \$3,212,000 is hereby appropriated (of which, \$450,000 has been previously appropriated to cover the cost of Design and Right of Way Incidentals/Acquisition, and \$2,762,000 is hereby appropriated to cover the cost of Construction/Inspection) and made available to cover the cost of participation in the above phases of the Project; and it is further

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

**RESOLVED**, that the County of Steuben hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three years of commencing construction; and it is further

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

**RESOLVED**, that three certified copies of this resolution be filed with Sharon Grabosky, RPPM, NYSDOT Region 6, 107 Broadway, Hornell, NY 14843 by attaching them to any necessary Agreement(s) in connection with the Project; and it is further

**RESOLVED**, this Resolution shall take effect immediately.

**Vote: Roll Call – Adopted.**

#### **RESOLUTION NO. 211-18**

Introduced by B. Schu and S. Van Etten.

Seconded by G. Roush.

#### **AUTHORIZING THE COMMISSIONER OF FINANCE TO APPROPRIATE INSURANCE PROCEEDS RELATED TO THE FIRE AT THE COHOCTON HIGHWAY SHOP.**

**WHEREAS**, insurance proceeds of \$424,254 have been received in connection with the fire at the Cohocton Highway Shop; and

**WHEREAS**, purchases of \$82,338 related to equipment repairs and replacements connected with the Cohocton Fire have been paid from the Judgments and Claim cost center; and

**WHEREAS**, a capital project has been established to rebuild the Cohocton Shop (HS0601) and it is fitting to transfer the balance of the insurance proceeds to the Capital Project.

#### **NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized to appropriate \$82,338 of insurance proceeds to the Judgments and Claims account:

Increase Judgments & Claims insurance recoveries revenue (193000-42680000) by \$82,338  
Increase Judgments & Claims expenditures (193000-5410500) by \$82,338; and be it further

**RESOLVED**, the Commissioner of Finance is hereby authorized to appropriate \$341,916 of insurance proceeds to the Provisions for Capital Projects account:

Increase Judgments & Claims insurance recoveries revenue (193000-42680000) by \$341,916  
Increase Provisions for Capital Projects expenditure (995000-5936000) by \$341,916; and be it further

**RESOLVED**, the Commissioner of Finance is hereby authorized to transfer and appropriate \$341,916 to the Rebuild Shop – Cohocton Capital Project:

Increase Inter-fund Transfers revenue (HS0601-45031900) by \$341,916  
Increase Capital Projects expenditures (HS0601-5250000) by \$341,916; and be it further

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

**Vote: Roll Call – Adopted.**

### **RESOLUTION NO. 212-18**

Introduced by S. Van Etten.

Seconded by J. Malter.

**AUTHORIZING THE COMMISSIONER OF FINANCE TO APPROPRIATE THE BALANCE IN THE RESTRICTED FUND BALANCE ACCOUNT “OTHER ED-HANDICAP PARKING.”**

**WHEREAS**, a restricted fund balance account was established to accumulate and account for surcharges received from New York State in connection with parking tickets issued for violations of the handicap parking law; and

**WHEREAS**, the surcharges are restricted as to their use for efforts designed to educate the general population about handicap parking restrictions and laws; and

**WHEREAS**, the County Sheriff’s office has undertaken an educational campaign and thereby has incurred costs associated with production of a brochure detailing Disability Parking Laws and Rights.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized to appropriate \$637.50 from the Restricted Fund Balance account “Other Ed-Handicap Parking” to the Sheriff’s copying expenditure line:

Decrease Other Ed-Handicap Parking fund balance account (A-38892989) by \$637.50  
Increase Unassigned Fund Balance account (A-39110000) by \$637.50  
Increase Sheriff Department Copying account (311000-5403800) by \$637.50

and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 213-18**

Introduced by S. Van Etten and B. Schu.

Seconded by C. Ferratella.

**AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH ANDREWS TECHNOLOGY HMS, INC. FOR PROVISION OF THE NOVATIME SOFTWARE SOLUTION.**

**WHEREAS**, Steuben County has received responses for a Request for Proposals for timekeeping systems, with representatives of management and the Unions participating in demonstrations of proposed systems; and

**WHEREAS**, it was determined that the products and services offered by Andrews Technology HMS, Inc. and the NOVAtime Web-based Time and Attendance System best fit the needs of the various departments of the County; and

**WHEREAS**, the Administration Committee of the County Legislature has approved acceptance of the Response to the RFP of Andrews Technology HMS, Inc. for the provision of the NOVAtime Web-based Time and Attendance System; and

**WHEREAS**, the Finance Committee of the County Legislature has approved utilization of the existing EDP Equipment Capital Project (1680H1) to fund the costs associated with the implementation of the NOVAtime system at a five year cost not to exceed \$400,000.

**NOW THEREFORE, BE IT**

**RESOLVED**, that pending Law Department review, the County Manager is hereby authorized to execute an agreement for services with Andrews Technology HMS, Inc. for the provision of the NOVAtime Web-based Time and Attendance System; and be it further

**RESOLVED**, that the Commissioner of Finance is hereby authorized to establish an additional expenditure account within the EDP Equipment Capital Project to capture the costs associated with the electronic timekeeping system and to transfer \$400,000 from the existing expenditure line within the EDP Equipment Capital Project (5250000) to the newly created line (5250022); and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 214-18**

Introduced by B. Schu.

Seconded by H. Lando.

**AUTHORIZING THE COMMISSIONER OF FINANCE TO CONTRACT WITH SUN LIFE FINANCIAL, INC. FOR PROVISION OF HEALTH INSURANCE STOP LOSS INSURANCE COVERAGE.**

**WHEREAS**, the County Health Insurance consultant, Gallagher Benefits Services has recommended that the County obtain health insurance stop loss coverage; and

**WHEREAS**, Gallagher Benefits Services, solicited proposals on the County's behalf from several insurance companies that offer health insurance stop loss coverage; and

**WHEREAS**, the Deputy Commissioner of Finance, Personnel Officer and County Manager reviewed the summary of proposals prepared by Gallagher Benefits Services; and

**WHEREAS**, the estimated cost of stop loss coverage was included in the calculation of the 2019 equivalent premium amounts; and

**WHEREAS**, on December 11, 2018 the Administration Committee of the County Legislature approved the recommendation of the County Manager to accept the proposal from Sun Life Financial, Inc. with a specific stop loss level of \$750,000.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized to execute an agreement with Sun Life Financial, Inc. for the provision of medical insurance stop loss coverage with a specific stop loss level of \$750,000 at an approximate cost of \$111,800 inclusive of the Excellus (County third party administrator) fees; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 215-18**

Introduced by B. Schu.

Seconded by R. Lattimer.

**CONFIRMING THE REAPPOINTMENT OF THE COMMISSIONER OF SOCIAL SERVICES.**

Pursuant to Section 8.00 of the Steuben County Charter.

**WHEREAS**, **Kathryn A. Muller** of Bath, New York, has been recommended by the County Manager for reappointment as Commissioner of the Steuben County Department of Social Services to serve for a five-year term; and

**WHEREAS**, the Administration Committee has recommended the Steuben County Legislature confirm said appointment.

**NOW THEREFORE, BE IT**

**RESOLVED**, **Kathryn A. Muller** of Bath, New York, be and the same hereby is reappointed Commissioner of the Department of Social Services for the County of Steuben for a five-year term commencing February 16, 2019 through February 15, 2024; and be it further

**RESOLVED**, an Oath of Office shall be filed in the Steuben County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the Steuben County Clerk, the Steuben County Department of Social Services and the Personnel Officer.

Mr. Mullen stated over the last few years I have had concerns about the manner in which the Commissioner has exercised her authority in relation to different members of the community. I was previously a foster parent and had a very good experience with the Commissioner and the department with that. However, I am aware of people who have had very negative experiences with that, and experiences that I think were handled wrongly by the department. Because of that, I am no longer a foster parent. I think that we should do something other than a five-year appointment, and I understand that is not going to happen today, but I just wanted to voice that concern and note that we have also heard from former employees of the department with concerns. I'm not sure exactly what has been done with that.

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

**RESOLUTION NO. 216-18**

Introduced by B. Schu.

Seconded by F. Potter.

**CONFIRMING THE APPOINTMENT OF THE INFORMATION TECHNOLOGY DIRECTOR.**

Pursuant to Section 12.07 of the Steuben County Charter.

**WHEREAS, Robert Wolverton** of Bradford, New York, has been appointed by the County Manager as the Information Technology Director in accordance with the Management Salary Plan in Grade H; and

**WHEREAS,** the Administration Committee has recommended the Steuben County Legislature confirm said appointment.

**NOW THEREFORE, BE IT**

**RESOLVED,** the appointment of **Robert Wolverton** of Bradford, New York, as the Information Technology Director effective December 24, 2018, is hereby confirmed by the Steuben County Legislature; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to the above named appointee and the Personnel Officer.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 217-18**

Introduced by B. Schu.

Seconded by R. Weaver.

**APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2019.**

Pursuant to Section 3-204 of the Election Law of the State of New York.

**WHEREAS,** Shawn Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Kelly J. Penziul, residing in Painted Post, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

**NOW THEREFORE, BE IT**

**RESOLVED,** that Kelly J. Penziul, residing in Painted Post, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2019 and terminating December 31, 2020 and setting the salary at \$54,637; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to the above-named appointee at 175 Beartown Rd., Painted Post, NY, 14870; Shawn Hogan, 12 Mays Avenue, Hornell, New York, 14843; the Steuben County Clerk; Personnel Officer, and to the Clerk of the Steuben County Board of Elections.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 218-18**

Introduced by B. Schu.

Seconded by R. Lattimer.

**APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2019.**

Pursuant to Section 3-204 of the Election Law of the State of New York.

**WHEREAS**, Cheryl L. Crozier, Secretary of the County Committee of the Republican Party of the County of Steuben has, in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, her certification that Veronica Olin, residing in Hornell, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

**NOW THEREFORE, BE IT**

**RESOLVED**, Veronica Olin, residing in Hornell, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2019 and terminating December 31, 2020 and setting the salary at \$54,637; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointee at 6321 Crosby Creek Road, Hornell, NY 14843; Joseph Sempolinski, Chairman, Steuben County Republican Committee, PO Box 198, Corning, NY 14830; the County Clerk; the Personnel Officer; and the Clerk of the Steuben County Board of Elections.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 219-18**

Introduced by J. Hauryski.

Seconded by C. Ferratella.

**APPOINTING KATHRYN A. MULLER AS REPRESENTATIVE ON THE BOARD OF THE LOCAL DEVELOPMENT CORPORATION BEING CREATED BY THE 11-COUNTY CONSORTIUM FOR RAISE THE AGE DETENTION.**

**WHEREAS**, Raise the Age (RTA) has created challenges for counties attempting to comply with the detention facility mandates prescribed by the RTA legislation passed by New York State; and

**WHEREAS**, several counties in the region have teamed-up to create an 11-county consortium with the collective goal of working collaboratively on a regional detention facility solution for the youth covered by RTA; and

**WHEREAS**, Kathryn A. Muller, as Commissioner of Social Services, has the requisite expertise and experience to represent Steuben County on the board of the local development corporation (LDC) being created by the 11-county consortium; and

**NOW THEREFORE, BE IT**

**RESOLVED**, Kathryn A. Muller of Bath, New York, is hereby appointed by the Steuben County Legislature as Steuben County's representative on the board of the LDC being created by the 11-county consortium; and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the County Manager, County Attorney, Commissioner of Finance, Sheriff, Probation Director, District Attorney, and the Commissioner of Social Services.

Ms. Fitzpatrick asked what is the purpose of this? Mr. Wheeler explained this is an issue not without controversy. There is an 11-county consortium that is responsible for examining detention alternatives for 16 year old offenders and starting in 2019, for 17 year old offenders. Currently, the closest option is Albany County at a cost of \$2,000 - \$3,000 per day. That would require deputies for transport. With no local option, the consortium was talking about forming an LDC (Local Development Corporation). As Mr. Alger alluded to earlier, there was a newspaper article that was written presenting that a site was already selected in Bath and that is where the facility would be. That is wholly incorrect; the discussion was rehabbing Camp Monterey or building a new building somewhere within the 11-county consortium. Each county was asked to provide a location. The LDC could purchase property to do that. There are a number of options. The next step is the creation of the LDC. We are recommending Ms. Muller to serve as our representative on that board. The other 10 counties will also be appointing their DSS Commissioners. Anyone is welcome to attend those meetings. This is a topic we need to stay on top of.

**Vote: Acclamation – Adopted.**

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

***Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Schu. Seconded by Mr. Roush and duly carried.***

***Motion to Adjourn made by Mr. Roush. Seconded by Mr. Potter and duly carried.***