

REGULAR MEETING
Morning Session
Monday, January 27, 2020
Legislative Chambers

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

Roll Call and all members present except Legislators Ferratella, Lattimer, Ryan and Swackhamer.

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

Chairman Van Etten opened the floor for the opportunity for public comments.

Kyle Peterson, Campbell, stated originally we were coming here to officially introduce the Second Amendment Sanctuary Ordinance to you, the Legislature. However, after our meeting on the 21st, we are here to make this more of an information meeting and to inform you we are slowing things down in order to seek legal advice and gather even more supporters. I have served almost 10 years in the United States Army, 4 years of which was on active duty where I had deployed to Iraq and Kuwait. I had a secret clearance and served on a personal security detachment where I trained regularly with various types of firearms. Understandably, every time another mass tragedy and loss of innocent lives happens, the country is shaken and debate arises. All over the news you see how someone illegally used a gun to commit a crime and after every one of these crimes, politicians want to immediately push legislation about gun control. These gun laws do much more harm to law-abiding citizens, than to the criminals who don't follow the laws. These laws are just making it harder for law-abiding citizens to own guns for lawful purposes. Now with all the weapons I have trained on and fired, not once did one go rogue and shoot somewhere I did not aim and never once did it shoot by itself. Triggers don't pull themselves so guns are not where the blame lies. The blame lies with the person committing the crime. Governor Cuomo's new bail reform has/will release hundreds to thousands of inmates charged with crimes such as, but not limited to: Manslaughter in the 2nd degree; unlawful imprisonment in the 1st degree; criminal sale of a controlled substance in the 1st degree; money laundering in support of terrorism in the 3rd and 4th degree; and many other crimes that are violent, drug or child/sexual related. With the release of these types of criminals without bail, our communities and the victims in our communities are put in further and unnecessary danger, leaving many in fear due to the current firearm laws and proposed firearm bills. Both the U.S. Constitution and the NYS Civil Rights Laws (Article 2, Section 4) protect our right to keep and bear arms. "A well-regulated militia, being necessary to the security of a free state; the right of the people to keep and bear arms shall not be infringed". Many of these gun laws that are being passed and introduced are in violation of our 1st, 4th, 5th, 9th, 10th and 14th amendments. Furthermore, to make it clear to all, we are not giving up, quitting or stepping away from this issue at hand. We are simply postponing until a later date. We look forward to further communication with County officials.

Wayne Wells, Cameron, spoke about his concern for the businesses we have lost due to the economy under the leadership of President Trump.

Doug Mitchell, Addison, stated as a Steuben County resident and the Chairman of the Steuben County SCOPE Chapter, I want to thank you for your wisdom and political will in passing a resolution for your concern and repugnance with the NY SAFE Act passed in January 2013 in the dead of night. And for memorializing that same resolution again last March 2019 when one of your own members and the Shooters Committee on Political Education brought you nearly 1500 signatures requesting an ordinance to establish a sanctuary county. With the reality of Governor Cuomo's bevy of attorneys, his huge amount of state money defending the state's pre-emption laws, his deference for his State Troopers over duly elected Sheriffs and District Attorneys and his veiled threats regarding his ability to fire Sheriffs and

District Attorneys, the desired ordinance became a resolution. A good start, but it's not enough. There are approximately 100 million firearm owners in the United States...5 million of them are military with a boss and a gun use protocol. Another 5 million are law enforcement with a boss and a gun use protocol. That leaves 90 million folks or ninety percent with no boss and no gun use protocol, and that scares the "you know what" out of so many ambitious politicians needing control. And that's just what the Founding Fathers intended; a government always held in check by civil elections by citizens with rights rather than privileges "the right to keep and bear arms shall not be infringed". The NY SAFE Act, the Red Flag Laws and, most recently, the Bail Reform Laws all contribute to the destruction or erosion of "due process" and common sense justice. We Upstate seem to be the frogs in the pot of water. Each time one of these laws, unfunded mandates or regulatory changes is handed down, the water temperature goes up, and the frog adjusts and tolerates it a bit longer until it dies or moves to another state with better weather. Maybe it's time to jump out of the pot so to speak. Maybe it's time to put some teeth into our resolve. And to Mr. Cuomo and his hoplophobic cadre, a quote from a recent poster and excuse the indelicate vernacular "if you need to disarm a society to govern, you 'suck' at governing". Thank you.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting Upon the Agricultural District within the Village of Addison, Towns of Addison, Bath, Cameron, Campbell, Caton, Corning, Erwin, Hornby, Lindley, Rathbone, Thurston, Tuscarora, Woodhull and the City of Corning, New York, known as Agricultural District No. 6, to consider the recommendations of the Agricultural and Farmland Protection Board, and any proposed modification of the District. Chairman Van Etten opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

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

RESOLUTION NO. 009-20

Introduced by K. Fitzpatrick

Seconded by F. Potter

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

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 Daniel G. Kamin Bath LLC
Rite Aid Corporation
 Parcel No. 158.11-01-015.000
 Municipality Village of Bath
 Disposition 2020 Court Ordered Correction

Resolution No. A-2
 Name WH Greenhow Company
Evening Tribune
 Parcel No. 151.71-03-012.100
 Municipality City of Hornell
 Disposition 2020 Court Ordered Correction

Resolution No. A-3
 Name Daniel C. Michaloski
 Parcel No. 424.00-01-012.100
 Municipality Town of Lindley
 Disposition 2020 Correction of Duplicate Entry

Resolution No. A-4
 Name Juergen and Deirdre Tinz
 Parcel No. 276.00-01-007.000
 Municipality Town of Rathbone
 Disposition 2020 Correction of Exemption

Resolution No. A-5
 Name Magan Kay Stalbird
 Parcel No. 191.13-01-068.000
 Municipality Village of Savona
 Disposition 2019 Refund – Error in Acreage

Resolution No. A-6
 Name Magan Kay Stalbird
 Parcel No. 191.13-01-068.000
 Municipality Village of Savona
 Disposition 2020 Correction of Acreage

Resolution No. A-7
 Name New York State
 Parcel No. 209.00-01-005.000
 Municipality Town of Hornby
 Disposition 2020 – Tax Exempt

Resolution No. A-8
 Name James Tagliareni
 Parcel No. 295.00-01-005.110
 Municipality Town of Addison
 Disposition 2020 Parcel Split

Resolution No. A-9
 Name Kenneth and Janine Owens
 Parcel No. 324.00-01-009.210
 Municipality Town of Jasper
 Disposition 2020 Parcel Split

Resolution No. A-10
 Name Bus and Laura J. Fenton
 Parcel No. 383.00-01-021.111
 Municipality Town of Woodhull
 Disposition 2020 Parcel Split

Resolution No. A-11
 Name Lldon and Myrtle Jamison
 Parcel No. 217.00-01-043.100
 Municipality Town of Canisteo
 Disposition 2020 Parcel Split

Resolution No. A-12
 Name Jerome and Deanne Rarrick
 Parcel No. 228.00-01-015.120
 Municipality Town of Hornby
 Disposition 2020 Parcel Split

Resolution No. A-13
 Name Marcy and James Travis
 Parcel No. 034.15-01-013.100
 Municipality Town of Prattsburgh
 Disposition 2020 Parcel Split

Resolution No. A-14
 Name George M. Lucas
 Parcel No. 159.14-01-053.000
 Municipality Village of Bath
 Disposition 2020 Correction of Exemption

Resolution No. A-15
 Name Dean and Kelly Wightman
 Parcel No. 048.00-01-028.100
 Municipality Town of Prattsburgh
 Disposition 2020 Parcel Split

Resolution No. A-16
 Name Sarah F. Miles, John and Beverly Scanlon
 Parcel No. 314.00-01-010.000
 Municipality Town of Addison
 Disposition 2020 Parcel Split

Resolution No.	<u>A-17</u>
Name	<u>Gail D. and James E. Harris</u>
Parcel No.	<u>226.00-01-004.000</u>
Municipality	<u>Town of Campbell</u>
Disposition	<u>2020 Parcel Split</u>

**Vote: Roll Call – Adopted. Yes – 7113; Abstained – 597; Absent – 2162
(Abstained –Mullen due to client conflict; Absent – Ferratella, Lattimer, Ryan, Swackhamer)**

RESOLUTION NO. 010-20

Introduced by S. Van Etten.

Seconded by G. Roush.

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

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

December 9, 2019

NYS Empire State Development – Re: Request for Expressions of Interest in Census 2020 Complete Count Outreach Grants. ***Referred to: Amy Dlugos, Planning Director and Jack Wheeler, County Manager.***

Steuben County Industrial Development Agency – Re: Notice of public hearing regarding the Steuben County Industrial Development Agency and Riedman Purcell CH II LLC (Phase II Project) is scheduled for Thursday, December 19, 2019 at 11:00am at the Corning City Hall located at 500 Civic Center Plaza, Second Floor Council Chambers, Corning, New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

December 10, 2019

NYS Department of Transportation – Re: Notification of the initiated payment process for the Accelerated Fourth Quarter SFY 2019-2020 Statewide Mass Transportation Operating Assistance (STOA) payments. ***Referred to: Amy Dlugos, Planning Director and filed with Brenda Mori, Clerk of the Legislature.***

December 13, 2019

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

December 16, 2019

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$796,257 under the New York State 2019 Statewide Interoperable Communications Grant Program (2019 SICG-Formula). ***Referred to: Public Safety & Corrections Committee; and Timothy Marshall, Emergency Services Director.***

NYS Office of Children and Family Services – Re: OCFS Fatality Report #RO-19-020. ***Referred to: Joseph Hauryski, Legislature Chairman; and Jack Wheeler, County Manager.***

December 18, 2019

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Abundant Solar Power (Troupsburg) LLC (payment in lieu of tax) agreement and RP-412-a form for property located at 2985 County Route 84, Troupsburg, NY. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.***

NYS Parks, Recreation and Historic Preservation – Re: Notification of the Withdrawal and Consumptive Use Application has been submitted to the Susquehanna River Basin Commission (SRBC). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

December 26, 2019

NYS Board on Electric Generation Siting and the Environment – Re: Notice of issuance of the recommended decision and schedule for filing exceptions issued December 23, 2019 for the Canisteo Wind Energy LLC Project (Case#16-F-0205). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice seeking comment on recommended decision issued December 24, 2019 for the Canisteo Wind Energy LLC Project (Case#16-F-0205). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

January 2, 2020

NYS Public Service Commission – Re: Ruling adopting protective order issued December 31, 2019 for the Canisteo Wind Energy LLC Project (Case#19-T-0041). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Department of Environmental Conservation – Re: Site reclassification notice for property located at 6666 Babcock Hollow Road, Bath, NY (Site Name: Steuben-Allegany BOCES, Site#851019, Tax Map No#174-1-33). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and The Residences of Hornell II LLC (payment in lieu of tax) agreement and RP-412-a form for property located at Airport Road, City of Hornell, NY. *Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.*

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and the Iron Shore Properties LLC (payment in lieu of tax) agreement and RP-412-a form for property located at 1, 3, 5, and Prindle Ave, City of Hornell, NY. *Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.*

January 6, 2020

NYS Public Service Commission – Re: Ruling memorializing agreement reached at procedural conference issued January 3, 2020 for the Canisteo Wind Energy LLC Project (Case#19-T-0041). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

January 8, 2020

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,192, which represents the November 2019 surcharge payment for Steuben County. *Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 011-20

Introduced by S. Van Etten.

Seconded by H. Lando.

RATIFYING THE ACTS TAKEN FROM JANUARY 1, 2020 THROUGH JANUARY 6, 2020, INCLUSIVE, BY THE STANDING COMMITTEES THAT HELD MEETINGS.

Pursuant to Section 154 of the County Law of the State of New York.

WHEREAS, prior to the assignments of members of the Legislature to the various standing committees of the County of Steuben by the Chairman of the Legislature it was necessary and desirable for several standing committees, as previously composed, to conduct certain business as reflected by the minutes of their meetings held on the 1st day of January, 2020, through and including January 6, 2020.

NOW THEREFORE, BE IT

RESOLVED, the acts of the standing committees as composed and sitting on January 1, 2020 through January 6, 2020, inclusive, and as reflected by the aforesaid minutes be, and the same hereby are, ratified.

Vote: Roll Call – Adopted.

RESOLUTION NO. 012-20

Introduced by B. Schu and K. Fitzpatrick.

Seconded by J. Malter.

REQUESTING AN EXTENSION OF THE MORTGAGE TAX.

Pursuant to New York State Tax Law Section 253-i, renumbered as Section 253-s.

WHEREAS, the Administration and Finance Committees of the Steuben County Legislature have requested the extension of the County Recording Tax on obligations secured by a mortgage; and

WHEREAS, the County of Steuben has adopted by Local Law No. Six of the Year 2008 Tax Law Section 253-i, renumbered as Section 253-s, for the imposition of a County Recording Tax on obligations secured by a mortgage; and

WHEREAS, said local law adopting the recited recording tax is without a termination date; and

WHEREAS, Tax Law Section 253-i, renumbered as Section 253-s, contains an expiration date of December 1, 2020, as set forth in Law 2005 C 365 §3, as amended by Law 2017 C 61 (Subpart H)(Part C); and

WHEREAS, said additional tax revenues will continue to lessen the burden on the real property tax levy in the provision of necessary governmental services by Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County requests the passage of legislation by the New York State Legislature extending the expiration of Tax Law Section 253-s for an additional three years, or be made permanent; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable John J. Flanagan, NYS Senate Minority Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, Capitol 444, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248; and Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248.

Vote: Roll Call – Adopted.

RESOLUTION NO. 013-20

Introduced by K. Fitzpatrick.

Seconded by R. Nichols.

REQUESTING LEGISLATION FOR AN EXTENSION AUTHORIZING AN ADDITIONAL ONE PERCENT SALES TAX FOR STEUBEN COUNTY.

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, an increase in the rate of the Steuben County Sales and Use Tax from 3 percent to 4 percent for the period beginning December 1, 1992 through November 30, 2020, has heretofore been adopted; and

WHEREAS, it is necessary and desirable to continue to impose the additional one percent rate to avoid a disproportionate increase of the tax burden on real property owners; and

WHEREAS, the New York State Legislature could authorize the Steuben County Legislature to continue to impose an additional one percent sales tax in order to equitably spread the need for additional revenues; and

WHEREAS, a necessity exists for the passage of such Legislation by the New York State Legislature.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the New York State Legislature to adopt special legislation authorizing the Steuben County Legislature to establish an additional one percent sales tax for the period commencing December 1, 2020 through November 30, 2023, or be made permanent; and be it further

RESOLVED, from said additional revenues for the period December 1, 2020 through November 30, 2023, the County of Steuben shall pay or cause to be paid annually to the City of Hornell the sum of \$820,000.00; and to the City of Corning the sum of \$820,000.00; and in addition, the sum of \$790,000.00 to the towns and villages of the County of Steuben, based upon their respective equalized full value; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Andrew M. Cuomo, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable John J. Flanagan, NYS Senate Minority Leader, 909 Legislative Office Building, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, Capitol 444, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248; Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248; and Deborah R. Liebman, Esq., New York State Department of Taxation and Finance, W.A. Harriman Campus, Bldg. 9, Room 228, Albany, NY 12227.

Vote: Roll Call – Adopted.

RESOLUTION NO. 014-20

Introduced by B. Schu and K. Fitzpatrick.

Seconded by H. Lando.

AUTHORIZING THE COMMISSIONER OF FINANCE TO TRANSFER FUNDS FROM VARIOUS BOARD OF ELECTIONS OPERATING ACCOUNTS TO THE VOTING MACHINES CAPITAL PROJECT.

WHEREAS, the Board of Elections will need to purchase new voting machines in the future; and

WHEREAS, the Board of Elections having excess funds for 2019 in various accounts that can be transferred to a capital project for said future purchases as follows:

- Printing account 5 403 100 having excess funds of \$55,000.00;
- Postage account 5 405 100 having excess funds of \$10,000.00;
- Inspectors & Custodians account 5 421 600 having excess funds of \$35,000.00;
- Election Equip Maintenance account 5 427 310 having excess funds of \$5,000.00; and
- Voting Equip Transport account 5 453 140 having excess funds of \$4,000.00.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer the sum of \$109,000.00 from the above-referenced accounts to the Voting Machines Capital Project (H0900 1450H2) for the future purchase of voting machines; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 015-20

Introduced by J. Malter and K. Fitzpatrick.

Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF FINANCE TO REAPPROPRIATE FUNDS FROM THE 2019 JAIL BUDGET INTO THE 2020 JAIL BUDGET.

WHEREAS, the Sheriff having \$7,700 appropriated in 2019 for the purchase of a UPS with bypass switch for the control room in the Jail; and

WHEREAS, the Sheriff and Purchasing were unable to get final pricing on a UPS with bypass switch for the Control Room in the Jail during 2109; and

WHEREAS, the Sheriff anticipates the final quote in early January of 2020; and

WHEREAS, the Sheriff will then be able to create and process a purchase order.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to reappropriate \$7,700 from the 2019 Major Equipment Account (315000-5290000) and add \$7,700 to the 2020 Major Equipment Account (315000-5290000); and be it further

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

Mr. Mullen asked would this be increasing the 2020 budget? Mr. Van Etten stated this will modify the 2020 budget and moves it from 2019 to 2020. It does affect the 2020 budget.

Mr. Mullen asked does it affect the overage that went into the fund balance? Mrs. Hurd-Harvey stated no because the fund balance is based on actual dollars, not budgeted dollars.

Vote: Roll Call – Adopted.

RESOLUTION NO. 016-20

Introduced J. Malter and K. Fitzpatrick.

Seconded by G. Roush.

AUTHORIZING THE COMMISSIONER OF FINANCE TO REAPPROPRIATE \$32,700 FROM THE JAIL'S 2019 MAJOR EQUIPMENT LINE TO THE CAPITAL PROJECT ENTITLED "REPLACE WATER LINES IN THE JAIL".

WHEREAS, \$37,500 was budgeted for the purchase of a dishwasher for the Jail in 2019; and

WHEREAS, to achieve cost savings and efficiencies, a replacement dishwasher was leased for \$4,800 per year instead; and

WHEREAS, leasing leaves \$32,700 in additional funds that are now needed to replace water lines in the jail.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is authorized to reappropriate \$32,700 from the 2019 Major Equipment Account (315000-5290000) to the Replace Water Lines in the Jail Capital Project Account (3150HB-5250000); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 017-20

Introduced by H. Lando and K. Fitzpatrick.

Seconded by S. Maio.

ACCEPTING AND APPROPRIATING THE UNITED WAY OF THE SOUTHERN TIER LEAD GRANT.

WHEREAS, the United Way of the Southern Tier is administering funds relative to the Lead Grant; and

WHEREAS, high blood levels in children put them at risk for life long developmental and cognitive delays; and

WHEREAS, increased on time testing and reducing lead exposure are evidenced based strategies to prevent the risk of delays in children with high blood lead level; and

WHEREAS, the United Way of the Southern Tier Lead grant proposes to reduce risk of Lead exposure in children in Steuben County by increasing training to providers, staff, parents and the community, as well as provide the necessary materials in the form of lead free paint and supplies for mitigation of homes with tested high lead levels; and

WHEREAS, Steuben County Public Health and Nursing Services has been awarded the United Way of the Southern Tier Lead Grant in the amount of \$3,000.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature authorizes the Commissioner of Finance to accept and appropriate \$3,000 in grant funds into the 2020 Steuben County Public Health Lead supply budget (402100); and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health and Nursing Services and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 018-20

Introduced by K. Hanna.

Seconded by R. Nichols.

ACCEPTING A GRANT FROM THE APPALACHIAN REGIONAL COMMISSION.

WHEREAS, multiple regional economic development studies have identified workforce recruitment and retention as crucial to economic growth; and

WHEREAS, the same studies identify lack of appropriate housing as an impediment to recruiting a 21st century workforce; and

WHEREAS, the Planning Director submitted an application to the Appalachian Regional Commission (ARC) in September 2018 seeking funds to conduct a housing demand analysis study to assess workforce housing needs county-wide; and

WHEREAS, the County has already budgeted \$12,500 to match an anticipated award of \$12,500 from the ARC; and

WHEREAS, the Planning Director was notified of said grant award on December 5, 2019; and

WHEREAS, the Agriculture, Industry, and Planning Committee approved said grant.

NOW THEREFORE, BE IT

RESOLVED, Steuben County hereby accepts said grant and agrees to appropriate the budgeted \$12,500 to match the ARC award of \$12,500; and be it further

RESOLVED, the Planning Director is hereby authorized to sign a grant agreement and any other necessary documents with ARC; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 019-20

Introduced by J. Malter.

Seconded by H. Lando.

AUTHORIZING THE DIRECTOR OF PROBATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LEGAL ASSISTANCE OF WESTERN NY (LawNY) FOR THE JUSTICE FOR FAMILIES PROGRAM GRANT.

WHEREAS, LawNY is applying for a three year Federal Grant released by the Office on Violence Against Women at the U.S. Department of Justice which supports a number of project components, all in the interest of improving the safety of victims of Domestic Violence and improving offender accountability; and

WHEREAS, the Probation Department in the course of their duties, provides court ordered supervision for Domestic Violence offenders sentenced to Probation; and

WHEREAS, this grant project would provide up to \$30,000 each year for three (3) years to the Probation Department to assist with personnel costs of having specialized caseloads supervising Domestic Violence offenders and training; and

WHEREAS, the submission of the grant application required the submission of a Memorandum of Understanding that is signed by all project partners by January 22, 2020.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature ratifies the Director of Probation having entered into a Memorandum of Understanding with LawNY for the Justice for Families Program Grant for an amount up to \$30,000 for each of three (3) years; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 020-20

Introduced by K. Hanna.

Seconded by R. Nichols.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF ADDISON FOR CODE ENFORCEMENT SERVICES.

WHEREAS, the Town of Addison in 1983, by Local Law, opted out of the enforcement of the State of New York Uniform Fire Prevention and Building Code; and

WHEREAS, since 1983 the County has acted as Code Enforcement under the State of New York Uniform Fire Prevention and Building Code for the Town through a contract with a qualified code enforcement official; and

WHEREAS, the County and the Town of Addison desire to enter into an agreement to document and memorialize the responsibilities of the County and the Town of Addison for Code Enforcement services; and

WHEREAS, permit fees cover the costs of said Code Enforcement Services and any costs not covered by permit fees are billed to the Town of Addison.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to sign the Inter-Municipal Agreement with the Town of Addison for Code Enforcement Services upon review of the County Attorney; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Steuben County Planning Director and Jack Thompson, Supervisor, Town of Addison, 21 Main St., Addison NY 14801.

Mr. Mullen mentioned that they discussed in committee about passing on additional overhead costs that we have to pay for with this contract.

Vote: Roll Call – Adopted.

RESOLUTION NO. 021-20

Introduced by B. Schu and K. Fitzpatrick.

Seconded by H. Lando.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT FOR A BROADBAND EXPANSION STUDY.

WHEREAS, Steuben County, as a founding partner of the Southern Tier Network (STN), has a long history of actively working towards the expansion of broadband services in our communities; and

WHEREAS, STN has been successful in providing dark fiber and middle mile access to businesses, carriers, governments, and non-profits; and

WHEREAS, despite these efforts, there remains significant gaps in access to suitable broadband services in many locations, particularly in our rural areas; and

WHEREAS, to address this issue, Steuben, along with the partner counties of Schuyler, Yates, and Tioga, have proposed a joint study, led and coordinated by STN, to examine gaps in broadband availability and to develop operational and funding options for the provision of broadband services throughout the region; and

WHEREAS, Steuben County’s financial share of the study shall not exceed \$75,000; and

WHEREAS, the Administration and Finance Committees have approved said action.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized and directed to enter into an intermunicipal agreement with the counties of Schuyler, Yates, and Tioga for the broadband expansion study; and be it further

RESOLVED, funding for this study, not to exceed \$75,000, shall be paid from the Southern Tier Fiber Capital Project (H0100 1230H1); and be it further

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

Mr. Mullen asked how is this cost split between municipalities? Mr. Wheeler stated Tioga County will pay a higher amount because they weren’t part of the original creation of STN. Yates and Schuyler pay half of what we pay due to their size.

Vote: Roll Call – Adopted.

RESOLUTION NO. 022-20

Introduced by B. Schu.

Seconded by F. Potter.

AMENDING THE ADMINISTRATIVE CODE

WHEREAS, the *Administrative Code’s* Rehabilitation Policy has been reviewed by the County Manager and Risk Manager; and

WHEREAS, upon review said Policy requires amending to make the Policy more effective and clear; and

WHEREAS, the Administration Committee has authorized and approved the requested amendment.

NOW THEREFORE, BE IT

RESOLVED, the *Administrative Code's* Rehabilitation Policy is hereby amended as follows:

PART XVI: REHABILITATION/EMPLOYEE ASSISTANCE/REINSTATEMENT, Section 10, paragraph 1, Rehabilitation

In the event of a positive drug or alcohol test, the drug program coordinator shall make an **ADMINISTRATIVE REFERRAL** to an accredited S.A.P.(Substance Abuse Professional) or to a clinical coordinator of the employee assistance contract group. The employee must provide proof of enrollment into an accredited program within 24 hours of referral and sign a release of information to allow the S.A.P. to keep the employer contact informed of the person's participation in the program. If the employee does NOT contact the Department of Transportation Substance Abuse Professional within 24 hours, the employee's employment will be deemed abandoned with Steuben County.

All responsibility for their participation in a rehabilitation program belongs with the employee. Any cost involved in services by the Medical Review Officer, which is required by Federal Regulations, shall be paid by the employer. Any cost not covered by insurance that is incurred by an employee for their initial treatment by a Substance Abuse Professional due to being referred as a result of a first time positive alcohol and/or prohibited drug test will be paid by the employer. Any additional cost involved in required treatment will be the responsibility of the employee per Section 5.1 of the Addendum IV of the CSEA contract.

AND BE IT FURTHER RESOLVED, the *Administrative Code's* Department of Transportation Substance Abuse Professional Process is hereby added as follows:

DOT SAP PROCESS – STEUBEN COUNTY

Employee tests positive for prohibited drugs as defined in 49 CFR or alcohol levels at or exceeding .04% in a DOT regulated test, the employee is immediately removed from "safety sensitive duties" and placed on suspension.

The following process needs to be completed before the driver can return to "safety sensitive duty" as defined in 395.2 U.S. Federal Motor Carrier Safety Regulations:

1. The employee will first need to meet with a DOT Certified SAP –Substance Abuse Professional. **You must call within 24 hours, Joe DiMaria 585-865-7446.** If the employee does NOT contact the DOT SAP within 24 hours, your employment will be deemed abandoned with Steuben County.
2. Any cost involved in services provided by the Medical Review Officer, which is required by Federal Regulations, shall be paid by the employer. Any cost not covered by insurance that is incurred by an employee for their initial treatment by a Substance Abuse Professional due to being referred as a result of a first time positive alcohol and/or prohibited drug test that cost will be paid by the employer. Any additional cost involved in required treatment will be the responsibility of the employee per Section 5.1 of Addendum IV of the CSEA contract.
3. The DOT SAP will meet with the employee to do an evaluation and determine next steps; treatment, counseling, meetings, etc. may be required. This process could take as little as 6-8 weeks or up to 6- 8 months, depending on the evaluation. Once the DOT SAP is satisfied the employee has fulfilled the requirements, the DOT SAP will notify Steuben County you are able to return to safety sensitive duty. You will be required to take an observed "return to duty" alcohol/drug test prior to returning. If this test is negative, you will be able to return to work at Steuben County. A second positive test is immediate termination of employment.
4. Once back to work, you will be required to take random observed "follow up" tests. There will be 6 tests per year, from 1 year up to 5 years, determined by the DOT SAP. Any failed observed test will be grounds for termination.
5. If you agree and want to follow this "return to duty process", please sign here and return this signed policy process letter within 5 days to the Risk Management Office, Steuben County 3 East Pulteney Square, Bath NY 14810.

- I AGREE TO FOLLOW THE DOT SAP PROCESS - _____

AND BE IT FURTHER RESOLVED, the Risk Manager is directed to notify each and every County Employee affected by this new requirement; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 023-20

Introduced by K. Hanna.

Seconded by R. Nichols.

MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 6, AS A RESULT OF THE EIGHT YEAR REVIEW OF SAID DISTRICT.

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

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

WHEREAS, this Legislature did hold a Public Hearing on the proposed modification to said district recommended by the Agricultural and Farmland Protection Board on January 27, 2020.

NOW THEREFORE, BE IT

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

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

RESOLVED, in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 6 in the County of Steuben for a period of eight years; and be it further

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

RESOLVED, the Clerk of this Legislature shall forward certified copies of this resolution to the Commissioner of the New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235; Steuben County Planning Director and Director of the Steuben County Real Property Tax Service Agency.

Vote: Roll Call – Adopted.

Motion to group resolutions numbered 17 through 31 under one acclamation vote and dispense with the reading made by Mr. Nichols, seconded by Mr. Roush and duly carried.

Motion adopting resolutions numbered 17 through 31 made by Mr. Mullen, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 024-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter, and Chapters 907 and 908, Laws of 1984.

WHEREAS, the Alternatives to Incarceration Program has been in effect since 1985; and

WHEREAS, there is a requirement that said Board exist in order for the County to procure funding for certain Alternatives to Incarceration Programs.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three (3) year term commencing January 1, 2020 and expiring December 31, 2022:

Honorable Philip J. Roche
Steuben County Court Judge/ATI Advisory Board Chairperson

Honorable Chauncey J. Watches
Steuben County Judge

Honorable Patrick F. McAllister
Steuben County Surrogate Court Judge

Honorable Mathew K. McCarthy
City Court Judge

Brooks T. Baker, Esq.
Steuben County District Attorney

Shawn M. Sauro, Esq.
Steuben County Public Defender

Chairman or Designee
Public Safety & Corrections Committee

Jennifer K. Prossick
Steuben County Attorney

Jack K. Wheeler
Steuben County Manager

James L. Allard
Steuben County Sheriff

Cheryl Crocker, Director
Steuben County Probation

Craig Pomplas
ATI Representative

Sienna Evingham
Crime Victim

Henry W. Chapman, Psy.D., Director
Steuben County Community Services/
NYS Certified Alcohol and Substance
Abuse Treatment Provider

To be appointed by Chairman of
the Steuben County Legislature:
Ex-Offender

AND BE IT FURTHER RESOLVED, the above-named Advisory Board members shall serve without compensation and shall be entitled to receive reimbursement for necessary expenses, including mileage, long-distance telephone calls and meals, with proper receipts, and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees; the County Auditor, the County Commissioner of Finance, and Robert Maccarone, Deputy Commissioner and Director, NYS Department of Probation and Correctional Alternatives, 4 Tower Place, Albany, NY 12203.

Vote: Acclamation – Adopted.

RESOLUTION NO. 025-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE EMPLOYEE ASSISTANCE PROGRAM ADVISORY COMMITTEE.

Pursuant to Section 12.19 of the Steuben County Charter, Article 5 of the County Law, and Article 16 of the Civil Service Law of the State of New York.

WHEREAS, by resolution of the Steuben County Legislature adopted November 25, 1996, a Memorandum of Agreement with the County’s three collective bargaining units was authorized to establish an Employee Assistance Program; and

WHEREAS, an oversight committee was created which is comprised of representatives from all three unions, management and the Legislature; and

WHEREAS, due to changes in personnel, vacancies now exist on the oversight committee.

NOW THEREFORE, BE IT

RESOLVED, the following individuals shall be appointed to the Employee Assistance Program Advisory Committee:

Legislator Member

Robin K. Lattimer

Management Members

Nathan Alderman

Amy R. Dlugos

Kimberly Jessup

Darlene Smith

Civil Service Employees’ Association Members

Chris Myers

Brenda Campbell

Steuben County Deputy Sheriffs’ Association, Inc. Member

Matthew Sorge

Correction Officers, Dispatchers & Court Security Officer Member

James Towner

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Employee Assistance Advisory Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and to the Personnel Officer.

Vote: Acclamation Adopted.

RESOLUTION NO. 026-20

Introduced by S. Van Etten.

Seconded by J. Malter.

FILLING A VACANCY ON THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and Section 225-a of the County Law of the State of New York.

WHEREAS, a vacancy currently exists on the Steuben County Fire Advisory Board.

NOW THEREFORE, BE IT

RESOLVED, Jeffrey P. O’Neil of 307 Granger Road, Wayland, New York is hereby appointed a member of the Fire Advisory Board to fill the vacancy of a term that commenced January 1, 2019 and ends December 31, 2020; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Fire Advisory Board; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Auditor, and the Steuben County Emergency Management Office.

Vote: Acclamation – Adopted.

RESOLUTION NO. 027-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE GENESEE VALLEY REGIONAL MARKET AUTHORITY.

Pursuant to Section 12.19 of the Steuben County Charter and Article 4, Title 4 of the Public Authorities Law.

WHEREAS, it is in the best interest of Steuben County to have a representative on the Board of Directors of the Genesee Valley Regional Market Authority.

NOW THEREFORE, BE IT

RESOLVED, **John Meyer of Joseph L. Meyer & Sons, Inc.** is hereby appointed as the Steuben County representative on the Board of Directors of the Genesee Valley Regional Market Authority for a term of two (2) years from January 1, 2020 through December 31, 2021; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Genesee Valley Regional Market Authority; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named individual at 9260 State Route 21, Cohocton, NY 14826; Brendan Tydings, Administrator, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, NY 14623; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 028-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

Pursuant to Section 12.20 of the Steuben County Charter.

BE IT RESOLVED, from January 1, 2020 through December 31, 2021, the Steuben County Legislature does hereby designate the following as representatives of this Legislature to the Inter County Association of Western New York:

1. **CAROL A. FERRATELLA**, voting representative
2. **HILDA T. LANDO**, voting representative
3. **BRENDA K. MORI**, voting representative
4. **JACK K. WHEELER**, alternate voting representative
5. **CHRISTOPHER BREWER**, alternate voting representative

AND BE IT FURTHER RESOLVED, the representatives shall serve without compensation except for necessary expenses, upon presentation of receipts related to the fulfillment of their duties on the Inter County Association of Western New York; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named representatives, the County Auditor and the President of the Inter County Association of Western New York.

Vote: Acclamation – Adopted.

RESOLUTION NO. 029-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and Section 503 of the Judiciary Law of the State of New York.

WHEREAS, Resolution No. 188-88, adopted by the Steuben County Legislature on May 23, 1988, appointed a Legislative Representative to the Steuben County Jury Board; and

WHEREAS, the term of the Legislative Representative to the Jury Board has expired.

NOW THEREFORE, BE IT

RESOLVED, Hilda T. Lando, Steuben County Legislator representing District 2, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two (2) year term commencing January 1, 2020 and expiring December 31, 2021; and be it further

RESOLVED, said representative shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of her duties on the Steuben County Jury Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; the Administrative Justice of the Seventh Judicial District of the State of New York, Supreme Court Chambers, Hall of Justice, 99 Exchange Boulevard, Rochester, NY 14614; the Commissioner of Jurors; County Clerk; and County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 030-30

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN COUNTY LAND BANK CORPORATION, A NEW YORK LAND BANK.

Pursuant to Article 16 of the Not-for-Profit Corporation Law.

WHEREAS, the Steuben County Land Bank Corporation was established July 25, 2016, by Resolution No. 126-16; and

WHEREAS, the Board of Directors shall consist of seven (7) members who shall, pursuant to Article III, Section 2 (c) of the By-Laws of the Steuben County Land Bank Corporation, be appointed by the Chairman of the Steuben County Legislature for two year terms; and

WHEREAS, the “Municipal Representative” of the Board of Directors shall, pursuant to Article III, Section 2 (f) of the By-Laws of the Steuben County Land Bank Corporation, be appointed by the Chairman of the Steuben County Legislature and confirmed by a majority vote of the Steuben County Legislature as well as the governing board of the Municipal Representative’s municipality consenting to his/her appointment.

NOW THEREFORE, BE IT

RESOLVED, the following individuals, as recommended by the Chairman of the Legislature, are hereby appointed as members of the Steuben County Land Bank Corporation for a term of two years commencing January 1, 2020 and expiring December 31, 2021:

1. Scott J. Van Etten, Chairman of the Steuben County Legislature
2. Hilda T. Lando, Steuben County Legislator, District 2
3. Jack K. Wheeler, County Manager
4. Tammy Hurd-Harvey, Commissioner of Finance
5. Jennifer Miller, Corning City Planning Director, Municipal Representative
6. William von Hagn, Village of Bath Mayor, Municipal Representative
7. John Buckley, Hornell City Mayor, Municipal Representative

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Land Bank Corporation; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor, the County Manager, and the County Attorney.

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

Pursuant to Section 12.19 of the Steuben County Charter and Section 895-I of the General Municipal Law of the State of New York.

WHEREAS, the By-Laws of the Steuben County Industrial Development Agency authorize as many as seven (7) members to serve on the Steuben County Industrial Development Agency; and

WHEREAS, the Board members are appointed to serve three (3) year staggered terms, excepting one appointment who shall serve a term of one (1) year; and

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Steuben County Manager, are hereby appointed (reappointed) as members of the Steuben County Industrial Development Agency for the terms as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2020 through December 31, 2022

Michael L. Nisbet, 20 Bennet Street, Canisteo, NY 14823

Anthony Russo, Southern Tier Provisions, 6683 Route 54 S, Bath, NY 14810

January 1, 2018 through December 31, 2020

Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831

Michael J. Doyle, 54 Lake Street, Hammondsport NY 14840

January 1, 2020 through December 31, 2020

Scott J. Van Etten, Chairman, Steuben County Legislature, 11331 Hendy Hollow Road, Corning NY 14830

January 1, 2019 – December 31, 2021

Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY 14810

Dean Strobel, General Manager, Upstate Niagara Coop, 8600 Main Street, Campbell NY 14821

(filling unexpired term of James R. Frame)

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Industrial Development Agency; and be it further

RESOLVED, certificates of appointment, as required by law, shall be filed with the Secretary of the State of New York, by Jeff Evans, Esq. of Welch and Zink, Counsel to the Steuben County Industrial Development Agency; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees, the County Planning Director, James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54 N, PO Box 393, Bath, NY 14810; Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830; counsel to the agency and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 032-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD’S STEUBEN COUNTY HUMAN SERVICES COMMITTEE.

WHEREAS, at its July 1973 meeting, the Southern Tier Central Regional Planning and Development Board appropriated a proposal to recognize a Human Services Committee in each of the three participating counties to act as each respective County’s human services advisory council to the Southern Tier Central Regional Planning and Development Board and in addition, said Board voted to encourage the Legislature in each County to support its County Human Services Committee and to send representatives to such Committee; and

WHEREAS, vacancies have occurred on the committee.

NOW THEREFORE, BE IT

RESOLVED, that the following individuals are hereby authorized, in their fair and reasonable discretion and in relevant matters connected with human rights services, to represent their agencies and the County on the Southern Tier Regional Planning and Development Board’s Human Services Committee:

SOCIAL SERVICES

Teresa Stever, Deputy Commissioner
Department of Social Services

MENTAL HEALTH

Henry W. Chapman, Psy.D., Director
Office of Community Services

HOUSING PROGRAM

Wanda Carl
Arbor Development

HEALTH

Lorelei Wagner, Public Health Educator
Steuben County Public Health

AGING PROGRAM

Patty Baroodly, Director
Office for the Aging

Christine Towner, RSVP Coordinator

EDUCATION

Dan Porter, Executive Director
CSS Workforce NY

COUNTY PLANNING

Amy R. Dlugos
Director of Planning

POVERTY PROGRAM

Laura Rossman, Executive Director
ProAction of Steuben and Yates

Amy Rusak, Deputy Director
ProAction of Steuben and Yates

YOUTH

Bill Caudill
Youth Bureau Coordinator

STEUBEN COUNTY LEGISLATOR

Carol A. Ferratella, District 13

COOPERATIVE EXTENSION

Theresa McKinley, Executive Director
*(filling unexpired term of Larkin
Podsiedlik)*

BE IT FURTHER RESOLVED, that said appointees shall serve at the pleasure of the Legislature, for a two (2) year term commencing January 1, 2019 and not beyond December 31, 2020; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Regional Human Services Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 033-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and the provisions of Article 12-B of the General Municipal Law of the State of New York.

RESOLVED, the recommended appointments made by the Steuben County Manager for membership on the Southern Tier Central Regional Planning and Development Board and set forth below are hereby approved, ratified and confirmed for two (2) year terms commencing January 1, 2020 and ending December 31, 2021.

LEGISLATOR MEMBERS

1. Scott J. Van Etten, 11331 Henty Hollow Road, Corning, NY
2. Robert V. Nichols, 743 Thompson Road, Addison, NY
3. Steven P. Maio, 319 East Second Street, Corning, NY

REPRESENTATIVE OF STEUBEN COUNTY PLANNING BOARD

1. Amy R. Dlugos, Director, Steuben County Planning Department

MUNICIPAL OFFICERS

1. Jennifer Miller, Corning City Planning & Economic Development Director
2. John Buckley, Mayor, City of Hornell

REGIONAL COMMERCE-BUSINESS REPRESENTATIVE

1. James C. Johnson, 7234 Route 54 North, PO Box 393, Bath, NY

REGIONAL AGRICULTURE REPRESENTATIVE

1. Joseph J. Hauryski, 6031 County Route 17, Campbell, NY

AT-LARGE REPRESENTATIVE

1. Jack K. Wheeler, Steuben County Manager

EX-OFFICIO MEMBERS

1. Steuben County Commissioner of Public Works
2. Steuben County Commissioner of Finance
3. Steuben County Agricultural Program Leader
4. Steuben County Attorney

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Central Regional Planning and Development Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the New York State Division of Community Affairs, 162 Washington Avenue, Albany, NY 12231; the County Auditor and to Chelsea Robertson, Executive Director, Southern Tier Regional Planning and Development Board, 8 Denison Parkway East, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 034-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN AREA ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, by resolution dated July 28, 2011, the Steuben County Industrial Development Agency adopted certain amendments to the Certificate of Incorporation and By-Laws of the Steuben Area Economic Development Corporation to reflect that the sole member of the Corporation shall be the County of Steuben acting by and through the Chair of the Legislature of the County; and

WHEREAS, the County desires to appoint the Board of Directors of the Steuben Area Economic Development Corporation; and

WHEREAS, the By-Laws of the Steuben County Area Economic Development Corporation authorize that the number of Directors of the Corporation shall be seven (7); and

WHEREAS, the Directors of the Corporation are appointed to serve three (3) year staggered terms, excepting one appointee who shall serve a term of one (1) year.

NOW THEREFORE, BE IT

RESOLVED, the following persons recommended by the Steuben County Manager, are hereby appointed as members of the Steuben Area Economic Development Corporation for the terms as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2020 through December 31, 2022

Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823

Anthony Russo, Southern Tier Provisions, 6683 Route 54 S, Bath, NY 14810

January 1, 2018 through December 31, 2020

Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14830

Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

January 1, 2020 through December 31, 2020

Scott J. Van Etten, Chairman, Steuben County Legislature, 11331 Hendy Hollow Road, Corning, NY 14830

January 1, 2019 through December 31, 2021

Mark R. Alger, County Resident, 109 Rumsey Street, Bath, NY 14810

Dean Strobel, General Manager, Upstate Niagara Coop, 8600 Main Street, Campbell NY 14821

(filling unexpired term of James R. Frame)

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben Area Economic Development Corporation; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the above-named appointees; James C. Johnson, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, PO Box 393, Bath, NY; Chelsea Robertson, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 301, Corning, NY; Counsel to the Steuben County Industrial Development Agency; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 035-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.

Pursuant to Article 19-A of the Executive Law of the State of New York.

WHEREAS, by resolution of the Steuben County Board of Supervisors duly adopted on the 21st day of March, 1977, a Steuben County Youth Board was established.

NOW THEREFORE, BE IT

RESOLVED, the following individuals are hereby appointed and designated as members of the Steuben County Youth Board for a term commencing on January 1, 2020 through December 31, 2021:

1. Mark R. Alger, Community Representative, 109 Rumsey St., Bath, NY 14810
2. Summer Deming, Youth Member, Bath, NY
3. Ashilee Dickinson, Legal Assistance of Western New York, 16 West William St., Bath, NY 14810
4. Cheryl Crocker, Steuben County Probation Department, 3 East Pulteney Sq., Bath, NY 14810
5. Alexis Loss, Youth Member, Bath, NY
6. Lynn Lewis, Steuben County Community Services, 115 Liberty St., Bath, NY 14810
7. John McNelis, Steuben County Undersheriff, 7007 Rumsey St. Ext., Bath, NY 14810
8. Kathryn A. Muller, Steuben County Department of Social Services, 3 East Pulteney Sq., Bath, NY 14810
9. Kris Pashley, Community Representative, 27 Fero Ave., Corning, NY 14830
10. Cora Saxton, Wayland-Cohocton Central School District, 310 East Naples St., Wayland, NY 14572
11. Darlene Smith, Steuben County Public Health, 3 East Pulteney Sq., Bath, NY 14810

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Youth Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named designees; Matthew Newman, NYS Office of Children and Family Services, Division of Youth Development and Partnerships for Success, 52 Washington Street, Room 338, Rennselaer, NY 12144; the County Auditor; and the Youth Programs Coordinator.

Vote: Acclamation – Adopted.

RESOLUTION NO. 036-20

Introduced by S. Van Etten.

Seconded by J. Malter.

APPOINTING MEMBERS TO THE STEUBEN COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS.

Pursuant to Section 12.19 of the Steuben County Charter, Section 224 of the County Law and upon the request of the said Association.

WHEREAS, pursuant to Article V, Section 3 (B) of the Association By-Laws, the County governing body shall be requested annually to appoint two legislators to serve as Directors on the Association Board of Directors.

NOW THEREFORE BE IT

RESOLVED, the appointment of **Jeffrey P. Horton**, Legislator, District 8, and **Frederick G. Potter**, Legislator, District 10, by the Steuben County Manager as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County for a one (1) year term beginning January 1, 2020 and expiring December 31, 2020, be and the same hereby are approved; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Cooperative Extension Association Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Cooperative Extension Association of Steuben County, 3 East Pulteney Square, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-20

Introduced by S. Van Etten.

Seconded by J. Malter.

FILLING VACANCIES ON THE STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU BOARD OF DIRECTORS.

Pursuant to Section 12.19 of the Steuben County Charter.

WHEREAS, the Steuben County Legislature adopted Resolution No. 056-93 on October 25, 1993, authorizing and directing the creation of the Steuben County Conference & Visitors' Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms, with the exception of one member who shall serve a one (1) year term; and

WHEREAS, the term for some Board members expired December 31, 2019.

NOW THEREFORE, BE IT

RESOLVED, the following individuals, as recommended by the Steuben County Manager, are hereby appointed as members of the Steuben County Conference & Visitors' Bureau Board of Directors for the terms as indicated, and shall hold office until reappointed or a successor is appointed and qualified to wit:

VOTING MEMBERS

Accommodations

	<u>TERMS</u>
Linda Wright, General Manager, Hilton Garden Inn Corning	01/01/20 – 12/31/22
Brett Bixby, General Manager, Hampton Inn, Corning – Painted Post	01/01/18 – 12/31/20
Ronald F. Leonard, President, Keuka Lakeside Inn, Hammondsport	01/01/19 – 12/31/21

Attractions

Ryan Doolittle, Tourism Sales Specialist, Corning Museum of Glass	01/01/20 – 12/31/22
Joe Hope, Weis Vineyards, Hammondsport	01/01/18 – 12/31/20
Nate Basch, Director of Events, Corning’s Gaffer District <i>(filling unexpired term of Coleen Fabrizi)</i>	01/01/19 – 12/31/21

Community-At-Large

Justin Recktenwald, Owner, Wild Brute Winery, Arkport	01/01/20 – 12/31/22
Ariel Kirk, Agriculture Educator, Cornell Cooperative Extension of Steuben County <i>(filling unexpired term of Larkin Podsiedlik)</i>	01/01/18 – 12/31/20
Chris Waters, Community Arts Manager, The ARTS Council of Southern Finger Lakes	01/01/19 – 12/31/21

Chamber of Commerce Representative

Jim Presley, President, Hammondsport Chamber of Commerce	01/01/20 – 12/31/20
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County Manager Designee

Amy Dlugos, Planning Director	01/01/19 – 12/31/21
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County Legislators

K. Michael Hanna, District 5	01/01/19 – 12/31/21
Hilda T. Lando, District 2	01/01/18 – 12/31/20

BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation, other than necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Conference and Visitors’ Bureau Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the Executive Director of the Steuben County Conference and Visitors’ Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 038-20

Introduced by K. Hanna.

Seconded by J. Malter.

SUPPORTING AN INCREASE IN THE STATE APPROPRIATION FOR CORNELL COOPERATIVE EXTENSION.

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York’s Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits

and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York's natural resources, building opportunity through STEM based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

WHEREAS, state appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of the County Law have remained stagnant for twenty years; and

WHEREAS, state funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

NOW THEREFORE, BE IT

RESOLVED, the Legislature of Steuben County supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it further

RESOLVED, certified copies of this resolution shall be provided to Honorable Philip A. Palmesano, New York State Assemblyman, 320 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248 and Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

Motion to adjourn regular session and reconvene in executive session pursuant to Public Officers' Law, Article 7§ 105.1.H. The Proposed Acquisition, Sale Or Lease Of Real Property Or The Proposed Acquisition Of Securities, Or Sale Or Exchange Of Securities Held By Such Public Body, But Only When Publicity Would Substantially Affect The Value Thereof Made By Mr. Malter, seconded by Mr. Mullen and duly carried.

Motion to adjourn executive session and reconvene in regular session made by Mr. Roush, seconded by Mr. Mullen and duly carried.

RESOLUTION NO. 039-20

Introduced by K. Hanna and K. Fitzpatrick.

Seconded by B. Schu.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF CERTAIN REAL PROPERTY IN THE TOWN OF ERWIN.

WHEREAS, there is an available parcel of land with an existing building available for purchase in the Town of Erwin; and

WHEREAS, the County is desirous of purchasing the property for use as a possible DMV location; and

WHEREAS, the owners of 77 Victory Highway, ServU Federal Credit Union, have agreed to sell said parcel to the County of Steuben for \$450,000.00 total; and

WHEREAS, funds are available in unrestricted fund balance; and

WHEREAS, this purchase amount is within the guidelines set by the Ad-Hoc Office Space Committee.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate \$450,000 from the unrestricted fund balance for this purchase; and be it further

RESOLVED, the County Manager is authorized and directed to execute all contracts and agreements for purchase of said parcel of land; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, Commissioner of Finance, County Auditor, Real Property Tax Director and the Risk Manager.

Mr. Mullen stated Mr. Wheeler did an excellent job on this. Mr. Wheeler stated the credit also needs to go to Mr. Brewer and Ms. Prossick.

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Roush, seconded by Mr. Mullen and duly carried.