

ORGANIZATIONAL MEETING
Morning Session
Thursday, January 2, 2020
Legislative Chambers, Bath, New York

Pursuant to Section 151 of the County Law and the *Rules of Procedure* of the County Legislature adopted August 23, 1993, the Legislators from the thirteen districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Thursday, the 2nd day of January, 2020, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2020 and 2021 and for the transaction of such other business as would properly and lawfully come before the meeting.

The meeting was called to order by the Clerk of the Legislature, Brenda K. Mori.

The Deputy Clerk called the Roll and all members were present.

The Honorable Philip J. Roche, County and Family Court Justice, administered the Oaths of Office to all newly-elected members of the Legislature.

The Clerk called for nominations for a Temporary Chair. Mrs. Ferratella nominated Mr. Swackhamer for Temporary Chair, seconded by Mr. Hanna. There being no further nominations, the nominations were closed and Mr. Swackhamer was duly elected Temporary Chair.

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

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Malter, seconded by Mr. Potter and duly carried.

Temporary Chair Swackhamer reconvened the Organizational Meeting of the Legislature. He led the Pledge of Allegiance and asked Mr. Mullen to provide the Invocation.

Temporary Chair Swackhamer called for nominations for Chair of the Steuben County Legislature for 2020 and 2021. ***Mr. Potter nominated Scott J. Van Etten, seconded by Mr. Mullen.***

Motion to close nominations for Chair of the Steuben County Legislature made by Mr. Potter, seconded by Ms. Fitzpatrick and duly carried.

RESOLUTION NO. 001-20

Introduced by Mr. Potter.

Seconded by M. Mullen.

APPOINTING THE CHAIR OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2020 AND 2021.

Pursuant to Section 2.04 of the Steuben County Charter and Local Law No. Four of the Year 1981 for the County of Steuben.

WHEREAS, this Steuben County Legislature has, on this 2nd day of January 2020, been duly organized and has, in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator **SCOTT J. VAN ETTEN** of Corning, New York, as Chair of the Legislature for a two-year term commencing January 1, 2020.

NOW THEREFORE, BE IT

RESOLVED, SCOTT J. VAN ETTEN of Corning, New York, be and the same hereby is appointed Chair of the Legislature of Steuben County for a two-year term commencing January 1, 2020, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chair; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

Chairman Van Etten stated, that has a nice ring to it, doesn't it Mrs. Lando. Not a bad progression for a high school senior that interned with County Supervisor Lynn Morse back in 1983 under the Youth in Government program. Back then there were 34 Supervisors, Mr. Alger was the County Planner, and they smoked cigars in the chamber. We have come a long ways.

The retirement of Chairman Hauryski is a significant change for this legislative body, but one that I believe we will adapt to and continue moving forward. Mr. Schu and I began our first term as Legislators on the same day in 2008 as Mr. Hauryski, Mr. Weaver, and Mr. Crossett. As Joe detailed in his farewell address, we encountered a number of challenges over those 12 years, we addressed each and every one of them in the best way possible, always keeping in mind the impact to County Employees and County Taxpayers.

A lot of turnover occurred during those 12 years. We had some great Legislators that we served with such as Mr. Roche, Mr. McAllister, Mr. Donnelly, Mr. Argentieri, Mr. Schwartz, Mr. Stachnik, Mr. Gehl, Mr. Creath, Mr. Walsh and Mr. Farrand. Some retired, some termed out, and some became County Judges.

We also saw turnover occur in the ranks of the County staff. Most of them good, some not so much. We have had 4 Sheriffs, 2 District Attorneys, 3 County Attorneys, 2 Clerks of the Legislature, 2 County Managers, 3 Deputy Managers, 3 Personnel Directors, 3 County Treasurers/Finance Directors, 3 Real Property Tax Directors, 2 County Planners and 1 County Clerk. Change can be good, but sometimes longevity ensures consistency in the delivery of services. That is the case with our two largest departments where we have had the same Public Works Commissioner and Social Services Commissioner all 12 years.

So, where do we head now? What are the areas that we need to focus on in 2020 and beyond? Obviously, the multi-phase Court Room Renovations are getting under way. Once completed, we believe that OCA will be satisfied with our campus as it relates to the operation of County Courts. Economic development in our County remains a high priority. We see the results of the collaboration of the IDA, County and State working together with Upstate Niagara to keep the cheese plant in Campbell open and operating under new ownership. We've also seen positive activity in Hornell as the rail car industry and supporting businesses continue to grow. Having an IDA that is responsive, adaptable, and collaborative with other agencies is critical to fostering future growth in our County.

Given what we have seen come down the pike from Albany in the past few years, it is impossible to predict what new harebrained program they will be handing down in the form of an unfunded mandate. When put to the task, our County displayed a great deal of ingenuity in scrambling to design and implement a CAP Court last year. Working with the towns and cities, we implemented a plan that appears to be successful, as long as we continue to monitor and make minor adjustments. The one year anniversary of the CAP Court is coming up, and it will be interesting to see the statistics.

Our Public Works Department continues to do an excellent job of maintaining the vast network of County roads and landfills. The implementation of the strategic five-year road plan has brought consistency while allowing flexibility to address unforeseen issues caused by significant weather events. The growing pains of implementing that five-year road plan are behind us, but it is critical that we continue to fund and maintain the road and bridge system based on an annually updated plan, since our residents/taxpayers have grown accustomed to roads being in top condition.

Finally, you cannot expect an Accountant to lead an organization like this without mentioning our fiscal management and financial position. Our County is unique in that we are in very good financial shape. It was not always the case, as Mr. Swackhamer and Mr. Malter can attest. But after many years of tightening belts, developing budgets with conservative estimates in both revenue and departmental expenditure lines, we have steadily grown our Fund Balance to a comfortable level. Combine that with the fact that we have very little long-term debt that we need to service on an annual basis, and it allows us to be reactive, and address almost an unexpected issue with the comfort of knowing that when pressed, we can pay for it. When we needed \$600,000 to purchase land next to the Landfill, we had it. As we look at a \$10 million Court Renovation building project, we have the unique ability to pay for it and avoid bonding. We all saw the comparable charts and graphs of our adjacent counties during last fall's budget process. Some are facing significant financial challenges, and it is good to know that we are not one of them. But, we cannot rest on our laurels. We must continue to protect our financial position, budget responsibly, always question/challenge budget overages, and never get lax about any requests for transfers from Contingency or Fund Balance. Because a financial house that is not built on a solid foundation, is nothing more than a house of cards.

I would like to welcome Mr. Horton and Mr. Van Caesele. I hope that you enjoy your first year of serving with this group of Legislators. You will learn that while we sometimes have significant disagreements on issues, we always seem to find a common ground to move forward while keeping the best interests of the County and taxpayers in mind. As a legislative body we do not micromanage the County operations. We leave that to the County Manager, his Deputy and all of the Department Heads throughout the organization. They are the professionals, trained and experienced in their specific disciplines. They may come to us for advice, or strategic direction, but the day to day functioning of this large organization is Mr. Wheeler's responsibility.

So with that, I would like to thank you all for your vote of confidence in my ability to lead this Legislature. I will be finalizing committee assignments in the next week and get those distributed. I am not looking to totally shuffle the deck where committee assignments are concerned. They have seemed to be very productive in the last couple of years and why fix it if it is not broken.

As in the past, I would ask that each Committee propose at least one 2020 goal that we can use when developing our Legislative Goals and Objectives for this year. With that, let's finish up this agenda. Thank you.

Chairman Van Etten called for nominations for Vice Chair of the Steuben County Legislature. *Mrs. Ferratella nominated Robin K. Lattimer, seconded by Mr. Hanna.*

Motion to close nominations for the Vice Chair of the Steuben County Legislature made by Mr. Roush, seconded by Mr. Nichols and duly carried.

RESOLUTION NO. 002-20

Introduced by C. Ferratella.

Seconded by Mr. Hanna.

APPOINTING THE VICE CHAIR OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2020 AND 2021.

Pursuant to Section 2.04 of the Steuben County Charter.

WHEREAS, this Steuben County Legislature has on this 2nd day of January 2020, been duly organized and has in accordance with Section 2.04 of the Steuben County Charter, duly selected County Legislator **ROBIN K. LATTIMER** of Bath, New York, as Vice Chair of the Legislature for a two-year term commencing January 1, 2020.

NOW THEREFORE, BE IT

RESOLVED, **ROBIN K. LATTIMER** of Bath, New York, be and the same hereby is appointed Vice Chair of the Legislature of Steuben County for a two-year term commencing January 1, 2020, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Vice Chair; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the Commissioner of Finance, and the Personnel Officer.

Vote: Roll Call – Adopted.

Ms. Lattimer stated I appreciate your vote and am humbled by your support. I look forward to joining the leadership with Chairman Van Etten and he keeps a really good eye on the County’s financials and that is a basis for how well we do. We are a very cohesive group; we have healthy debate and a good concerted effort when we come together. I appreciate everyone coming to the table and bringing their skill sets and we will continue to do that.

The Republican and Democratic members adjourned for caucus.

Chairman Van Etten reconvened the Organizational Meeting of the Legislature.

RESOLUTION NO. 003-20

Introduced by S. Van Etten.

Seconded by G. Roush.

RECEIVING AND FILING THE DESIGNATION OF THE MAJORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator **GARY D. SWACKHAMER** be and the same hereby is designated Majority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **GARY D. SWACKHAMER** of Hornell, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2020; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-20

Introduced by S. Van Etten.

Seconded by G. Roush.

RECEIVING AND FILING THE DESIGNATION OF THE MINORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

Pursuant to Section 2.04 of the Steuben County Charter.

BE IT RESOLVED, Legislator **HILDA T. LANDO** be and the same hereby is designated Minority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **HILDA T. LANDO** of Corning, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2020; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-20

Introduced by G. Swackhamer.

Seconded by H. Lando.

RECOGNIZING THE AUTHORITY OF THE CHAIR OF THE LEGISLATURE OF THE COUNTY OF STEUBEN TO APPOINT STANDING AND SPECIAL COMMITTEES FOR THE YEARS 2020 AND 2021.

Pursuant to Section 2.04 of the Steuben County Charter and the *Rules of Procedure* of the Steuben County Legislature.

RESOLVED, this Legislature does hereby recognize the authority of the Chair of the Legislature of Steuben County to appoint such designated members of this Legislature as (s)he shall select to the various standing and special committee positions for the years 2020 and 2021, which have heretofore been established and set up by the Steuben County Legislature and said committees shall each consist of the same number of members as prescribed in the *Rules of Procedure* of the Steuben County Legislature until such committee is abolished or changed by a majority vote of the Legislature membership pursuant to the *Rules of Procedure*; and be it further

RESOLVED, members of a special committee shall serve for the period specified in the resolution or until the committee is discharged and in no event for a longer period than the term for which the members were elected as legislators; and be it further

RESOLVED, the Chair of this Legislature, within thirty (30) days of election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the committees' roster appointed for the years 2020 and 2021; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said committees' roster.

Vote: Acclamation – Adopted.

RESOLUTION NO. 006-20

Introduced by S. Van Etten.

Seconded by G. Roush.

REGULATING THE PUBLICATION OF CERTAIN OFFICIAL MATTERS.

Pursuant to Section 2.09 of the Steuben County Charter.

WHEREAS, *The Leader* of Corning, New York, and *The Evening Tribune/Spectator* of Hornell, New York, have a circulation covering the entire County, but there are occasions when publications are limited to one newspaper in a given area.

NOW THEREFORE, BE IT

RESOLVED, whenever this Legislature does not designate the particular newspaper or newspapers for the publication of a certain matter in a specific resolution, this resolution shall govern the officer or officers having the publication in charge for the years 2020 and 2021;

1. Where the matter is of county-wide interest as hereinafter enumerated, the same shall be published in *The Leader* of Corning, New York, and *The Evening Tribune/Spectator* of Hornell, New York, and such other newspaper as may be deemed advisable:

- a. Notice of hearing on a proposed local law;
- b. Local Law as finally adopted;
- c. Notice of submission to bid for purchase of supplies or equipment;
- d. Notice of submission to bid for public works and services;
- e. Notice of hearing on proposed amendments to civil service rules;
- f. Notice of civil service examinations; and
- g. Such other notice or statement of countywide interest required by law to be published.

2. Where the matter is of local effect as hereinafter enumerated, the same shall be published in either *The Leader* of Corning, New York, or *The Evening Tribune/Spectator* of Hornell, New York, and such other newspaper published in the area as may be deemed advisable:

- a. Notice of submission to bid on parcels of land offered for sale, as tax title and welfare owned;
- b. Notice of closing of any county highway;
- c. Proclamation of a term of court with a grand jury;
- d. Legalizing act of the Legislature; and
- e. Such other notices or statements of similar nature required by law to be published in a limited area.

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to all county offices and departments and each of the above-named newspapers.

Vote: Acclamation – Adopted.

RESOLUTION NO. 007-20

Introduced by G. Swackhamer.

Seconded by R. Lattimer.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE REPUBLICAN MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Republican members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2020 and 2021:

Concurrent resolutions, tax sale notices and tax redemption notices - *The Leader* of Corning, New York.

Election notices - *The Leader* of Corning, New York.

Official election canvas - *The Leader* of Corning, New York.

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January 2020; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 2, 2020

/s/ Carol A. Ferratella

/s/ Frederick G. Potter

/s/ Kelly H. Fitzpatrick

/s/ Gary B. Roush

/s/ K. Michael Hanna

/s/ Thomas J. Ryan

/s/ Jeffrey P. Horton

/s/ Brian C. Schu, Esq.

/s/ Robin K. Lattimer

/s/ Gary D. Swackhamer

/s/ Aaron I. Mullen

/s/ Paul Van Caesele

/s/ Robert V. Nichols

/s/ Scott J. Van Etten

Vote: Acclamation – Adopted.

RESOLUTION NO. 008-20

Introduced by H. Lando.

Seconded by S. Maio.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE DEMOCRATIC MEMBERS OF THE LEGISLATURE.

Pursuant to Section 214, subdivision 1 of the County Law, we, the Democratic members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2020 and 2021:

Concurrent resolutions, tax sale notices, tax redemption notices - *The Evening Tribune/Spectator* of Hornell, New York
Election notices - *The Evening Tribune/Spectator* of Hornell, New York.
Official election canvas - *The Evening Tribune/Spectator* of Hornell, New York.

The above-named designations are filed with the Clerk of this Legislature this 2nd day of January 2020; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Commissioner of Finance; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 2, 2020

/s/ Hilda T. Lando

/s/ Steven P. Maio

/s/ John V. Malter

Vote: Acclamation – Adopted.

The Honorable Philip J. Roche, County and Family Court Justice, administered the oaths of office to the Chair and Vice Chair of the Steuben County Legislature

Motion to Adjourn made by Mr. Mullen, seconded by Mr. Hanna and duly carried.