

REGULAR MEETING
Morning Session
Monday, October 22, 2018
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 22nd day of October, 2018 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members present except Legislator Hanna.

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

Mr. Gallagher introduced the Youth in Government Interns for the fall semester. He thanked the Legislature for their support as this program means a lot to the students and the community.

Chairman Hauryski opened the floor for opportunity for public comment.

Wayne Wells, Cameron, presented his opinion on why democracy is in crisis, the Justice Kavanaugh appointment and President Trump.

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

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting upon Local Law Tentatively No. Four for the Year 2018, Amending Local Law No. Two for the Year 1982, as Amended, Establishing the Coroner's Entitlement to Compensation. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting relative to hearing comments on the implementation and effectiveness of a project known as the Water/Sewer Improvements – The Woodlands. Chairman Hauryski opened the floor to comments by members of the public. There being none, he declared the public hearing closed.

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

Mr. Ryan stated that he would like to recognize Brandon Deeks and Commander Nicholas Ferratella who are currently serving, or have served in the military. Mr. Ryan stated that Commander Ferratella is Legislator Carol Ferratella's son and has been in the United States Navy for 20 years, including 6 overseas tours.

RESOLUTION NO. 166-18

Introduced by S. Van Etten.

Seconded by R. Nichols.

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

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the 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 Kenneth and Janine Owens
 Parcel No. 324.00-01-009.200
 Municipality Town of Jasper
 Disposition 2019 Parcel Split

Resolution No. A-2
 Name Hansen Legacy Properties LLC
 Parcel No. 203.00-03-004.213
 Municipality Town of Campbell
 Disposition 2019 Correction - Duplicate Entry

Resolution No. A-3
 Name Steuben County IDA
 Parcel No. 144.00-02-009.113
 Municipality Town of Bath
 Disposition 2019 Correction - Tax Exempt

Resolution No. A-4
 Name Erma Partridge (Life Use)
 Parcel No. 087.00-01-023.111
 Municipality Town of Wheeler
 Disposition 2019 Correction of Exemption

Resolution No. A-5
 Name Benjamin and Mary Vetter Trust
 Parcel No. 418.00-01-018.100
 Municipality Town of Woodhull
 Disposition 2019 Correction of Ag Exemption

Resolution No. A-6
 Name Morgan F. and Helen I. Colegrove
 Parcel No. 364.05-02-017.000
 Municipality Town of Woodhull
 Disposition 2018-19 Correction of STAR Exemption

Resolution No. A-7
 Name Francis A. & Lucile M. Clancy Trust
 Parcel No. 194.00-01-016.00
 Municipality Town of Hartsville
 Disposition 2019 Correction of Sr. Exemption

Resolution No. A-8
 Name Richard E. Whitfield
 Parcel No. 377.00-01-017.000
 Municipality Town of Troupsburg
 Disposition 2019 Correction of Assessment

Resolution No. A-9
 Name LaForge Family Wealth Trust
 Parcel No. 102.00-01-025.130
 Municipality Town of Wheeler
 Disposition 2019 Parcel Split

Resolution No. A-10
 Name William H. Macomber
 Parcel No. 017.12-01-022.000
 Municipality Town of Cohocton
 Disposition 2018-19 Reinstate Enhanced STAR

Resolution No. A-11
 Name Katsur Family Trust
 Parcel No. 081.00-01-025.111
 Municipality Town of Dansville
 Disposition 2019 Split and Consolidation

Resolution No. A-12
 Name John & Sandy Senka Jr Living Trust
 Parcel No. 081.00-01-025.112
 Municipality Town of Dansville
 Disposition 2019 Split and Consolidation

Resolution No. A-13
Name Michael & Jodi Crane
Parcel No. 349.00-01-062.000
Municipality Town of Addison
Disposition 2019 Correction of Assessment

Resolution No. A-14
Name Darren A. & Tina M. Peck
Parcel No. 349.07-01-064.200
Municipality Village of Addison
Disposition 2019 Correction of Assessment

Resolution No. A-15
Name Scott Hall & Caroline Clarkson
Parcel No. 084.00-01-018.100
Municipality Town of Avoca
Disposition 2019 Parcel Split

Resolution No. A-16
Name Loomis/Koenig Living Trust
Parcel No. 243.09-01-013.000
Municipality Town of Campbell
Disposition 2019 Ordered Change in Assessment

Resolution No. A-17
Name Robert C. Kern & Linda L. Long
Parcel No. 229.00-01-003.113
Municipality Town of Hornby
Disposition 2019 Ordered Change in Assessment

Resolution No. A-18
Name Sheila F. Skoreski
Parcel No. 246.00-01-027.113
Municipality Town of Hornby
Disposition 2019 Ordered Change in Assessment

Resolution No. A-19
Name Steven Vantangoli
Parcel No. 310.00-03-010.110
Municipality Town of Rathbone
Disposition 2019 Correction of Error

Resolution No. A-20
Name Erma & Susan Hibbard
Parcel No. 347.00-01-002.200
Municipality Town of Woodhull
Disposition 2018-19 Correction of STAR Exemption

Resolution No. A-21
Name Barbara J. Saler
Parcel No. 241.00-01-006.100
Municipality Town of Thurston
Disposition 2018-19 Correction-STAR Exemption

Resolution No. A-22
Name James Gublo
Parcel No. 276.11-02-003.000
Municipality Town of Thurston
Disposition 2019 Correction of Assessment

Resolution No. A-23
Name Johnathan & Erin Slayton
Parcel No. 156.00-01-002.100
Municipality Town of Bath
Disposition 2019 Correction of Ag Exemption

Resolution No. A-24
Name Edward G. Jackson (Sr. Est.)
Parcel No. 132.00-01-022.000
Municipality Town of Urbana
Disposition 2019 Parcel Split

Resolution No. A-25
Name Milton & Joyce DeCamp
Parcel No. 177.00-01-022.000
Municipality Town of Bradford
Disposition 2018-19 Correction-STAR Exemption

Resolution No. A-26
Name Robert E. Sanford & Mary E. Cornetta
Parcel No. 197.18-01-022.000
Municipality Village of Canisteo
Disposition 2018-19 Correction of STAR Exemption

Resolution No. A-27
Name Steuben County Land Bank
Parcel No. 159.09-01-048.000
Municipality Village of Bath
Disposition 2018-19 Correction - Exempt

Resolution No. A-28
Name Malcolm A. Lane
Parcel No. 240.00-01-036.111
Municipality Town of Thurston
Disposition 2019 Parcel Split

Resolution No. A-29
Name Menzie Stephens Living Trust
Parcel No. 019.00-02-030.100
Municipality Town of Prattsburgh
Disposition 2018-19 Correction-STAR Exemption

Resolution No. A-30
Name Brian M. Chaffee
Parcel No. 034.20-02-016.000
Municipality Town of Prattsburgh
Disposition 2019 Correction of Assessment

Resolution No. A-31
Name Kelly P. & Tina M. Heath
Parcel No. 317.11-01-038.200
Municipality City of Corning
Disposition 2017-18 Correction of STAR Exemption

Resolution No. A-32
Name Growth Resources of Wellsboro
Parcel No. 370.00-01-046.000
Municipality Town of Lindley
Disposition 2019 Correction of Assessment (Railroad)

Resolution No. A-33
Name Robert L. Ecklin & Loretta S. Ecklin
Parcel No. 317.08-01-008.000
Municipality City of Corning
Disposition 2014 Court-Ordered Refund

Resolution No. A-34
Name Dennis & Sherri Stickler
Parcel No. 425.00-01-007.100
Municipality Town of Lindley
Disposition 2018 Refund / Duplicate Entry

Resolution No. A-35
Name Dennis & Sherri Stickler
Parcel No. 425.00-01-007.100
Municipality Town of Lindley
Disposition 2019 Correction - Duplicate Entry

Resolution No. A-36
Name Christian Hope Center
Parcel No. 299.14-03-023.000
Municipality Village of Riverside
Disposition 2019 Correction – Tax Exempt

Mr. Mullen stated he will be abstaining due to a client relationship.

**Vote: Roll Call – Adopted. Yes – 8674; Absent – 601; Abstained – 597
(Absent – Legislator Hanna; Abstained – Legislator Mullen)**

RESOLUTION NO. 167-18

Introduced by J. Hauryski.

Seconded by G. Roush.

RECEIVING AND ACCEPTING THE OCTOBER 22, 2018 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER’S OFFICE.

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

September 14, 2018

Bath VA Medical Center – Re: Request to submit comments within the next 30 days for consideration in the Section 106 process for the removal of buildings at the Bath VA Medical Center. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

September 17, 2018

NYS Senator Thomas O’Mara – Re: Notification of approval of \$6,000 in funding to supplement the District Attorney’s office with cost associated with services and expenses to prevent domestic violence or aid the victims of domestic violence. *Referred to: Public Safety & Corrections Committee; and Brooks Baker, District Attorney.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice of informational forums, public statement hearings and a procedural conference for the Baron Winds LLC, Case#15-F-0122 are scheduled on **Thursday, October 11, 2018** and **Friday, October 12, 2018** at the Hornell City Hall Courtroom located at 82 Main Street Hornell, NY 14843. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

September 19, 2018

NYS Board on Electric Generation Siting and the Environment – Re: Ruling on motion for corrective actions regarding public involvement program plan issued on September 17, 2018 (Baron Winds LLC, Case#15-F-0122). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Riedman Purcell CH II LLC PILOT (payment in lieu of tax) agreement and RP-412-a form for property located at Pearl Street, Corning, NY, and 176 East Denison Parkway, Corning, NY. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Alan Reed, County Attorney.*

September 21, 2018

NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the 2018 federal fiscal year (FFY 2018) Nutrition Services Incentive Program (NSIP). *Referred to: Human Services/Health & Education Committee; and Patty Barody, OFA Director.*

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$41,761 under the FY2018 Emergency Management Performance Grant (EMPG). *Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.*

Harris Beach, PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Corning Properties, Inc. **5th amendment** to the PILOT (payment in lieu of tax) agreement and amended RP-412-a form for properties located at 201 East First Street, 176 East Denison Parkway, former Pearl Street, 202 East Denison Parkway, 210 East Denison Parkway, and 210 East Denison Parkway (rear), City of Corning. *Referred to: Finance and Administration Committees; Patrick Donnelly, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Alan Reed, County Attorney.*

September 24, 2018

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$129,963 under the FY2018 State Homeland Security Program (SHSP). *Referred to: Public Safety & Corrections Committee; and Tim Marshall, EMO Director.*

NYS Department of Public Service – Re: Notice of informational forums (2:00pm & 6:00pm) and public hearings (3:00pm & 7:00pm) on the Baron Wind, LLC (Case#15-F-0122) will be held on October 11, 2018 at the Hornell City Hall Courtroom located at 82 Main Street, Hornell, NY 14843. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice of procedural conference issued September 21, 2018 for the Eight Point Wind, LLC (Case#16-F-0062). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

September 28, 2018

NYS Department of Transportation – Re: Announcement of the availability of up to \$13.8 million in funding to upgrade, modernize, and enhance public transportation services. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

October 1, 2018

Corning Community College – Re: Notification of the change in the county chargeback rate (\$3,044 per FTE) and an estimate of the total chargeback's (Jan-Dec 2019: Operating \$2,983,120/Capital \$294,000). *Referred to: Human Services/Health & Education Committee; Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice of informational forums and public statement hearings for the Eight Point Wind, LLC, Case#16-F-0062 are scheduled on **Wednesday, October 17, 2018** at the Hornell City Hall Courtroom located at 82 Main Street Hornell, NY 14843. *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

October 4, 2018

NYS Office for the Aging – Re: Annual Evaluation and Progress Report from April 1, 2018 through March 31, 2019. *Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.*

October 9, 2018

New York State Association of Counties – Re: Official resolutions adopted by the county delegates at the 2018 Fall New York State Association of Counties (NYSAC) Legislative Conference. *Referred to: Joseph Hauryski, Legislature Chairman.*

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$2,537, which represents the August 2018 surcharge revenues for Steuben County. *Referred to: Finance Committee; and Patrick Donnelly, Commissioner of Finance.*

NYS Board on Electric Generation Siting and the Environment – Re: Notice of ruling concerning procedural conference issued October 3, 2018 for the Eight Point Wind, LLC (Case#16-F-0062). *Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.*

NYS Office for the Aging – Re: Conditional Notification of Grant Award (NGA) for the New York Connects Expansion and Enhancement program for the period of April 1, 2018 through March 31, 2019. *Referred to: Human Services/Health & Education Committee; and Patty Baroody, OFA Director.*

Mr. Van Etten asked with regard to the notice from the Veterans' Administration regarding vacant buildings, was anything decided? Mr. Wheeler replied it is his understanding, no municipalities were interested in occupying those buildings.

Vote: Acclamation – Adopted.

RESOLUTION NO. 168-18

Introduced by A. Mullen and B. Schu.

Seconded by F. Potter.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2018, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1982, AS AMENDED, ESTABLISHING THE CORONERS' ENTITLEMENT TO COMPENSATION.

Pursuant to Articles 5 and 17-A of the County Law of the State of New York, and pursuant to the Steuben County Charter Articles II and XII.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on September 24, 2018, County of Steuben Local Law Tentatively No. Four for the Year 2018, amending Local Law No. Two for the Year 1982, as amended, establishing the Coroners' entitlement to compensation, and this Legislature by resolution, preliminarily adopted said Local Law on September 24, 2018, making the final adoption of said Local Law subject to a Public Hearing to be held on October 22, 2018; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on October 22, 2018, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2018

A Local Law Amending Local Law No. Two for the Year 1982, as Amended, Establishing the Coroners' Entitlement to Compensation.

Be it enacted by the Legislature of the County of Steuben as follows:

SECTION 1. LEGISLATIVE INTENT: [It is the intent of the within Local Law to amend Local Law No. Eight of the Year 1993, as amended, to provide for an increase in the basic compensation for coroners of One Hundred Dollars (\$100.00) to Two Hundred Dollars (\$200.00) plus necessary expenses in each case.] It is the intent of the Steuben County Legislature to amend the recited Local Law to provide for an increase in the basic compensation for coroners of Two Hundred Dollars (\$200.00) to Two Hundred Twenty Five Dollars (\$225.00), in each case. Each and every other provision of the recited Local Law as previously amended hereto is to remain in full force and effect.

SECTION 2. AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1982 as amended, be and the same, here is amended to read as follows:

SECTION 2.1: A basic compensation of [Two Hundred Dollars (\$200.00)] Two Hundred Twenty Five Dollars (\$225.00) plus necessary expenses in each case for all postmortem examinations (including, but not limited to participation at autopsies), investigations, statements, decisions or other report and for the filing thereof.

NOTE: Old law is in brackets [] and deleted;
New matter is underlined.

SECTION 3. EFFECTIVE DATE: The within Local Law shall be effective with respect to cases occurring on or after January 1, 2019.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on October 22, 2018 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature has caused a Notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath and Corning and the DMV Office in Hornell, said Notice published for one insertion in the two official newspapers of the County, and has caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with the proof of posting and publication filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Four for the Year 2018, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, the County Auditor, the Personnel Officer and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 169-18

Introduced by A. Mullen and S. Van Etten.

Seconded by K. Fitzpatrick.

AUTHORIZING THE COMMISSIONER OF FINANCE TO CREATE A CAPITAL PROJECT FOR JAIL FENCING.

WHEREAS, the Sheriff has determined that the County Jail needs a complete perimeter fence for security purposes, to maintain safety and security of the Jail; and

WHEREAS, certain funds have previously been designated in the major equipment budget for the fencing; and

WHEREAS, the project of an additional perimeter of fencing is properly a capital project.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to set up a Capital Account 3150HD for this project; and be it further

RESOLVED, the Commissioner of Finance is authorized to transfer the sum of \$26,300 from 315000-5290000 into the Capital Account 3150HD-45031900; and be it further

RESOLVED, the Commissioner of Finance is authorized to set up the expense account for the Fencing Project as being 3150HD-5250000; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 170-18

Introduced by C. Ferratella and S. Van Etten.

Seconded by R. Lattimer.

AUTHORIZING A TRANSFER FROM THE CONTINGENT FUND TO THE STEUBEN PREVENTION COALITION.

WHEREAS, the Steuben Prevention Coalition is a program provided through Catholic Charities of Steuben; and

WHEREAS, the Steuben Prevention Coalition has requested financial assistance for the remainder of 2018 from Steuben County to support its programs that promote creating a drug free community.

NOW THEREFORE, BE IT

RESOLVED, the Director of Community Services is hereby authorized to enter into a contract with Catholic Charities of Steuben located on 23 Liberty Street, Bath, NY 14810 to provide the above-mentioned program services at a rate not to exceed \$5,681; and be it further

RESOLVED, certified copies of this resolution be sent to the Director of Community Services, the Commissioner of Finance, and Colleen Banik, Steuben Prevention Coalition, 8 East Morris Street, Bath, NY.

Vote: Roll Call – Adopted.

RESOLUTION NO. 171-18

Introduced by G. Swackhamer.

Seconded by J. Malter.

AUTHORIZING STEUBEN COUNTY TO ENTER INTO AN AGREEMENT WITH NYSDOT TO MAINTAIN A CERTAIN COUNTY ROAD.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain, including snow removal, 0.019 centerline miles of a County road (shown as part numbered 7B on the Table of Maintenance) known as County Road 14 and to be designated as a portion of New York Project No. 6037.27 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT RESOLVED, that the County of Steuben shall maintain such road and guarantee the maintenance of such road when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and

BE IT FURTHER RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and

BE IT FURTHER RESOLVED, the County of Steuben act through its County Manager and Clerk of the Legislature who are hereby authorized to make and enter into an agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Steuben County Legislative Board for action, and that this Board furnish two certified copies of this resolution authorizing the County Manager and Clerk of this Steuben County Legislative Board to execute the agreements on behalf of the County of Steuben such County Manager and Legislative Clerk being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to transmit two (2) certified copies of the foregoing resolution to the State Department of Transportation.

Vote: Roll Call – Adopted.

RESOLUTION NO. 172-18

Introduced by C. Ferratella.

Seconded by H. Lando.

AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN INDEMNIFICATION AGREEMENT WITH GENESEE COUNTY.

WHEREAS, the Genesee County Department of Mental Health is the lead agency in the development of a behavioral health care collaborative (BHCC) known as Integrity Partners for Behavioral Health, IPA Inc.; and

WHEREAS, the Steuben County Community Mental Health Center is in partnership with Integrity Partners for Behavioral Health, Inc.; and

WHEREAS, the Genesee County Department of Mental Health acts as lead agency for receipt and disbursement of funds payable under the behavioral health care collaborative; and

WHEREAS, the Human Services, Health & Education Committee of the Steuben County Legislature recommends entering into the indemnification agreement with Genesee County.

NOW THEREFORE, BE IT

RESOLVED, the County Manager be and the same hereby is authorized and directed to execute the indemnification agreement on behalf of the Steuben County Legislature; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Genesee County Department of Mental Health located at 5130 East Main Street, Batavia, NY 14020.

Mr. Mullen asked who exactly are we indemnifying; Genesee County? Mr. Wheeler replied correct.

Mr. Mullen asked if some other county does something and causes harm to the collaborative, what is the extent of the indemnification? Ms. Prossick explained the indemnification is just to Genesee as they are accepting the money for the entire collaborative. There is a pro-rated amount that each County will receive. Genesee and Steuben are indemnifying one another.

Mr. Wheeler stated our hope was that the State would recognize the entire consortium. This is a way to clean it up so that Genesee County does not hold the entire liability.

Vote: Roll Call – Adopted.

RESOLUTION NO. 173-18

Introduced by R. Lattimer.

Seconded by C. Ferratella.

AUTHORIZING THE COUNTY MANAGER TO PURCHASE REAL PROPERTY LOCATED AT MORRIS STREET IN THE VILLAGE OF BATH.

WHEREAS, Steuben County presently has a shortage of parking for its employees; and

WHEREAS, owner(s) of Tax Map 159.13-04-049.000, which directly abuts the current County Employee Parking Lot, have agreed to sell to the County a 76'x80' parcel of that land; and

WHEREAS, the County will be responsible to obtain the proper sub-division approval for the land, as well as removing approximately three (3) trees, adding a 20' foot fence and laying a 12' x 12' concrete slab on Tax Map 159.13-04-049.000; and

WHEREAS, the County will pay all costs associated with the purchase and the purchase price of \$23,000.00; and

WHEREAS, the Ad Hoc Office Space Committee has approved the terms of this purchase.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a Purchase and Sale Agreement for purchase of a part of Tax Map 159.13-04-049.000, along with the additional terms set forth above; and be it further

RESOLVED, the County Manager is hereby authorized to sign all necessary documents, including transfer of title documents, to effectuate the sub-division and purchase of the parcel; and be it further

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

Mr. Weaver asked how much property have we acquired since the new building project? Mr. Wheeler replied this is the only property we have acquired. We have a lease with Jay Dickson for approximately \$3,500 annually for additional parking for the motor pool fleet during construction. We owned the two houses that were taken down. With this property acquisition, we have had conversations with the property owner for years. For long-term planning, it is a good idea for the County.

Mr. Ryan asked is the price fair? Mr. Wheeler replied you are paying a premium for this, however, we are the only buyer that would be able to purchase this from the owners. Mr. Reed commented this is not outside of the price you would have paid through eminent domain, but we would like to not go through that process.

**Vote: Roll Call – Adopted. Yes – 8820; No – 451; Absent – 601
(No – Legislator Weaver; Absent – Legislator Hanna)**

RESOLUTION NO. 174-18

Introduced by R. Lattimer.

Seconded by H. Lando.

DECLARING THE MORRIS STREET PROPERTY PARKING LOT DEVELOPMENT A TYPE 1 ACTION AND DECLARING THE STEUBEN COUNTY PLANNING DEPARTMENT LEAD AGENCY.

WHEREAS, Steuben County intends to purchase a portion of Tax Parcel No. 159.13-04-049.000, Morris Street, Village of Bath, NY for parking lot expansion; and

WHEREAS, this action is subject to review under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the site is substantially contiguous to the Liberty Street Historic District.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature designates the Steuben County Planning Department as Lead Agency; and be it further

RESOLVED, that said project is declared a Type 1 action subject to further review under SEQRA; and be it further

RESOLVED, a certified copy of this resolution shall be sent to the Steuben County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 175-18

Introduced by G. Swackhamer.

Seconded by J. Malter.

DESIGNATING THE COUNTY OF STEUBEN AS LEAD AGENCY FOR SEQRA PURPOSES FOR THE ACQUISITION OF LAND ADJACENT TO THE LANDFILL.

WHEREAS, the County Legislature has authorized the purchase of 120.93(+/-) acres of land adjacent to the landfill; and

WHEREAS, it is necessary and desirable as required by the State Environmental Quality Review Act (SEQRA) to designate a lead agency for purposes of complying with SEQRA.

NOW THEREFORE, BE IT

RESOLVED, by the County Legislature of the County of Steuben, as follows:

Section 1. It is hereby determined that the County Legislature adopting this resolution declares itself to be the lead agency under the State Environmental Quality Review Act and the regulations promulgated thereunder for purposes of determining the environmental impact of the project described in Section 3 hereof.

Section 2. Based upon the Environmental Assessment Form verified the 1st day of October 2018 and filed with the Clerk of the Legislature and the Planning Department and made a part hereof as incorporated by reference, it is hereby determined that the project described in Section 3 hereof is an Type 1 Action which will not have a significant impact upon the environment.

Section 3. The project which is the subject of this resolution is described as follows:

Purchase of land adjacent to the landfill property to be used as a buffer area for current landfill operations and to undergo field investigations in support of a potential future landfill expansion and tonnage increase.

Section 4. This resolution shall take effect immediately.

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 176-18

Introduced by R. Lattimer.

Seconded by K. Fitzpatrick.

DESIGNATING THE STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY FOR THE COUNTY OF STEUBEN.

Pursuant to Article 5 of the County Law of the State of New York.

WHEREAS, the Steuben County Agriculture, Industry & Planning Committee (AIP) in its administrative function for tourism matters is qualified to recommend the appropriate agency for official Tourism Promotion Agency (TPA) designation; and

WHEREAS, the State of New York has made available to its counties "matching funds" for the promotion of tourism; and

WHEREAS, the New York State Tourist Promotion Act requires the legislature of each county to designate a Tourism Promotion Agency as the applicant for and the recipient of such funds; and

WHEREAS, the Steuben County Conference and Visitors' Bureau is charged with the duty to promote tourism within Steuben County.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby designates the Steuben County Conference & Visitors' Bureau as the official Tourism Promotion Agency for the County of Steuben for the period January 1, 2019 through December 31, 2019; and be it further

RESOLVED, the President of the Steuben County Conference and Visitors' Bureau shall report any changes that may occur in State tourism funding requirements to the Steuben County Manager; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Kevin Costello, President, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Suite 301, Corning, NY 14830.

Vote: Roll Call – Adopted.

Motion Combining Resolutions 12 through 17 as one and Waiving the Reading made by Mr. Mullen, seconded by Mr. Roush and duly carried.

RESOLUTION NO. 177-18

Introduced by B. Schu.

Seconded by G. Roush.

DIRECTING THE FILING OF THE TENTATIVE BUDGET AND THE BUDGET MESSAGE WITH THE CLERK OF THE LEGISLATURE AND FIXING THE TIME AND PLACE FOR THE PUBLIC HEARING ON THE TENTATIVE BUDGET.

Pursuant to Sections 354, 355, 356 and 359 of the County Law.

WHEREAS, the Budget Officer shall prepare and the Finance Committee shall present the Steuben County Tentative Budget and the Budget Message for the Fiscal Year 2019 with its recommendations to this Steuben County Legislature, which Tentative Budget and Budget Message together with copies, shall be filed with the Clerk of the Legislature on or before November 15, 2018.

NOW THEREFORE, BE IT

RESOLVED, the Tentative Budget and the Budget Message setting forth the appropriations for the conduct of County Government for the Fiscal Year 2019, shall be filed with the Clerk of this County Legislature on or before November 15, 2018, and shall be received and filed with this Legislature by filing same with the Clerk thereof as the official record of the filing of the same and that said Tentative Budget shall serve as the proposed appropriation resolution; and be it further

RESOLVED, the Public Hearing on the Tentative Budget for Steuben County for the Fiscal Year 2019, as herein filed, shall be held on **November 26, 2018, at 11:30 A.M.** in the Legislative Chambers, Bath, New York, and the Clerk of this Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 359 of the County Law in the two official newspapers of the County; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 178-18

Introduced by B. Schu.

Seconded by G. Roush.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2018, for the Budget Year of 2019, for the Marsh Ditch Watershed Protection District shall be held on **November 26, 2018 at 11:30 A.M.** in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Attorney for the Watershed District, to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 179-18

Introduced by B. Schu.

Seconded by G. Roush.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, that the Public Hearing on the Assessment Roll for the Year 2018, for the Budget Year of 2019 for the Upper Five Mile Creek Watershed Protection District shall be held on **November 26, 2018 at 11:30 A.M.** in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 180-18

Introduced by B. Schu.

Seconded by G. Roush.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2018, for the Budget Year of 2019, for the Lamoka/Waneta Lakes' Protection and Rehabilitation District shall be held on **November 26, 2018 at 11:30 A.M.** in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the Commissioner of Finance.

Vote: Acclamation – Adopted.

RESOLUTION NO. 181-18

Introduced by J. Hauryski.

Seconded by G. Roush.

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 23, 2018.

Pursuant to Section 2.07(12) of the Steuben County Charter and the current agreement between the County of Steuben and the Civil Service Employee's Association, Inc.

WHEREAS, the County of Steuben, by contractual agreement with the employees of Steuben County has declared the day after Thanksgiving day to be a holiday for all employees, with the exception of the County Clerk, the Finance Office, the Clerk of this Legislature, and the Sheriff's Office (Administrative Offices); and

WHEREAS, this County Legislature determines because of the lack of the traditional business volume on the day after Thanksgiving, coupled together with the savings of energy costs and unnecessary payroll expenses, that it would be in the best interest of the County, the taxpayers and its employees to close all of the offices of Steuben County on the day after Thanksgiving, November 23, 2018.

NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 23, 2018, to be a County holiday pursuant to the present contract with the Civil Service Employee's Association, Inc.; and be it further

RESOLVED, that all department heads, in particular the County Clerk, the Commissioner of Finance, the Clerk of this Legislature, and the Sheriff (Administrative Offices), are directed to close their respective offices on said date; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 182-18

Introduced by J. Hauryski.

Seconded by G. Roush.

SETTING THE DATE FOR THE DECEMBER 2018 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for December 2018, on Monday, December 17, 2018, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated, and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

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. Van Etten, seconded by Mr. Potter and duly carried.

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

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