

**REGULAR MEETING**  
**Morning Session**  
**Monday, April 24, 2023**  
**Legislative Chambers**

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 24<sup>th</sup> day of April, 2023, 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 Lando and Van Caeseele.

Mr. Mullen provided the Invocation and Mr. Pelham led the Pledge of Allegiance.

Chairman Van Etten asked Lauren Robords to come forward. Ms. Robords is an employee in the Office of Emergency Services. He presented her with a Certificate of Appreciation and a key chain in recognition of her 35 years of service to Steuben County.

Chairman Van Etten asked Dr. Henry Chapman to come forward. Dr. Chapman is the Director of the Department of Community Services. He presented him with a Certificate of Appreciation and a clock in recognition of his retirement with 26 years of service to Steuben County.

Dr. Chapman stated it has been a privilege working with all of you and it has been an honor to serve the community. I wish you all the best.

Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting for the Public Hearing on the Community Development Block Grant Needs of Steuben County and to Discuss the Possible Submission of One or More Community Development Block Grant (CDBG) Applications for the 2023 Program Year. Chairman Van Etten opened the floor for comments by members of the public. There being none, he declared the public hearing closed.

***Motion adopting the minutes of the previous meeting made by Mr. Swackhamer, seconded by Mr. Potter and duly carried.***

Ms. Fitzpatrick announced that on Saturday, April 22, 2023, she attended the Savona Fire Department's Annual Dinner. They wanted to present the 911 Dispatchers with a Certificate of Appreciation and she brought it with her today to present to Mr. Marshall and the Legislature.

**RESOLUTION NO. 080-23**

Introduced by G. Swackhamer.

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 be it further

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

SCHEDULE "A"

Resolution No.	Parcel No.	Name	Municipality	Tax Yr(s)	Disposition
A-1	268.00-01-017.000	Columbia Gas Transmission	Greenwood	2020	Correction of acreage
A-2	268.00-01-017.000	Columbia Gas Transmission	Greenwood	2021	Correction of acreage
A-3	268.00-01-017.000	Columbia Gas Transmission	Greenwood	2022	Correction of acreage
A-4	268.00-01-017.000	Columbia Gas Transmission	Greenwood	2022-23	Correction of acreage
A-5	268.00-01-017.000	Columbia Gas Transmission	Greenwood	2023	Correction of acreage
A-6	179.00-01-007.110	Robinson, Roland L	Hornellsville	2022	Split

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 081-23**

Introduced by S. Van Etten.

Seconded by J. Malter.

**RECEIVING AND ACCEPTING THE APRIL 24, 2023 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:

**March 17, 2023**

NYS Board on Electric Generation Siting and the Environment – Re: Notice inviting public comment and announcing public statement hearings issued March 10, 2023 on the Baron Wind LLC Project (Case#15-F-0122). **Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.**

NYS Board on Electric Generation Siting and the Environment – Re: Notice ruling addressing service defects and directing further action issued March 14, 2023 on the Baron Wind LLC Project (Case#15-F-0122). **Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.**

**March 20, 2023**

Corning Incorporated – Re: Request for notification on approvals of building permits or other approvals granted for properties located within the Corning, NY study area (#851046). *Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.*

**March 30, 2023**

NYS Board on Electric Generation Siting and the Environment – Re: Notice of petition to amend certificate related to Phase II and inviting public comment/announcing public statement hearing on the Baron Winds LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

Young/Sommer LLC – Re: Correspondence on the Baron Winds Phase II – Service of Amendment Petition for the Baron Winds LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

**April 3, 2023**

NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Hammondsport Historic District located in the Village of Hammondsport, NY will be considered at the NYS Board for Historic Preservation meeting held on June 8, 2023. These properties will be considered for nomination to the National and State Register of Historic Places. *Referred to: A.I.P. Committee; and Emily Simms, County Historian.*

**April 6, 2023**

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$1,155; which represents the February 2023 surcharge revenue payment for Steuben County. *Referred to: Administration Committee; Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.*

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 082-23**

Introduced by G. Swackhamer.

Seconded by K. Fitzpatrick.

**REQUESTING THE ADOPTION OF SENATE BILL NO. S5613A AND ASSEMBLY BILL NO. A5359A EXTENDING THE ADDITIONAL ONE PERCENT (1%) 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, 2023, 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, 2023 through November 30, 2025, or be made permanent; and be it further

**RESOLVED**, from said additional revenues for the period December 1, 2023 through November 30, 2025, the County of Steuben shall pay or cause to be paid annually to the City of Hornell the sum of \$850,000.00; and to the City of

Corning the sum of \$850,000.00; and in addition, the sum of \$850,000.00 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 Kathy Hochul, 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 Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, 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, 933 Legislative Office Building, 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, 448 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.

Mr. Mullen stated it will be good to re-examine the sales tax agreements with the cities and the rest of the municipalities. I don't know if it is the most equitable split. That is just something to reexamine.

**Vote: Roll Call – Adopted.**

### **RESOLUTION NO. 083-23**

Introduced by G. Swackhamer.

Seconded by C. Ferratella.

**REQUESTING THE ADOPTION OF SENATE BILL NO. S5610A AND ASSEMBLY BILL NO. A4918A EXTENDING THE EXPIRATION DATE OF THE MORTGAGE RECORDING TAX FOR THE COUNTY OF STEUBEN.**

Pursuant to the Tax Law of the State of New York.

**WHEREAS**, Steuben County has heretofore, pursuant to Resolution No. 024-23, requested legislation from the State of New York extending Tax Law Section 253-s relative to the mortgage recording tax for the County; and

**WHEREAS**, Tax Law Section 253-s must be reauthorized; and

**WHEREAS**, Senate Bill No. S5610-A and Assembly Bill No. A4918-A request the amendment of Section 3 of Chapter 365 of the Laws of 2005, extending the Steuben County mortgage recording tax expiration date from December 1, 2023, to December 1, 2025; and

**WHEREAS**, the generation of such mortgage recording tax fees are essential revenues for the operation of the County.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Steuben County Legislature hereby requests the Governor and the New York State Legislature to adopt special Home Rule legislation as presented in Senate Bill No. S5610A and Assembly Bill No. A4918A, extending Tax Law Section 253-s; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to Honorable Kathy Hochul, 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 Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, 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, 933 Legislative Office Building, 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, 448 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.

Mrs. Scotchmer explained after we adopted this resolution last month, we were informed that the State did not want to do a three year extension and they were only doing two years so that both the sales tax and mortgage tax extenders would go through together.

**Vote: Roll Call – Adopted. Yes – 7122, No – 1296, Absent 940  
(No: Legislators Kuhl and Van Etten; Absent – Legislators Lando and Van Caesele)**

### **RESOLUTION NO. 084-23**

Introduced by R. Nichols and G. Swackhamer.

Seconded by C. Ferratella.

#### **AUTHORIZING AN APPROPRIATION FROM THE LANDFILL FUND BALANCE TO THE BATH LANDFILL CELL CONSTRUCTION CAPITAL PROJECT.**

**WHEREAS**, the Solid Waste Division is expanding the landfill with the additions of Cells 7 and 8; and

**WHEREAS**, the Bath Landfill Cell Construction Capital Project construction bids were more costly than anticipated; and

**WHEREAS** the unassigned fund balance has \$2,000,000 available and the Bath Scale House & Scale Upgrade capital projects have \$190,000 available to fund the project; and

**WHEREAS**, the Public Works Committee and the Finance Committee recommend the transfer of funds as noted above.

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

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to make the following transfer:

- Appropriate Unassigned Fund Balance of \$2,000,000
  - Decrease BATHLFILL.BLDGIMPRVM.SCALEHOUSE by \$95,000
  - Decrease BATHLFILL.SCALES by \$95,000
- Increase BATHLFILL.CELL 7/8.CONSTRUCT by \$2,190,000

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

**Vote: Roll Call – Adopted.**

### **RESOLUTION NO. 085-23**

Introduced by J. Malter and G. Swackhamer.

Seconded by K. Fitzpatrick.

#### **AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE COUNTY'S SHARE OF OPIOID SETTLEMENT FUNDS FOR THE PURCHASE OF A 15-LEAD AED FOR THE SHERIFF'S OFFICE.**

**WHEREAS**, the Sheriff's Office has identified the need for a 15-Lead AED to better serve the community; and

**WHEREAS**, sufficient funds are available from the County’s share of the Opioid Settlement Funds to purchase said AED; and

**WHEREAS**, the Public Safety and Corrections Committee and Finance Committee have recommended an appropriation of \$47,000 from the County’s share of the Opioid Settlement Funds to the Sheriff’s Office for the purchase of a 15-Lead AED.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer the sum of \$47,000 from the County’s share of the Opioid Settlement Funds to the Sheriff’s Office Major Equipment Account – 311000-6290; 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. 086-23**

Introduced by G. Swackhamer.

Seconded by F. Potter.

**AUTHORIZING AN APPROPRIATION FROM THE STATE’S SHARE OF OPIOID SETTLEMENT FUNDS FOR A NEW CONTRACT WITH PRETAA IN THE DEPARTMENT OF COMMUNITY SERVICES.**

**WHEREAS**, Steuben County has received \$585,268 from the State’s share of Opioid Settlement Funds, which are to be used for opioid treatment and prevention efforts; and

**WHEREAS**, Steuben County has an opportunity to contract with a vendor to provide smartwatch technology to a pilot group of ten clients currently enrolled in the Alcohol and Substance Abuse Treatment Program; and

**WHEREAS**, the Department of Community Services received authorization from the Human Services, Health & Education and Finance Committees to utilize \$10,000 of these funds to enter into a contract with PRETAA to offer smartwatch technology to aid individuals in recovery;

**WHEREAS**, the funding for the above-mentioned contract needs to be appropriated from the 2023 OASAS Opioid Settlement Fund.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized to appropriate \$10,000 from the State’s share of the Opioid Settlement Funds as follows:

\$10,000 to OPIOID-SAS.543345.PRETAA    ORG 432200 OBJECT 543345

**AND BE IT FURTHER RESOLVED**, certified copies of this resolution shall be sent to the Director of the Department of Community Services and the Commissioner of Finance.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 087-23**

Introduced by G. Swackhamer.

Seconded by J. Malter.

**AUTHORIZING THE APPROPRIATION OF REFUSE CHARGES AND BUDGET TRANSFERS TO FUND THE 2022 LANDFILL DEPRECIATION.**

**WHEREAS**, the County does not budget for Landfill depreciation each year; and

**WHEREAS**, the County received refuse charge revenue beyond what was budgeted for 2022; and

**WHEREAS**, the Finance Committee has approved appropriating additional refuse charge revenue as well as other budget transfers to fund the 2022 landfill depreciation.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Steuben County Legislature, does hereby appropriate \$1,969,451.70 refuse charge revenue to the expenditure accounts listed on the attached Budget Adjustment Request; and be it further

**RESOLVED**, this Legislature does hereby transfer \$1,575,435.45 from the expenditure accounts listed on the attached Budget Amendment Request; and be it further

**RESOLVED**, this Legislature does hereby fund the 2022 landfill depreciation in the accounts listed on the attached Budget Amendment Request via the aforementioned revenue appropriation and expenditure budget transfers totaling \$3,544,887.15; and be it further

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

**BUDGET ADJUSTMENT REQUEST  
COUNTY OF STEUBEN**

Transfer Number \_\_\_\_\_  
Control Number \_\_\_\_\_  
Projects Transfer Number \_\_\_\_\_  
Period (if not current) 2022 \_\_\_\_\_

DESCRIPTION Fund Landfill Depreciation and a few operating accounts

(NOTES) \_\_\_\_\_

**EXPENDITURE TRANSFERS:**

Department	Account	Proj/Grant	Description	Decrease From Amount	Increase To Amount
5			See Attached		3544887.15
5			See Attached	1575435.45	
5					
5					
5					
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5					




**EQUIPMENT REQUEST:** (completed this section when requesting a change in an equipment line item) ADD items (specify) \_\_\_\_\_ \$ \_\_\_\_\_  
DELETE items (specify) \_\_\_\_\_ \$ \_\_\_\_\_

**REVENUE TRANSFERS:**

Department	Account	Proj/Grant	Description	Decrease From Amount	Increase To Amount
816009	4 21300		Appropriate revenue to expense lines		1969451.70
	4				
	4				
	4				
	4				
	4				

**APPROVALS:** (Budget Adjustment and Change in Equipment)


  
 Standing Committee \_\_\_\_\_ Date 4/11/23  
 \_\_\_\_\_ Date 4/11/23  
 County Manager/Budget Officer


  
 Department Head \_\_\_\_\_ Date 4/11/23  

  
 Finance Committee \_\_\_\_\_ Date 4/4/23  

  
 Commissioner of Finance \_\_\_\_\_ Date \_\_\_\_\_

11/2007 version date



816007	519000	WAGES OVERTIME	3,502.81	2,031.52	0.00	1,471.29	-1,471.29
816008	584000	WORKERS' COMPENSATION	1,757.00	0.00	0.00	1,757.00	-1,757.00
816003	541500	UTILITIES	17,500.00	15,702.35	0.00	1,797.65	-1,797.65
816001	540102	TELEPHONE - CHARGEBACKS	16,735.00	14,388.35	0.00	2,346.65	-2,346.65
816008	541500	UTILITIES	3,380.00	0.00	0.00	3,380.00	-3,380.00
816008	583000	SOCIAL SECURITY	4,114.00	0.00	0.00	4,114.00	-4,114.00
816005	587000	COMPENSATED ABSENCES	0.00	-4,464.03	0.00	4,464.03	-4,464.03
816008	581000	NYS EMPLOYEES RETIREMENT	6,937.00	0.00	0.00	6,937.00	-6,937.00
816008	541902	WATER TESTING	20,000.00	0.00	0.00	20,000.00	-20,000.00
816008	586000	GROUP MEDICAL INSURANCE	21,696.00	0.00	0.00	21,696.00	-21,696.00
816007	587000	COMPENSATED ABSENCES	0.00	-23,046.19	0.00	23,046.19	-23,046.19
816008	541904	ENVIRONMENTAL MONITORING	48,000.00	9,500.00	0.00	38,500.00	-38,500.00
816008	511000	SALARIES & WAGES	58,816.24	0.00	0.00	58,816.24	-58,816.24
816004	6290	MACH & EQUIP MAJOR >\$5k	204,977.42	0.00	82,889.00	122,088.42	-122,088.42
816008	541903	LEACHATE TREATMENT CHRGBK	200,000.00	0.00	0.00	200,000.00	-200,000.00
816003	6290	MACH & EQUIP MAJOR >\$5k	329,007.76	0.00	127,472.14	201,535.62	-201,535.62
816001	6290	MACH & EQUIP MAJOR >\$5k	347,847.33	-95,800.92	127,472.14	316,176.11	-316,176.11
816001	6700	LANDFILL CLOSURE/POSTCLOSURE	614,655.00	87,559.00	0.00	527,096.00	-527,096.00
816009	421300	REFUSE CHARGES	-5,000,000.00	-8,388,430.12	appropriate rev.	-1,969,451.70	1,969,451.70

Org	Object	Description	22 Revised Budg	2022 Actual	Open Pos	2022 Available	Transfer
816001	544800	DEPRECIATION EXPENSE	0.00	2,987,698.84	0.00	-2,987,698.84	2,987,698.84
816003	544800	DEPRECIATION EXPENSE	0.00	182,386.03	0.00	-182,386.03	182,386.03
816007	544800	DEPRECIATION EXPENSE	0.00	171,336.84	0.00	-171,336.84	171,336.84
816001	541804	REPAIRS/MAINT-BLDG & PROP	90,584.42	185,503.58	657.80	-95,576.96	95,576.96
816004	544800	DEPRECIATION EXPENSE	0.00	38,123.43	0.00	-38,123.43	38,123.43
816005	544800	DEPRECIATION EXPENSE	0.00	30,964.20	0.00	-30,964.20	30,964.20
816000	544800	DEPRECIATION EXPENSE	0.00	28,201.74	0.00	-28,201.74	28,201.74
816003	587000	COMPENSATED ABSENCES	0.00	8,466.37	0.00	-8,466.37	8,466.37
816000	540102	TELEPHONE - CHARGEBACKS	-87.00	2,043.95	0.00	-2,130.95	2,130.95
816000	544700	INDIRECT COUNTY COSTS	208,480.00	208,480.50	0.00	-0.50	0.50
816000	511000	SALARIES & WAGES	119,291.64	119,291.99	0.00	-0.35	0.35
816004	519000	WAGES OVERTIME	5,006.78	5,007.11	0.00	-0.33	0.33
816004	511000	SALARIES & WAGES	124,306.00	124,306.21	0.00	-0.21	0.21
816005	511000	SALARIES & WAGES	123,192.58	123,192.79	0.00	-0.21	0.21
816007	511000	SALARIES & WAGES	144,258.00	144,258.19	0.00	-0.19	0.19
816007	540500	COPYING	50.00	0.00	0.00	50.00	-50.00
816004	541500	UTILITIES	12,200.00	12,148.96	0.00	51.04	-51.04
816001	543702	DIESEL FUEL	337,375.52	337,314.19	0.00	61.33	-61.33
816005	543903	PARTS & REPAIRS	2,900.00	2,810.14	0.00	89.86	-89.86
816005	540811	SAFETY SUPPLIES	100.00	0.00	0.00	100.00	-100.00
816007	544401	EMPEE UNIFORMS / CLOTHING	3,023.11	2,879.65	0.00	143.46	-143.46
816008	588000	FRINGE BENEFITS UNSPECIFIED	150.00	0.00	0.00	150.00	-150.00
816004	540811	SAFETY SUPPLIES	200.00	25.98	0.00	174.02	-174.02
816001	543903	PARTS & REPAIRS	483,807.30	453,850.40	29,779.51	177.39	-177.39
816007	540812	SHOP SUPPLIES	11,690.00	11,491.05	0.00	198.95	-198.95
816004	540812	SHOP SUPPLIES	500.00	298.01	0.00	201.99	-201.99
816003	540102	TELEPHONE - CHARGEBACKS	2,862.00	2,644.82	0.00	217.18	-217.18
816005	540102	TELEPHONE - CHARGEBACKS	1,734.00	1,506.32	0.00	227.68	-227.68
816005	540812	SHOP SUPPLIES	3,000.00	2,758.34	0.00	241.66	-241.66
816003	540819	SMALL TOOLS	1,100.00	848.87	0.00	251.13	-251.13
816005	541500	UTILITIES	14,000.00	13,718.75	0.00	281.25	-281.25
816008	541901	CLOSURE MAINTENANCE	317.50	0.00	0.00	317.50	-317.50
816005	540819	SMALL TOOLS	2,085.45	1,739.80	0.00	345.65	-345.65
816004	541804	REPAIRS/MAINT-BLDG & PROP	13,500.00	13,076.68	0.00	423.32	-423.32
816006	540819	SMALL TOOLS	500.00	0.00	0.00	500.00	-500.00
816006	549800	OTHER EXPENSES	500.00	0.00	0.00	500.00	-500.00
816006	544213	RECYCLING SUPPLIES	18,000.00	17,471.35	0.00	528.65	-528.65
816007	541804	REPAIRS/MAINT-BLDG & PROP	72,222.65	55,517.07	16,161.61	543.97	-543.97
816006	542915	RECYCLING FEES	198,419.41	197,872.00	0.00	547.41	-547.41
816004	587000	COMPENSATED ABSENCES	21,219.46	20,614.82	0.00	604.64	-604.64
816000	540201	INTERNET - CARRIER CHRGS	700.00	0.00	0.00	700.00	-700.00
816007	543903	PARTS & REPAIRS	20,738.57	19,378.57	660.00	700.00	-700.00
816007	541500	UTILITIES	84,534.52	83,772.78	0.00	761.74	-761.74
816001	542301	FISCAL AUDITORS/ADVISORS	775.00	0.00	0.00	775.00	-775.00
816000	542301	FISCAL AUDITORS/ADVISORS	800.00	0.00	0.00	800.00	-800.00
816007	540102	TELEPHONE - CHARGEBACKS	3,392.00	2,571.79	0.00	820.21	-820.21
816000	541300	INSURANCE	22,356.00	21,495.85	0.00	860.15	-860.15
816008	541804	REPAIRS/MAINT-BLDG & PROP	970.50	0.00	0.00	970.50	-970.50
816006	519000	WAGES OVERTIME	7,890.98	6,893.41	0.00	997.57	-997.57
816008	519000	WAGES OVERTIME	1,000.00	0.00	0.00	1,000.00	-1,000.00
816004	540201	INTERNET - CARRIER CHRGS	1,200.00	0.00	0.00	1,200.00	-1,200.00
816005	540201	INTERNET - CARRIER CHRGS	1,200.00	0.00	0.00	1,200.00	-1,200.00
816007	540201	INTERNET - CARRIER CHRGS	1,200.00	0.00	0.00	1,200.00	-1,200.00
816000	541803	MAINTENANCE IN LIEU/RENT	8,284.00	6,984.00	0.00	1,300.00	-1,300.00

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 088-23**

Introduced by C. Ferratella.

Seconded by F. Potter.

**AUTHORIZING CHANGE ORDERS FOR THE HIGHWAY SHOP CONSTRUCTION – ARPA CAPITAL PROJECT.**

**WHEREAS**, on 08/22/2022 the Steuben County Legislature authorized contracts to perform construction services at three DPW shops located at Mt. Washington Shop in Bath, Curtis Shop in Campbell, and the Prattsburgh Shop; and

**WHEREAS**, during the initial construction of the Mt. Washington and Curtis DPW shops it was noted that new storm drainage was needed at each shop and a retaining wall is needed at the Mt. Washington shop; and

**WHEREAS**, the cost for 325 linear feet of storm piping and site work at the Mt. Washington shop should not exceed \$56,121.00, the cost of 169 linear feet of storm piping and site work at the Curtis Shop should not exceed \$22,050.00, and the cost of approximately 115 feet to build a retaining wall for frost protection should not exceed \$70,400.00; and

**WHEREAS**, the contract between Building Innovation Group and the County does not provide compensation for the scope of these change orders; and

**WHEREAS**, the Ad Hoc Office Space Committee approved this change order on April 24<sup>th</sup>, 2023.

**NOW THEREFORE, BE IT**

**RESOLVED**, the total amount of the change orders is not to exceed \$148,471.00; and be it further

**RESOLVED**, the County Manager is hereby authorized to increase the contract amount with Building Innovation Group for the amount of the change order and sign all necessary documents; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 089-23**

Introduced by C. Ferratella.

Seconded by J. Malter.

**AUTHORIZING A CHANGE ORDER FOR PAVING AT THE CIVIL DEFENSE BUILDING PROJECT.**

**WHEREAS**, the County has entered into contracts to perform construction services at the Civil Defense Building; and

**WHEREAS**, during the bid process for the building project, paving quotes were not obtained; and

**WHEREAS**, the contract between Building Innovation Group and the County does not provide compensation for the scope of this change order; and

**WHEREAS**, the Ad Hoc Office Space Committee approved this change order on April 24<sup>th</sup>, 2023.

**NOW THEREFORE, BE IT**

**RESOLVED**, the total amount of the change order is not to exceed \$47,843.00; and be it further

**RESOLVED**, the County Manager is hereby authorized to increase the contract amount with Building Innovation Group for the amount of the change order and sign all necessary documents; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 090-23**

Introduced by A. Mullen and G. Swackhamer.

Seconded by R. Nichols.

**AUTHORIZING AN AGREEMENT WITH GRANICUS TO IDENTIFY, MONITOR, AND MANAGE SHORT-TERM RENTAL PROPERTIES.**

**WHEREAS**, the County recently adopted Local Law No. One for the year 2023, which expanded the definition of hotel to include short-term rental properties for the tax on the occupancy of a hotel or motel room; and

**WHEREAS**, the County is in need of software to help identify, monitor, and manage the collection of occupancy tax for short-term rentals; and

**WHEREAS**, the Agriculture, Industry & Planning and Finance Committees approved an agreement with Granicus on April 24, 2023.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Steuben County Legislature, duly convened, does hereby appropriate \$60,000 from the Occupancy Tax Restricted fund balance account (A.388907) to Tourism Other Expenses (641000.549800); and be it further

**RESOLVED**, the Steuben County Legislature does hereby authorize the County Manager to enter into an agreement with Granicus for not more than \$60,000 to help identify, monitor, and manage the collection of occupancy tax for short-term rental properties; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 091-23**

Introduced by R. Nichols.

Seconded by C. Ferratella.

**AUTHORIZING THE EXECUTION OF PERMANENT EASEMENTS TO CORNING NATURAL GAS CORPORATION.**

**WHEREAS**, the County owns real properties in the Town of Bath, 5632 Turnpike Road, identified as Tax Map No's.: 172.00-07-008.200, 172.00-01-009.000 and 172.00-01-010.000; and

**WHEREAS**, Corning Natural Gas Corporation (“CNG”) has notified the County that in order for the County and WAGA Energy project to proceed with the renewable natural gas (RNG) facility, CNG needs to install a RNG pipeline at the aforementioned location identified as lands at Tax Map No's.: 172.00-07-008.200, 172.00-01-009.000 and 172.00-01-010.000; and

**WHEREAS**, after review of said request by CNG, it has been determined that the amount of real property requested by CNG from the County is not needed by the County for a public purpose.

**NOW THEREFORE, BE IT**

**RESOLVED**, the County Manager is hereby authorized to execute the Permanent Easements to CNG as set forth herein; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the County Manager, County Attorney, and Commissioner of Public Works.

Mr. Mullen asked for an update on this project. Mr. Brewer replied they will be online at the end of the year. The gas will be piped into the WAGA box here within the next two months. From now until September they will have one person on site and after that they will have three to four people on site. Mr. Mullen asked what are the revenue projections? Mr. Brewer replied those are based on volume and usage. The RINS are purchased by Shell and the pricing is for Corning Natural Gas, not for the County.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 092-23**

Introduced by R. Nichols.

Seconded by J. Malter.

**TITLE: AUTHORIZING THE EXECUTION OF A TEMPORARY EASEMENT PURCHASE AGREEMENT WITH AEK PROPERTY MANAGEMENT, LLC.**

**WHEREAS**, Steuben County is replacing a bridge, ID# B30-18-1, on Cemetery Hill Road in the Town of West Union; and

**WHEREAS**, Steuben County will need land access to install a temporary on-site detour for the bridge replacement; and

**WHEREAS**, AEK Property Management, LLC is the owner of the property located at Tax Map Number 340.18-01-027.000 in the Township of West Union that Steuben County can use 0.347 acres of for the temporary on-site detour; and

**WHEREAS**, AEK Property Management, LLC is seeking \$250.00 (two hundred fifty dollars) for the use of their land.

**NOW THEREFORE, BE IT**

**RESOLVED**, the County Manager is authorized to sign a temporary easement purchase agreement with AEK Property Management, LLC for the amount of \$250.00 (two hundred fifty dollars); and be it further

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

**RESOLVED**, certified copies of this resolution shall be forwarded to the Town of West Union Supervisor, Randy Heckman, 1328 St. Rt. 248 Rexville, NY 14877; County Manager, County Attorney, Commissioner of Finance and the Commissioner of Public Works.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 093-23**

Introduced by A. Mullen.

Seconded by K. Fitzpatrick.

**AUTHORIZATION TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL.**

**WHEREAS**, the Community Development Block Grant is administered by the New York State Office of Community Renewal; and

**WHEREAS**, the New York State Office of Community Renewal has made funding available for the 2023 program year; and

**WHEREAS**, funds will be available to eligible local governments for housing, economic development, public facilities, public infrastructure and planning activities, with the principal purpose of benefitting low/moderate income persons.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Planning Director is hereby authorized to submit one or more applications for the Community Development Block Grant funds that are available for the 2023 program year through the New York State Office of Community Renewal; and be it further

**RESOLVED**, the Planning Director is hereby authorized to sign the application(s) on behalf of Steuben County; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the Planning Director.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 094-23**

Introduced by R. Nichols and B. Schu.

Seconded by K. Fitzpatrick.

**AUTHORIZING THE RECLASSIFICATION OF ONE VACANT SENIOR ACCOUNT CLERK POSITION, CSEA GRADE G TO ONE SENIOR ACCOUNT CLERK-TYPIST, CSEA GRADE I, WITHIN THE DEPARTMENT OF PUBLIC WORKS.**

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

**WHEREAS**, this Senior Account Clerk position in Public Works is needed to perform Senior Account Clerk-Typist position duties; and

**WHEREAS**, the Senior Account Clerk-Typist position involves responsibility for the full-time or substantial part-time operation of keyboarding equipment in the performance of difficult and responsible clerical work involving the maintenance and checking of financial accounts and records; and

**WHEREAS**, the Personnel Officer, Public Works Committee, and Administration Committee have reviewed said position within Public Works that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

**RESOLVED**, effective with the adoption of this resolution, the following position in Public Works is hereby reclassified as follows:

One Vacant Senior Account Clerk Position, Grade G (\$37,523 - \$55,504), to  
One Senior Account Clerk-Typist Position, Grade I, (\$41,369 - \$61,194).

**AND BE IT FURTHER RESOLVED**, the 2023 County Job Classification and Salary Schedule is hereby amended to reflect the above-stated changes; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 095-23**

Introduced by J. Malter and B. Schu.

Seconded by C. Ferratella.

**AUTHORIZING THE RECLASSIFICATION OF ONE CURRENTLY FILLED SENIOR TYPIST POSITION, CSEA GRADE F TO ONE SENIOR ACCOUNT CLERK-TYPIST, CSEA GRADE I, WITHIN THE PROBATION DEPARTMENT.**

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

**WHEREAS**, this Senior Typist position in the Probation Department is needed to perform Senior Account Clerk-Typist position duties; and

**WHEREAS**, the Senior Account Clerk-Typist position involves responsibility for the full-time or substantial part-time operation of keyboarding equipment in the performance of difficult and responsible clerical work involving the maintenance and checking of financial accounts and records; and

**WHEREAS**, the Personnel Officer, Public Safety and Corrections Committee, and Administration Committee have reviewed said position within the Probation Department that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

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

One Currently Filled Senior Typist Position, Grade F (\$35,736 - \$52,861), to  
One Senior Account Clerk-Typist Position, Grade I, (\$41,369 - \$61,194).

**AND BE IT FURTHER RESOLVED**, the 2023 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

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

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 096-23**

Introduced by J. Malter and B. Schu.

Seconded by K. Fitzpatrick.

**AUTHORIZING THE RECLASSIFICATION OF ONE SENIOR ASSISTANT DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE K TO ONE DEPUTY DISTRICT ATTORNEY POSITION, MANAGEMENT GRADE L, WITHIN THE DISTRICT ATTORNEY'S OFFICE**

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

**WHEREAS**, this Senior Assistant District Attorney position in the District Attorney's Office is needed to perform Deputy District Attorney position duties; and

**WHEREAS**, the Deputy District Attorney position acts for, and in place of, the District Attorney in performing the duties within the District Attorney's Office; and

**WHEREAS**, the Personnel Officer, Public Safety and Corrections Committee, and Administration Committee have reviewed said position within the District Attorney's Office that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

**RESOLVED**, effective with the adoption of this resolution, the following position in the District Attorney's Office is hereby reclassified as follows:

One Senior Assistant District Attorney Position, Management Grade K (\$78,797- \$123,273) to  
One Deputy District Attorney Position, Management Grade L, (\$86,703 - \$135,592).

**AND BE IT FURTHER RESOLVED**, the 2023 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the Personnel Officer, the District Attorney, and the Commissioner of Finance.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 097-23**

Introduced by C. Ferratella and B. Schu.

Seconded by J. Malter.

**AUTHORIZING THE RECLASSIFICATION OF ONE ZERO-BASED TRANSPORTATION COORDINATOR POSITION, CSEA GRADE 12 TO ONE CASE SUPERVISOR, GRADE B POSITION, CSEA GRADE N, WITHIN THE DEPARTMENT OF SOCIAL SERVICES.**

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

**WHEREAS**, this Transportation Coordinator position in the Department of Social Services is needed to perform Case Supervisor, Grade B position duties; and

**WHEREAS**, the Case Supervisor, Grade B position will have the responsibility of supervising the activities of Caseworkers administering aging or social work services to individuals and/or their families in specified areas or programs; and

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

**NOW THEREFORE, BE IT**

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

One Zero-Based Transportation Coordinator Position, Grade 12 (\$37,020 - \$52,265), to



One Case Supervisor, Grade B Position, Grade N (\$52,798 - \$78,100).

**AND BE IT FURTHER RESOLVED**, the 2023 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the Personnel Officer, the Commissioner of Social Services, and the Commissioner of Finance.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 098-23**

Introduced by B. Schu.

Seconded by J. Kuhl.

**AUTHORIZING THE RECLASSIFICATION OF ONE VACANT COMPUTER PROGRAMMER POSITION, CSEA GRADE K TO ONE NETWORK TECHNICIAN, CSEA GRADE L, WITHIN THE DEPARTMENT OF INFORMATION TECHNOLOGY.**

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

**WHEREAS**, this Computer Programmer position in the Information Technology Department is needed to perform Network Technician position duties; and

**WHEREAS**, the Network Technician position will have the responsibility for reviewing, analyzing, and developing specifications and other documentation for network related equipment, including configuration changes for servers, network systems, and security issues; and

**WHEREAS**, the Personnel Officer and Administration Committee have reviewed said position within the Information Technology Department that requires a job title change and have approved the recommended change.

**NOW THEREFORE, BE IT**

**RESOLVED**, effective with the adoption of this resolution, the following position in the Information Technology Department is hereby reclassified as follows:

One Computer Programmer Position, Grade K (\$45,609 - \$67,466), to  
One Network Technician Position, Grade L (\$47,890 - \$70,839).

**AND BE IT FURTHER RESOLVED**, the 2023 County Job Classification and Salary Schedule is hereby amended to reflect the above stated changes; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the Personnel Officer, the Director of the Department of Information Technology, and the Commissioner of Finance.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 099-23**

Introduced by C. Ferratella and B. Schu.

Seconded by K. Fitzpatrick.

**WAIVING RULE 16B AND CREATING ONE FULL-TIME OFFICE MANAGER POSITION, CSEA GRADE K, WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND NURSING SERVICES.**

**WHEREAS**, the Department of Public Health and Nursing Services is in need of an Office Manager to perform highly important office administration work while providing Supervision over a number of clerical employees; and

**WHEREAS**, the Director of Public Health and Nursing Services is requesting a 16B Waiver to create an Office Manager Position; and

**WHEREAS**, the funding for said position is available in the 2023 budget; and

**WHEREAS**, Rule 16B of the *Rules of Procedure* of the County Legislature requires an extraordinary majority to create the aforesaid positions as a result of said request not having been anticipated for the year 2023.

**NOW THEREFORE, BE IT**

**RESOLVED**, Rule 16B of the *Rules of Procedure* be and the same hereby is waived; and be it further

**RESOLVED**, the following position is hereby created and funded for the denoted department:

<u>Department/Position</u>	<u>Quantity</u>	<u>Grade</u>	<u>Salary</u>
<b><u>Public Health and Nursing Services</u></b>			
Office Manager, Full-time	1	K	\$45,609 - \$67,466 (Main Unit)

**AND BE IT FURTHER RESOLVED**, certified copies of this resolution shall be forwarded to the Director of Public Health and Nursing Services, Commissioner of Finance and the Personnel Officer.

Mr. Malter asked is this in the budget? Mr. Wheeler replied yes.

**Vote: Roll Call – Adopted.**

#### **RESOLUTION NO. 100-23**

Introduced by G. Swackhamer.

Seconded by C. Ferratella.

#### **DESIGNATING OFFICIALS TO APPROVE CERTAIN APPLICATIONS MADE FOR CORRECTION OF TAX ROLL ERRORS, REFUNDS, AND CREDITS.**

**WHEREAS**, Real Property Tax Law §§ 554(9) and 556(8) permit a tax levying body to authorize designated officials to approve correcting tax roll errors, refunds, and credit of taxes in instances where the recommended correction, refund, or credit is \$2,500.00 or less without prior approval by the tax levying body; and

**WHEREAS**, Steuben County currently averages approximately ten (10) applications per month for correction of errors and/or for refund of taxes; and

**WHEREAS**, the approval process presently required for each application creates significant time delays for County taxpayers, which would be substantially minimized by this action; and

**WHEREAS**, the Real Property Tax Services Director and the Commissioner of Finance recommend this practice be adopted in order to make the corrections and/or refunds to taxpayers erroneously assessed timelier and more efficient.

**NOW THEREFORE, BE IT**

**RESOLVED**, pursuant to Real Property Tax Law §§ 554(9) and 556(8), upon receipt of an application seeking a correction of tax roll errors, refund, or credit, the Steuben County Real Property Tax Services Director shall make a recommendation to the Commissioner or Deputy Commissioner of Finance for approval or denial of such application for correction, refund or credit, in whole or in part; and be it further

**RESOLVED**, if the recommendation is for denial, the Director shall be required to provide the Finance Committee of the Steuben County Legislature with copies of the application, as well as the written reasons why the Director denied the application; and be it further

**RESOLVED**, the Steuben County Legislature hereby designates the Commissioner of Finance or Deputy Commissioner of Finance as the County officials authorized to approve applications for correction of tax roll errors, refunds, and credits of taxes when the recommended corrected amounts do not exceed \$2,500.00; and be it further

**RESOLVED**, said authority shall be effective immediately, terminating December 31, 2023; and be it further

**RESOLVED**, the Commissioner of Finance or Deputy Commissioner of Finance shall provide the Steuben County Finance Committee, at its monthly meeting, a report specifying the corrections, refunds, and credits processed by the Director and approved by the Commissioner or Deputy Commissioner of Finance pursuant to this resolution during the preceding month; said report shall indicate the name of each recipient, the location of the property, justification for the request, and the amount requested; and be it further

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

**Vote: Roll Call – Adopted.**

### **RESOLUTION NO. 101-23**

Introduced by S. Van Etten.

Seconded by K. Fitzpatrick.

### **APPOINTING MEMBERS TO THE HALL OF FAME COMMITTEE.**

Pursuant to Section 12.20 of the Steuben County Charter.

**BE IT RESOLVED**, the County Manager is recommending the following individuals for appointment to the Hall of Fame Committee for a three-year term commencing January 1, 2023 and ending December 31, 2025:

#### **LEGISLATIVE REPRESENTATIVE**

Aaron I. Mullen, Legislator, District 7, 9077 Reynolds Street, Avoca, NY 14809

#### **EDUCATION REPRESENTATIVE**

Sheri Golder, 58 River Road, Corning, NY 14830

#### **PRIVATE INDUSTRY REPRESENTATIVE**

Kirk House, 26 Hudson Street, Bath, NY 14810

#### **AT-LARGE REPRESENTATIVES**

Kathy Hagenbuch, 4737 Clawson Drive, Campbell, NY 14821

Mary Perham, 1976 West Shore Road, Bath, NY 14810

**AND BE IT FURTHER RESOLVED**, the above-named appointees shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Hall of Fame Committee; and be it further

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

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 102-23**

Introduced by S. Van Etten.

Seconded by R. Nichols.

**FILLING A VACANCY ON THE STEUBEN COUNTY LAND BANK CORPORATION'S BOARD OF DIRECTORS.**

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 (2) 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; and

**WHEREAS**, a Municipal Representative position on the Board of Directors currently exists.

**NOW THEREFORE, BE IT**

**RESOLVED**, the following individual, as recommended by the Chairman of the Legislature, is hereby appointed to fill the unexpired term of the Municipal Representative position previously held by Raymond K. Walsh on the Board of Directors of the Steuben County Land Bank Corporation through December 31, 2023:

Michael Parks, Village of Wayland Mayor, Municipal Representative

**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 Steuben County Land Bank Corporation; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointee at 49 Third Avenue, Wayland, NY 14572, the County Auditor, the County Manager, and the County Attorney.

**Vote: Acclamation – Adopted.**

**RESOLUTION NO. 103-23**

Introduced by R. Nichols.

Seconded by F. Potter.

**OPPOSING WASTE DISPOSAL SURCHARGES AND REQUESTING AN EXEMPTION FOR PLANNING UNITS.**

**WHEREAS**, the New York State Department of Environmental Conservation (NYSDEC) requires, and relies upon, Local Solid Waste Management Planning Units (including Steuben County) to provide comprehensive waste reduction, recycling, and disposal services to communities throughout the state; and

**WHEREAS**, Local Solid Waste Management Planning Units have collectively invested billions of dollars in their comprehensive solid waste management systems and are responsible to set rates to support such systems, including the implementation of their Local Solid Waste Management Plans that are approved by the NYSDEC; and

**WHEREAS**, Local Solid Waste Management Planning Units, including Steuben County face constant pressures by the local communities they serve to operate as efficiently as possible, such that they have the lowest possible operating costs, including the waste disposal fees charged to waste haulers and residents; and

**WHEREAS**, the Climate Action Council’s Final Scoping Plan recommends (on page 338) that the State “enact legislation in 2023 to establish a disposal disincentive (fee per ton) on all waste generated in New York to provide financial support for reduction, reuse, and recycling;” and

**WHEREAS**, most Local Solid Waste Management Planning Units already implement fee structures that support their waste reduction, reuse, and recycling programs and disincentivize disposal because recycling programs are generally offered at no cost or at a fee significantly lower than disposal fees; and

**WHEREAS**, the implementation of statewide per ton fees essentially undermines and penalizes the efforts by Local Solid Waste Management Planning Units to provide cost-effective comprehensive systems; and

**WHEREAS**, waste disposal surcharges, or per ton fees, will not achieve the intended goals of waste reduction, as back-end fees do not change consumers’ purchasing decisions or incentivize producers to make products that are easier to recycle.

**NOW THEREFORE, BE IT**

**RESOLVED**, that Steuben County opposes the implementation of any type of waste disposal surcharge; and be it further

**RESOLVED** that Steuben County hereby requests that Local Solid Waste Management Planning Units including Steuben County receive an exemption from such surcharges should the State choose to implement them at other disposal facilities; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the Honorable Kathy Hochul, 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 Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, 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, 933 Legislative Office Building, 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, 448 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; Gary Maha, President, Inter-County Association of Western New York, c/o Genesee County Legislature, 7 Main Street, Batavia, NY 14020; and Stephen Acquario, Executive Director, NYSAC, 515 Broadway, Suite 402, Albany, NY 12207, NYSDEC Commissioner Basil Seggos, 625 Broadway, Albany, NY 1223, New York State Association for Solid Waste Management (NYSASWM) c/o NYSAC, Jeff Bouchard, Executive Director, 540 Broadway, Ste. 5, Albany, NY 12207.

**Vote: Acclamation – Adopted.**

Mr. Van Etten stated that under announcements he had wanted to mention that Patty Baroody, Director of the Office for the Aging, is announcing her retirement at the end of this year, after 24 years of service.

***Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.D Discussions regarding Proposed, Pending or Current Litigation; Article 7§ 105.1.E Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law; and 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 Bod, but only when Publicity would Substantially Affect the Value thereof made by Mr. Schu, seconded by Mr. Swackhamer and duly carried.***

*Motion Authorizing the Risk Manager to Negotiate the Terms Relative to a Settlement of Claim Under the 15-8 Program made by Mr. Malter, seconded by Mr. Schu and duly carried.*

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

**RESOLUTION NO. 104-23**

Introduced by J. Horton.

Seconded by K. Fitzpatrick.

**AUTHORIZING THE COMMISSIONER OF FINANCE TO SELL THE CORNING COURTHOUSE VIA PUBLIC AUCTION.**

Pursuant to County Law Section 215

**WHEREAS**, the County of Steuben did acquire title to the subject premises in 1854 by deed recorded at Liber 76, Page 476 (identified as Tax Map No. 317.12-02-034.00); and

**WHEREAS**, after obtaining title to these premises a courthouse building was constructed on the recited premises and after several various uses of that building it is no longer needed for any County purposes; and

**WHEREAS**, it appears to be in the best interests of the County of Steuben to transfer title of the recited property to the highest bidder at a public auction, pursuant to County Law Section 215.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Commissioner of Finance be authorized and directed to sell the subject premises at a public auction; and be it further

**RESOLVED**, that the Commissioner of Finance be authorized to execute the necessary documents to effectuate the intentions of this resolution; and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Commissioner of Finance, County Manager, Director of Purchasing and the County Attorney.

Mr. Kuhl stated he believes we should give Three Rivers more time and he will be voting against this. Mr. Maio stated I understand that we are up against the auction, but I agree with Mr. Kuhl. I don't mind showing extra good faith as well. Mr. Van Etten commented declaring this surplus property and putting it in the auction may be the impetus they need.

Mrs. Ferratella stated my thought would be to soft pedal that this would be an option. Mr. Wheeler stated he did that on Friday. Mrs. Ferratella stated they have invested enough money and she wants to make sure that we will communicate this to them.

Mr. Kuhl asked can we postpone the abandonment of the property? Mr. Van Etten asked what is the point whether we declare it abandoned property now or in June? If we do it now, they will know we are serious.

Ms. Fitzpatrick stated it is our responsibility to put another card in our hand. We then have the option to pull it. This is good faith on our part, but we are also explaining that there are other options. Mr. Van Etten commented we could have abandoned this property last year. This is just a formality to allow us to put the property in the auction.

Mr. Mullen asked Mr. Kuhl what he thought would be a good appropriate amount of time to postpone? Mr. Kuhl replied he thinks the audience for this might would not be the same audience that would be in

the auction pool anyway. We might get a better response if we wait for a later auction when there is a better financial climate. He would recommend postponing for at least two months.

Mr. Nichols asked how many auctions are we holding this year? Mr. Wheeler replied just one and it will be an online auction. From our staff perspective, we would like to avoid another winter season of owning the building as we have to do snow removal, make sure the sidewalk is passable, heat the building, etc.

Mr. Horton asked when we held the special auction for the Hornell Courthouse, how much did that bring in? Mr. Wheeler replied \$2,500. Mr. Horton stated that is his point. Mr. Van Etten stated his thought was to give it to someone if it will get developed. Mr. Wheeler commented you can only give it to the City or an Economic Development Agency without having an auction.

Mrs. Ferratella asked can we postpone until next month? Mr. Wheeler replied you could, but with only one auction that will be held in June or July, that would only give a week or so to post notice, or less if the auction is held in June. Ms. Prossick replied we could run this back through AIP and have a discussion.

Mr. Malter asked is Three Rivers waiting to take this? Why not just give it to them? Mr. Wheeler replied they do not want to take the property without having a developer lined up.

**Vote: Roll Call – Adopted. Yes – 5995; No – 2423; Absent – 940  
(No: Legislators Ferratella, Kuhl, Maio and Malter; Absent: Legislators Lando and Van Caesele)**

*Motion to Adjourn made by Mr. Schu, seconded by Mr. Malter and duly carried.*