

**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024  
PERM. NO. : 070-24

INTRO. NO. : 2-1  
INTRO. DATE: 03/25/2024

INTRO. BY : K. Fitzpatrick                      SECONDED BY : C. Ferratella

**VOTE:**

ROLL CALL	<u>      </u>	YES	<u>      </u>	AMENDED	<u>      </u>	LOST	<u>      </u>
ADOPTED	<u>  X  </u>	NO	<u>      </u>	TABLED	<u>      </u>	W/DRWN	<u>      </u>
ACCLAMATION	<u>  X  </u>	ABSTN'D	<u>      </u>	POSTPONED	<u>      </u>		
		ABSENT	<u>      </u>	REF'D/COM	<u>      </u>		

**COMMITTEES:**

       Y:        N:        Y:        N:        Y:        N:       

**TITLE:            RECEIVING AND ACCEPTING THE MARCH 25, 2024 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:

**February 16, 2024**

NYS Board on Electric Generation Siting and the Environment – Re: Correspondence on the Notice of Petition to Amend the Certificate on the Eight Point Wind, LLC (Case#16-F-0062) project. *Referred to: AIP Committee; and Marie Myers-Shearing, Planning Director.*

**February 20, 2024**

Skadden, Arps, Slate, Meager & Flom LLP – Re: Endo International plc Chapter 11 Case No.22-22549 (JLG). *Referred to: Jennifer Prossick, County Attorney.*

**February 27, 2024**

NYS Department of Transportation – Re: Notification of the (SFY 2023-2024) processed payment under the Statewide Mass Transportation Operating Assistance (STOA) program. *Referred to: Marie Myers-Shearing, Planning Director; Chris Brewer, Deputy County Manager; and Brenda Scotchmer, Clerk of the Legislature.*

**March 6, 2024**

NYS Division of the Budget – Re: Notification of receipt of the SFY 2024 Raise the Age (RTA) tax cap compliance certification from Steuben County. *Referred to: Human Services/Health & Education Committee; Finance Committee; Public Safety & Corrections Committee; Kathy Muller, Commissioner of Social Services; Cheryl Crocker, Probation Director; Jennifer Prossick; County Attorney; Tammy Hurd-Harvey, Commissioner of Finance; and Jack Wheeler, County Manager.*

**March 7, 2024**

NYS Homeland Security and Emergency Services – Re: Notification of not being selected for grant funding under the New York State 2023 Targeted Statewide Interoperable Communications Grant Program (SICG-Targeted). *Referred to: Public Safety & Corrections Committee; and Tim Marshall, Public Safety Director.*

**March 11, 2024**

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$704.00 which represents the January 2024 surcharge revenues for Steuben County. *Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.*

**March 13, 2024**

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Baron Winds LLC amended tax agreement and RP-412-a form for properties located in the towns of Fremont, Cohocton, Dansville, Wayland, and Avoca. *Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.*

**March 14, 2024**

Skadden, Arps, Slate, Meager & Flom LLP – Re: Notice of agreements with the United States Department of Justice on the Endo International plc Chapter 11 Case No. 22-22549 (JLG). *Referred to: Jennifer Prossick, County Attorney.*



## List of Proposed Changes to Administrative Code (other than grammar, typos and page references)

Added New Part I: Administrative Code Defined and Amendments Thereto. (Attached)

### Positions and Vacancies.

- changes made to reflect changes to Rules of Procedure relative to Rule 16B becoming Rule 16C.
- E. Leave Time. 3. All leave must be reported through *properly approved leave requests entered in the timekeeping software system*. (removed: standardized leave slips)
- N. Vacant Positions – removed in its entirety as we no longer follow that process (due to change to Rule 16C)
- P. Upgradings – changes reflect changes to Rule 16C
- R. Timetable & Procedure for Reviewing Management Position Grade Levels – removed in its entirety; no longer followed due to new management salary schedule.

### Payroll Procedures.

- 1.a.iii. & iv. – changes reflecting leave time is now entered into the timekeeping system
- 1.b. (added) – In the event that errors are discovered within the timekeeping system subsequent to payroll processing for the pay period in error, the timekeeping system will be corrected by the departmental payroll clerk to reflect any adjustments made in subsequent pay checks.
- 3. Certification of Payrolls – added: Certification forms are collected and retained by the Personnel Office.

### Finances.

- A.2. Budget Transfers a. Transfers Approved by Department Heads Only. ii. Wages – added: and from 516xxx (Holiday Pay) to either 511xxx (Salaries & Wages) and 519000 (Wages Overtime)
- C. Auditing Procedures 2. Added: All packing slips, or invoices when a packing slip is not available, shall clearly show the date the item(s) or services were received and include the initials or signature of the receiving individual.

### Purchasing Policy.

- D. Purchasing Procedures. 3. Request for Quotation a. Changed: Telephone Quotations to “Informal Written Quotes via email” and b. Changed: Written Quotations to “Formal Written Quotations”
- G. Purchasing Procedure for Non-Bid Items. Moved entire section to D. Purchasing Procedures.
- Changed threshold for Purchasing of Non-Bid Items from \$0 - \$999.99 to \$0 - \$4,999.99 at discretion Department Head and Purchasing Director approval; \$5,000 - \$9,999.99 requiring written quotations and \$10,000 - \$19,999.99 requiring formal written quotations.
- F. Formal Bid Procedures 2. Requests for Bids and Proposals – Added: Authorization to go to bid or solicit requests for proposals for existing programs, contracts or to replace existing equipment does not require Standing Committee authorization. Only new programs, contracts or equipment require Standing Committee authorization prior to submitting it to the Purchasing Director.
- Added Purchasing Matrix for “Approvals Needed” and “Paperwork Needed” (Attached)
- N. Procurement Card Policy and Procedures – Definitions – Procurement cards – Added: Procurement cards are only to be issued to and used by County Officers and employees. Use of a County procurement card by any unauthorized person shall be reported to the County Manager and Commissioner of Finance. Use of a procurement card for any unauthorized purchase shall be reported to the County Manager and Commissioner of Finance.
- Under Procurement Card Program Administrator Responsibilities – Added: Report any unauthorized or improper use or purchase to the County Manager and the Commissioner of Finance.
- Under Procurement Card Restrictions – Improper Use – Added: Continual instances of improper use will result in revocation of the card.

### Capital Projects, Major Equipment; Small Equipment Purchases

- B. Major Equipment Purchase Policy/Procedure – Changed Items above \$3,000 to “Items above \$5,000”

### Contracts, Travel Policy, Travel Advances, Tuition Reimbursement

- Changed above title to: Contracts, Travel Policy, Training/Conference Attendance, Tuition Reimbursement
- 3. Contracts Not Funded – Occurring in Middle of Budget Year; cleaned up wording to clarify what requires a resolution under this section; Added section: h. If the contract is an intermunicipal agreement (“IMA”), whether budgeted or unbudgeted in that year or prior years, it must receive standing committee approval. If County funds are

being expended, then Finance Committee approval is also required. All IMA's require approval of the full Legislature every five (5) years pursuant to GML §119-o. ***Note: If the IMA is approved by the full Legislature for five (5) years but during those five (5) years, annual renewals are required, the appropriate Standing Committee has the authority to renew the extension during the overall five (5) year duration.***

- B. Travel Policy – Changed to: Travel, Training and Conference Policy;
- B.1. Gave Department Heads authority to approve non-overnight out of county travel up to \$250 provided there is funding in the budget.
- B.2. All overnight travel will be approved by the County Manager (removes need for Legislative Chair to sign travel requests)
- B.3. Includes a provision for online conferences, seminars or training (previously not defined).
- C. Travel Advances – section removed in its entirety; Travel advances haven't been utilized since the introduction of procurement cards.

#### Resolutions, Annual Reports; Responses to Legislators' Requests

- Resolutions 2. Resolution Request Initiative – Removed in its entirety reflecting the removal of same provision from Rules of Procedure several years ago.

#### Office Space Allocation

- Section removed in its entirety; no longer used.

#### Legislators Emails

- Removed: Recognizing the diversity and availability of internet access varies across the county, it may be necessary for Legislators to utilize a personal email account as well.
- Removed: In an event a Legislator selects a personal email account to use, the email should still be directed to the County email address. The County system will auto forward the message to the other account capturing same for archival purposes.
- Added: All emails related to County business are subject to disclosure under Freedom of Information Law.

#### Appendix of Forms

Forms changed and/or removed based on changes above:

- Capital Budget – Equipment List
- Conference/Training/Travel Request
- Meeting Expense Request Form
- Travel Reimbursement Form
- Vacancy Replacement Request
- Notice of Defect
- Steuben County Telephone Quotation Form (removed)
- Authorization of and Request for Travel Advance (removed)
- Acknowledgement of Receipt of Travel Advance (removed)

## **PART I: ADMINISTRATIVE CODE DEFINED AND AMENDMENTS THERETO.**

REQUIREMENT FOR FOLLOWING THE POLICIES CONTAINED WITHIN (FORWARD); POLICY AMENDMENTS; PROCESS FOR AMENDMENTS.

### **A. FORWARD**

The Administrative Code of the County of Steuben contains the internal operational processes and policies that are required to be followed by all County Departments. These policies were created in accordance with, and are reflective of, Steuben County Local Laws, New York State Laws and Federal Laws. It shall be the responsibility of each and every county employee, Department Head and Public Official to review, learn and follow these policies. Failure to follow these policies is a direct violation of Local, State and Federal Law and, in some instances, could subject violators to misdemeanor charges and/or fines and/or personal liability which may not be indemnified by Steuben County (*applicable instances denoted within said policies*).

### **B. POLICY AMENDMENTS**

Amendments to the Administrative Code shall be made from time to time to reflect the ordinary course of business for Steuben County Government. Approval requirements for the various types of amendments are as follows:

**1. Existing Policies** – Amendments to existing policies contained within the Administrative Code as of (*date of amendment*) fall under the jurisdiction of the Administration Committee of the Steuben County Legislature. This includes amendments that are required as a result of changes in Local, New York State or Federal Laws.

**2. Significant Changes to Existing Policies** – Any changes to existing policies that are extensive enough to significantly change the process of an internal operation of Steuben County Government shall be reviewed and approved by the Administration Committee and finally adopted by the County Legislature. Exception – Where the significant change to an existing policy is required in order to maintain compliance with changes in New York State or Federal Law, these changes shall be approved by the Administration Committee, with notification of said changes made to the County Legislature by the County Manager's Office.

**3. New Policies** – New policies to be included in the Administrative Code shall be reviewed and approved by the Administration Committee and finally adopted by the County Legislature. This includes new policies required as a result of changes in New York State or Federal Law.

### **C. PROCESS FOR REQUESTING AMENDMENTS**

Requests for changes to existing policies or inclusion of new policies in the Administrative Code shall be presented to the County Manager for review and approval. If the County Manager supports the change, the County Manager and the Department Head requesting the change will present the same to the Administration Committee and submit a resolution to the full Legislature for approval.

Notification of approved changes under this section shall be made to all county employees and officials by the County Manager's Office.

**MATRIX – PAPERWORK NEEDED**

Type of purchase	Requisition	Purchase Order	Discretion of Purchasing Director	Informal Written Quote (minimum of three quotes)	Formal Written Quotation (Issued by Purchasing)	Bid	Request for Proposal
Goods or Services Purchase \$0 to \$500	X						
Goods or Services Purchase over \$500*		X					
Commodities, Equipment or Goods \$500 - \$4,999.99**		X					
Commodities, Equipment or Goods \$5,000 - \$9,999.99**		X		X			
Commodities, Equipment or Goods \$10,000 - \$19,999.99**		X			X		
Commodities, Equipment or Goods; Purchase Contracts \$20,000 or more		X				X	
Public Works Contracts (Services, Labor, or Construction) \$0 - \$9,999.99**		X	X				
Public Works Contracts (Services, Labor, or Construction) \$10,000 - \$34,999.99**		X			X		
Public Works Contracts (Services, Labor, or Construction) \$35,000 or more		X				X	
Professional Service \$0 - \$9,999.99		X	X				
Professional Service \$10,000 or more		X			X		
Professional Service where price shouldn't be the sole criteria for award		X					X

\*Blanket purchase orders are used to reserve funds for recurring purchases of the same use or type of item from a single vendor, not to exceed six months or past the end of the current fiscal year

\*\*In determining the necessity for competitive bidding, the aggregate to be expended for an item or commodity to be purchased in a one (1) year period, commencing with the date of the initial purchase, must be considered.

**MATRIX – APPROVALS NEEDED**

Type of purchase	Department Head Only	Department Head & Purchasing Director	Purchasing Director & Standing Committee
Requisition for Goods or Services Purchase \$0 to \$500	X		
Purchase Order for Goods or Services Purchase over \$500*		X	
Informal Written Quote		X	
Formal Written Quote		X	
All Bid Awards, no matter the type or cost			X
All RFP Awards, no matter the type or cost			X



**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024  
PERM. NO. : 073-24

INTRO. NO. : 5-4  
INTRO. DATE: 03/25/2024

INTRO. BY : J. Horton / S. Van Etten      SECONDED BY : P. Van Caesele

**VOTE:**

ROLL CALL	<u>  X  </u>	YES	<u>  7355  </u>	AMENDED	<u>          </u>	LOST	<u>          </u>
ADOPTED	<u>  X  </u>	NO	<u>      0      </u>	TABLED	<u>          </u>	W/DRWN	<u>          </u>
ACCLAMATION	<u>          </u>	ABSTN'D	<u>      0      </u>	POSTPONED	<u>          </u>		
		ABSENT	<u>  2003  </u>	REF'D/COM	<u>          </u>		

**COMMITTEES:**

PS&C      Y:   4        N:   0        Finance      Y:   5        N:   0        Y:                 N:           

**TITLE:            AUTHORIZING THE TRANSFER OF FUNDS FROM THE JAIL FENCING CAPITAL PROJECT TO THE JAIL AIR HANDLING CAPITAL PROJECT.**

**WHEREAS**, the Sheriff's Office Jail Air Handling Project requires additional SQL Licensing and Server Licensing; and

**WHEREAS**, the Department of Information Technology states these are now needed as some server requirements have changed since the original proposal; and

**WHEREAS**, there are unexpended funds available in the Jail Fencing Project.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer \$12,688.26 from Project 315000-6232 (Jail Fencing Project) to Project 315000-6232 (Jail Air Handling Project); and be it further

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


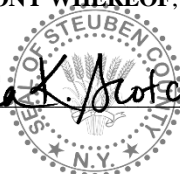
STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 6-5  
PERM. NO. : 074-24 INTRO. DATE: 03/25/2024  
INTRO. BY : F. Potter / S. Van Etten SECONDED BY : J. Horton

**VOTE:**

ROLL CALL	<u> X </u>	YES	<u> 7355 </u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u> X </u>	NO	<u> 0 </u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u> 0 </u>	POSTPONED	<u> </u>		
		ABSENT	<u> 2003 </u>	REF'D/COM	<u> </u>		

**COMMITTEES:**

P. W. Y:  3  N:  0  Finance Y:  5  N:  0  Y:   N:

**TITLE: AUTHORIZING THE TRANSFER OF FUNDS FROM KIEFFERS CORNERS-ORCHARD COMFORT ROAD PROJECT TO THE ROAD IMPROVEMENT UNASSIGNED ACCOUNT.**

**WHEREAS**, the Public Works Department has determined that the Kieffers Corners-Orchard Comfort Capital Road project will not take place in 2024; and

**WHEREAS**, the Commissioner of Public Works is requesting authorization to take \$615,000.00 from said project account and transfer it to the Road Improvement Unassigned account for other road projects; and

**WHEREAS**, the Public Works Committee and Finance Committee recommend approval of this transfer.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer \$615,000.00 from the Kieffers Corners-Orchard Comfort Capital Road account #511200-6092 to the Road Improvement Unassigned account #511200-6900; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.


**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024  
PERM. NO. : 075-24

INTRO. NO. : 7-6  
INTRO. DATE: 03/25/2024

INTRO. BY : F. Potter / S. Van Etten      SECONDED BY : N. Pelham

**VOTE:**

ROLL CALL	<u>  X  </u>	YES	<u>  7355  </u>	AMENDED	<u>          </u>	LOST	<u>          </u>
ADOPTED	<u>  X  </u>	NO	<u>      0      </u>	TABLED	<u>          </u>	W/DRWN	<u>          </u>
ACCLAMATION	<u>          </u>	ABSTN'D	<u>      0      </u>	POSTPONED	<u>          </u>		
		ABSENT	<u>  2003  </u>	REF'D/COM	<u>          </u>		

**COMMITTEES:**

P. W.      Y:   3      N:   0      Finance    Y:   5      N:   0        Y:               N:           

**TITLE:            AUTHORIZING THE TRANSFER OF FUNDS FROM THE KIEFFERS CORNERS-ORCHARD COMFORT ROAD PROJECT TO THE CR 70A ROAD PROJECT.**

**WHEREAS**, the Public Works Department has determined that the Kieffers Corners-Orchard Comfort Capital Road project will not take place in 2024; and

**WHEREAS**, Public Works is in need of \$35,000.00 to complete the Capital Road Project on County Route 70A (Big Creek Road) in the Town of Hornellsville; and

**WHEREAS**, the Public Works Committee and Finance Committee recommend approval of this transfer.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer \$35,000 from the Kieffers Corners-Orchard Comfort Capital Road account #511200-6092 to the Big Creek Road – Account # 511200-670A; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.


**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 8-7  
 PERM. NO. : 076-24 INTRO. DATE: 03/25/2024  
 INTRO. BY : F. Potter / S. Van Etten SECONDED BY : W. Thew

**VOTE:**

ROLL CALL	<u> X </u>	YES	<u> 7355 </u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u> X </u>	NO	<u> 0 </u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u> 0 </u>	POSTPONED	<u> </u>		
		ABSENT	<u> 2003 </u>	REF'D/COM	<u> </u>		

**COMMITTEES:**

P. W. Y:  3  N:  0  Finance Y:  5  N:  0  Y:   N:

**TITLE: AUTHORIZING TRANSFERS FROM THE CHURCH CREEK ROAD CAPITAL PROJECT TO VARIOUS BRIDGE AND ROAD PROJECTS.**

**WHEREAS**, the Public Works Department has determined that the Church Creek Capital Road project will not take place in 2024; and

**WHEREAS**, Public Works is in need of \$1,150,000 to complete reconstruction of six bridges and one road; and

**WHEREAS**, the Public Works and Finance Committees recommend approval of this transfer.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer a total of \$1,150,000.00 from the Church Creek Capital Road account #511200-6106 to the following project accounts:

McMaster Road Bridge	\$125,000.00 - Account #512000-6419
County Route 333 Bridge	\$360,000.00 - Account #512000-6420
Stowell Road Bridge	\$120,000.00 - Account #512000-6421
County Route 115 Bridge	\$ 85,000.00 - Account #512000-6422
Bean Station Road Bridge	\$ 95,000.00 - Account #512000-6423
Learn Road Bridge	\$125,000.00 - Account #512000-6424
County Route 333 road project	\$240,000.00 - Account #511200-6333

; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.


**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024  
PERM. NO. : 077-24

INTRO. NO. : 9-8  
INTRO. DATE: 03/25/2024

INTRO. BY : F. Potter / S. Van Etten      SECONDED BY : J. Horton

**VOTE:**

ROLL CALL	<u>  X  </u>	YES	<u>  7355  </u>	AMENDED	<u>          </u>	LOST	<u>          </u>
ADOPTED	<u>  X  </u>	NO	<u>      0  </u>	TABLED	<u>          </u>	W/DRWN	<u>          </u>
ACCLAMATION	<u>          </u>	ABSTN'D	<u>      0  </u>	POSTPONED	<u>          </u>		
		ABSENT	<u>  2003  </u>	REF'D/COM	<u>          </u>		

**COMMITTEES:**

P. W.      Y:   3      N:   0      Finance    Y:               N:               Y:               N:           

**TITLE:            AUTHORIZING TRANSFERS FROM THE CRANBERRY CREEK CAPITAL ROAD PROJECT.**

**WHEREAS**, the Public Works Department has determined that the Cranberry Creek Capital Road project will not take place in 2024; and

**WHEREAS**, Public Works is in need of \$755,000 to complete two capital road projects; and

**WHEREAS**, the Public Works Committee and the Finance Committee recommend approval of this transfer.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to transfer \$755,000.00 from the Cranberry Creek Capital Road account and appropriate \$515,000.00 to the County Route 70A road project Account # 511200-670A and \$240,000.00 to the County Route 333 road project— Account # 511200-6333; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.




**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 11-10  
PERM. NO. : 079-24 INTRO. DATE: 03/25/2024

INTRO. BY : S. Van Etten SECONDED BY : J. Horton

**VOTE:**

ROLL CALL	<u> X </u>	YES	<u> 7355 </u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u> X </u>	NO	<u> 0 </u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u> 0 </u>	POSTPONED	<u> </u>		
		ABSENT	<u> 2003 </u>	REF'D/COM	<u> </u>		

**COMMITTEES:**

Finance Y:  5  N:  0  Y:   N:   Y:   N:

**TITLE: AUTHORIZING AN ALLOCATION FROM THE ECONOMIC DEVELOPMENT FUND TO CSS WORKFORCE NEW YORK.**

**WHEREAS**, Chemung-Schuyler-Steuben Workforce New York (CSS WFNY) is a local workforce development board established by the three counties to assist individuals with greater employment opportunities and provide businesses with an adequate labor pool; and

**WHEREAS**, CSS WFNY coordinates On The Job Training (OJT) with businesses and leverages NYS Department of Labor funding; and

**WHEREAS**, due to the success CSS WFNY has had with engaging businesses and supporting OJT's, they have had to put a cap on these for the remainder of their fiscal year ending June 2024; and

**WHEREAS**, CSS WFNY has reached out to the three counties to see if local dollars would be available to continue these programs without caps in 2024; and

**WHEREAS**, CSS WFNY has requested and received \$80,000 from Chemung County, is requesting \$80,000 from Steuben County, and will be requesting \$40,000 from Schuyler County; and

**WHEREAS**, the Steuben County Finance Committee, upon recommendation of the County Manager, has approved CSS WFNY's request for \$80,000 in funds to be allocated from the Economic Development Fund.

**NOW THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Finance is hereby authorized and directed to appropriate \$80,000 from the Steuben County Economic Development Fund to Chemung-Schuyler-Steuben Workforce New York for the OJT program; and be it further

**RESOLVED**, certified copies of this resolution shall be distributed to the County Manager, Commissioner of Finance and the Phyllis Balliett, Executive Director, CSS Workforce New York, Elmira Center, 318 Madison Avenue, Elmira, NY 14901.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

  
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**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 12-11  
 PERM. NO. : 080-24 INTRO. DATE: 03/25/2024  
 INTRO. BY : B. Schu SECONDED BY : W. Thew

**VOTE:**

ROLL CALL	<u>X</u>	YES	<u>7355</u>	AMENDED	<u>X</u>	LOST	<u>          </u>
ADOPTED	<u>X</u>	NO	<u>0</u>	TABLED	<u>          </u>	W/DRWN	<u>          </u>
ACCLAMATION	<u>          </u>	ABSTN'D	<u>0</u>	POSTPONED	<u>          </u>		
		ABSENT	<u>2003</u>	REF'D/COM	<u>          </u>		

**COMMITTEES:**

Admin. Y:            N:            Y:            N:           

**TITLE: AMENDING RESOLUTION NO. 020-24 DATED JANUARY 22, 2024, AUTHORIZING THE COUNTY TO PARTICIPATE IN TAX CERTIORARI PROCEEDINGS IN THE CITY OF HORNELL.**

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

**WHEREAS**, it is in the interest of the County to participate in the appraisals for Tax Certiorari Proceedings where the equalized full value is in excess of \$2 million for roll section one and six parcels as previously set forth in Resolution 010-93, as amended in Resolution 132-03, and as amended in Resolution 047-12; and

**WHEREAS**, a requesting assessment unit should have completed in due course a town/city wide reassessment program and filed a cyclical reassessment plan; and

**WHEREAS**, the City of Hornell has recently completed a cyclical reassessment plan and has further requested the County to participate in one (1) Tax Certiorari Proceeding Index No: *E2023-0384CV, E2022-0475CV, E2021-0538CV, E2020-0407CV and 2019-0643CV* pursuant to the County's participation policy; and

**WHEREAS**, the recited requests comply with the policy of the County to so participate; and

**WHEREAS**, the Real Property Tax Service Agency has estimated the County's share of participation as set forth under the County's policy to participate at approximately \$9,200.00.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Commissioner of Finance is authorized and directed to disburse to the City of Hornell a total sum not to exceed \$9,200.00 in and for the recited proceeding; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the Director of the Real Property Tax Service Agency; Commissioner of Finance; John Buckley, City of Hornell Mayor, 82 Main St., PO Box 627, Hornell, NY 14843.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

  
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**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 13-12  
 PERM. NO. : 081-24 INTRO. DATE: 03/25/2024  
 INTRO. BY : P. Van Caesele SECONDED BY : N. Pelham

**VOTE:**

ROLL CALL	<u> X </u>	YES	<u> 7355 </u>	AMENDED	<u> _____ </u>	LOST	<u> _____ </u>
ADOPTED	<u> X </u>	NO	<u> 0 </u>	TABLED	<u> _____ </u>	W/DRWN	<u> _____ </u>
ACCLAMATION	<u> _____ </u>	ABSTN'D	<u> 0 </u>	POSTPONED	<u> _____ </u>		
		ABSENT	<u> 2003 </u>	REF'D/COM	<u> _____ </u>		

**COMMITTEES:**

AIP  Y: 3 N: 0  Y:  \_\_\_\_\_  N:  \_\_\_\_\_  Y:  \_\_\_\_\_  N:  \_\_\_\_\_

**TITLE: MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 5 AS A RESULT OF THE EIGHT YEAR REVIEW.**

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

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

**WHEREAS**, this Legislature did hold a Public Hearing on the proposed modification to said district recommended by the Agriculture and Farmland Protection Board on March 25, 2024.

**NOW THEREFORE, BE IT**

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

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

**RESOLVED**, in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agriculture District No. 5 in the County of Steuben for a period of eight years; and be it further

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

STATE OF NEW YORK)

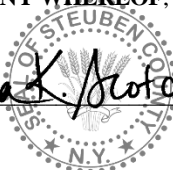
ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

  
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**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 14-13  
PERM. NO. : 082-24 INTRO. DATE: 03/25/2024

INTRO. BY : P. Van Caeseele SECONDED BY : N. Pelham

**VOTE:**

ROLL CALL	<u>      </u>	YES	<u>      </u>	AMENDED	<u>      </u>	LOST	<u>      </u>
ADOPTED	<u>  X  </u>	NO	<u>      </u>	TABLED	<u>      </u>	W/DRWN	<u>      </u>
ACCLAMATION	<u>  X  </u>	ABSTN'D	<u>      </u>	POSTPONED	<u>      </u>		
		ABSENT	<u>      </u>	REF'D/COM	<u>      </u>		

**COMMITTEES:**

  AIP   Y:   3   N:   0   Y:        N:        Y:        N:       

**TITLE: CONFIRMING THE APPOINTMENT OF MEMBERS TO THE MARSH DITCH WATERSHED PROTECTION DISTRICT ADMINISTRATIVE BOARD.**

Pursuant to Section 12.19 of the Steuben County Charter and Section 5 of the County Law.

**WHEREAS**, the Steuben County Legislature created the Marsh Ditch Watershed Protection District on February 17, 1969 and subsequently adopted on February 24, 1992, Resolution No. 067-92 increasing the number of members to nine (9); and

**WHEREAS**, vacancies have occurred on the Marsh Ditch Watershed Protection District Administrative Board; and

**WHEREAS**, the following appointees have been recommended for appointment by the District's Board of Directors, the Soil and Water Conservation District, and the Agriculture, Industry & Planning Committee of the Steuben County Legislature for the terms indicated:

**January 1, 2021 through December 31, 2024**

Steve Hoeffner, 48 Willow Place, Hornell, NY 14843  
William Phelps, 9827 Canaseraga Road, Arkport, NY 14807

**January 1, 2022 through December 31, 2025**

Dennis Acomb, 10498 County Route 46, Dansville, NY 14437  
Robert V. Nichols, Steuben County Legislator, District 11

**January 1, 2023 through December 31, 2026**

Robert Mahany, 10046 State Route 36 South, Dansville, NY 14437  
Andy Merry, 8607 Canaseraga Road, Arkport, NY 14807

**January 1, 2024 through December 31, 2027**

Gary Mahany, 8790 Oak Hill Road, Arkport, NY 14807  
John Merry, 8545 Canaseraga Road, Arkport, NY 14807  
Sam Hendee, 8071 Route 21, Hornell, NY 14843

**NOW THEREFORE, BE IT**

**RESOLVED**, the above-named appointees are hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for the terms as indicated; and be it further

**RESOLVED**, members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Marsh Ditch Watershed Protection District Administrative Board; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor; and the Steuben County Soil & Water Conservation District Office, 415 West Morris Street, Bath, NY 14810.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

  
Brenda K. Stochmer



**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 15-14  
PERM. NO. : 083-24 INTRO. DATE: 03/25/2024

INTRO. BY : K. Fitzpatrick SECONDED BY : N. Pelham

**VOTE:**

ROLL CALL	<u>      </u>	YES	<u>      </u>	AMENDED	<u>      </u>	LOST	<u>      </u>
ADOPTED	<u>  X  </u>	NO	<u>      </u>	TABLED	<u>      </u>	W/DRWN	<u>      </u>
ACCLAMATION	<u>  X  </u>	ABSTN'D	<u>      </u>	POSTPONED	<u>      </u>		
		ABSENT	<u>      </u>	REF'D/COM	<u>      </u>		

**COMMITTEES:**

       Y:        N:        Y:        N:        Y:        N:       

**TITLE: CONFIRMING THE APPOINTMENT OF REPRESENTATIVES TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.**

Pursuant to Section 12.19 of the Steuben County Charter and Section 11-0501, Paragraph 4(a) of the Environmental Conservation Law of the State of New York.

**BE IT RESOLVED**, upon the recommendation of the Steuben County Manager, the following individuals are appointed to serve as representatives of the Fish and Wildlife Management Act Board:

Steuben County Landowner Representative  
*January 1, 2023 – December 31, 2024*

Mike Warren  
2901 County Road 56  
Hornell, NY 14843

Steuben County Sportsman Representative  
*January 1, 2024 – December 31, 2025*

Michael Switzer  
406 Duane Street  
Hornell, NY 14843

Steuben County Legislative Representative  
*January 1, 2024 – December 31, 2025*

Jeffrey P. Horton  
8529 Main Street  
Campbell, NY 14821

**AND BE IT FURTHER RESOLVED**, the representatives shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Fish and Wildlife Management Act Board; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointees, the NYS Department of Environmental Conservation, 6274 East Avon-Lima Road, Avon, NY 14414; and the County Auditor.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.

  
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**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024 INTRO. NO. : 16-15  
PERM. NO. : 084-24 INTRO. DATE: 03/25/2024

INTRO. BY : K. Fitzpatrick SECONDED BY : N. Pelham

**VOTE:**

ROLL CALL	<u>      </u>	YES	<u>      </u>	AMENDED	<u>      </u>	LOST	<u>      </u>
ADOPTED	<u>  X  </u>	NO	<u>      </u>	TABLED	<u>      </u>	W/DRWN	<u>      </u>
ACCLAMATION	<u>  X  </u>	ABSTN'D	<u>      </u>	POSTPONED	<u>      </u>		
		ABSENT	<u>      </u>	REF'D/COM	<u>      </u>		

**COMMITTEES:**

       Y:        N:        Y:        N:        Y:        N:       

**TITLE: CONFIRMING THE APPOINTMENT OF REPRESENTATIVES TO THE SOUTHERN TIER REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL.**

Pursuant to Section 12.19 of the Steuben County Charter, the Federal Emergency Medical Services Act of 1973 and Article 30 of the New York State Public Health Law.

**WHEREAS**, by resolution of the Steuben County Board of Supervisors dated December 16, 1974, it was authorized that the County of Steuben be a participant in the Emergency Medical Services Program in the Southern Tier Ten-County region of the State of New York.

**NOW THEREFORE, BE IT**

**RESOLVED**, upon the recommendation of the Steuben County Manager; **Tim Marshall**, Director of Public Safety, and **Nicholas Snyder**, Deputy Director of the E-911 Department, be and the same hereby are, duly designated and appointed as Steuben County's representatives on the Southern Tier Regional Emergency Medical Services Council to serve at the pleasure of this Legislature for a term of two (2) years commencing January 1, 2024 through December 31, 2025; and be it further

**RESOLVED**, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Regional Emergency Medical Services Council; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor; and to EMSTAR, 1058 West Church Street, Elmira, NY 14905.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 25, 2024.


**RESOLUTION  
STEUBEN COUNTY LEGISLATURE  
BATH, NEW YORK**

DATE APPROVED : 03/25/2024  
PERM. NO. : 085-24

INTRO. NO. : 17-16  
INTRO. DATE: 03/25/2024

INTRO. BY : K. Fitzpatrick                      SECONDED BY : S. Van Etten

**VOTE:**

ROLL CALL	<u>  X  </u>	YES	<u>  7355  </u>	AMENDED	<u>          </u>	LOST	<u>          </u>
ADOPTED	<u>  X  </u>	NO	<u>      0  </u>	TABLED	<u>          </u>	W/DRWN	<u>          </u>
ACCLAMATION	<u>          </u>	ABSTN'D	<u>      0  </u>	POSTPONED	<u>          </u>		
		ABSENT	<u>  2003  </u>	REF'D/COM	<u>          </u>		

**COMMITTEES:**

           Y:            N:            Y:            N:            Y:            N:           

**TITLE:           MATTER(S) PERTAINING TO THE SETTLEMENT OF CLAIM(S) BY OR AGAINST THE COUNTY.**

Pursuant to Article 5 of the County Law of the State of New York; and Administrative Code Part IX (C) (2).

**WHEREAS**, the following civil action has been initiated in the U.S. Equal Employment Opportunity Commission (EEOC):

**MARKESSA GRIFFIN,**  
Plaintiff

**CASE NO: 10231857**  
**EEOC CHARGE NO: 16GV401488**

v.

**STEUBEN COUNTY SHERIFF; OFFICE OF THE STEUBEN COUNTY SHERIFF**

Defendant.

; and

**WHEREAS**, the parties are desirous of settling the claim arising from the recited EEOC charge.

**NOW THEREFORE, BE IT**

**RESOLVED**, the County does hereby ratify the Settlement Agreement and General Release to be executed by the respective parties to the above-entitled claim requiring the payment of Twenty-Five Thousand Dollars (\$25,000.00) on the part of the County, and any necessary documents, the Chair to execute on behalf of the County; and be it further

**RESOLVED**, the County Attorney or counsel designated by her shall make application to Supreme Court for approval of the recited settlement terminating the litigation of the above-entitled claim; and be it further

**RESOLVED**, the County does hereby ratify the settlement of the above-entitled claim in the amount of Twenty-Five Thousand Dollars (\$25,000.00); and be it further

**RESOLVED**, the within resolution shall be reported out promptly following the Supreme Court's approval of the recited settlement; and be it further

**RESOLVED**, a certified copy of this resolution shall be forwarded to The Rehfuss Law Firm, P.C., Stephen Rehfuss, Esq., 40 British American Boulevard, Latham, New York 12110; and Scott Sprague, Steuben County Risk Manager.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 25, 2024; that it is a correct transcript therefrom and of the whole of said original.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 26, 2024.

  
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