

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

DATE APPROVED : 08/26/2024
PERM. NO. : 166-24

INTRO. NO. : 3-1
INTRO. DATE: 08/26/2024

INTRO. BY : S. Van Etten SECONDED BY : C. Ferratella

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: 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, as to the properties contained in Schedule "A", the Steuben County Commissioner of Finance is authorized and directed to cancel any unpaid taxes against the properties; and to issue a certificate of withdrawal; and to issue a certificate of prospective cancellation, pursuant to Real Property Tax Law §558, as approved by the Steuben County Finance Committee on August 13, 2024; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chair of the Board of Assessors of the appropriate municipality, and the Clerk of the Board of Education of the appropriate School District.

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, August 26, 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, August 27, 2024.




SCHEDULE "A"

Resolution No.	Parcel No.	Name	Municipality	Tax Yr(s)	Disposition
A-1	559.00-06-009.000	Reliance Globalcom Services	Hornell City	2019-2024 City School, 2019-2024 City, and 2020-2025 Town & County Taxes	Cancellation of Void City School, City, and Town & County Taxes; Issue Certificate of Withdrawal & Certificate of Prospective Cancellation

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

DATE APPROVED : 08/26/2024
PERM. NO. : 167-24

INTRO. NO. : 4-2
INTRO. DATE: 08/26/2024

INTRO. BY : K. Fitzpatrick SECONDED BY : F. Potter

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 AUGUST 26, 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:

July 15, 2024

HP Hood, LLC – Re: Notice of application (SRBC Pending Numbers: 2024-076, Village of Arkport, Steuben County) with the Susquehanna River Basin Commission (SRBC) for water withdrawal. *Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.*

U.S. Army Corps of Engineers – Re: Notice of availability on the 2024 Almond Lake & Arkport Dam Master Plan/Environmental Assessments. USACE requests comments regarding the draft master plans and environmental assessments; be submitted within 30 days of the notice of availability, dated July 15, 2024. Referred to: *Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.*

Steuben County Conference and Visitors Bureau – Re: 2025 Budget request in the amount of \$900,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

The ARTS Council of the Southern Finger Lakes – Re: 2025 Budget request in the amount of \$51,300. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

July 17, 2024

City of Hornell Industrial Development Agency – Re: Resolution adopted by the agency on June 27, 2024 for the proposed financial assistance for CDT Enterprise, Inc. (project #4602-34-01A). *Referred to: A.I.P. Committees; Marie Myers Shearing, Planning Director; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.*

July 23, 2024

Steuben County Soil and Water Conservation District - 2025 Budget request in the amount of \$251,676. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

July 24, 2024

Cornell Cooperative Extension – Re: 2025 Budget request in the amount of \$445,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

July 25, 2024

Southern Tier Library System – Re: 2025 Budget request in the amount of \$79,600. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

Hodgson Russ LLP – Re: Petition for an amendment on the Canisteo Wind Energy, LLC Project (Case#16-F-0205). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

July 31, 2024

Finger Lakes Tourism Alliance – Re: 2025 Budget request in the amount of \$30,500. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

Finger Lakes Wine Country – Re: 2025 Budget request in the amount of \$105,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

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

DATE APPROVED : 08/26/2024 INTRO. NO. : 5-3
PERM. NO. : 168-24 INTRO. DATE: 08/26/2024
INTRO. BY : B. Schu / K.M. Hanna SECONDED BY : S. Van Etten

VOTE:

ROLL CALL	<u>X</u>	YES	<u>6307</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>2638</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>413</u>	REF'D/COM	<u> </u>		

COMMITTEES:

Admin Y: 5 N: 0 AIP Y: 5 N: 0 Y: N:

TITLE: ADOPTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2024, AUTHORIZING REGULATORY INSPECTIONS OF PLACES OF BUSINESS FOR UNLICENSED SALE OR INDIRECT RETAIL SALE OF CANNABIS, CANNABIS PRODUCTS AND/OR ANY PRODUCT MARKETED OR LABELED AS CONTAINING CANNABIS WITHOUT HOLDING THE APPROPRIATE LICENSE.

Pursuant to New York State Cannabis Law Section 131.

WHEREAS, the County of Steuben has continuously had places of businesses, commonly called “Sticker Stores”, providing cannabis and cannabis containing products to customers via unlicensed indirect retail sale or unlicensed sales since possession and usage of cannabis became legal in New York State in 2021; and

WHEREAS, until the passage of the New York State Budget Bill in April of 2024, the County had no direct powers in State Law to pass a local law to provide for regulatory inspection of places of business in the County of Steuben for unlicensed sales or unlicensed indirect sales of cannabis, cannabis products or products held out to the public as containing cannabis until the State Legislature’s April Amendment to New York State Cannabis Law Section 131; and

WHEREAS, this Legislature now desires to exercise its new powers given to Counties pursuant to State Law to adopt a local law to address the on-going concerns of unlicensed cannabis sale and unlicensed indirect sales in the County of Steuben.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two for the Year 2024, Authorizing Regulatory Inspections of Places of Business for Unlicensed Sales or Indirect Sales of Cannabis, Cannabis Products and/or Any Product Marketed or Labeled as Containing Cannabis Without Holding the Appropriate License.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2024

A Local Law Authorizing Regulatory Inspections of Places of Business for Unlicensed Sales or Indirect Retail Sales of Cannabis, Cannabis Products and/or Any Product Marketed or Labeled as Containing Cannabis Without Holding the Appropriate State License.

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

SECTION 1. AUTHORIZATION

This Local Law is hereby enacted and authorized pursuant to New York State Cannabis Law Section 131.

SECTION 2. LEGISLATIVE FINDING

The County of Steuben hereby finds that it has experienced unlawful cannabis activities in the last 3 years since cannabis became legal for consumption and gifting in the State and that this local law is needed to close loopholes in the State's Cannabis Laws to protect the public health, safety and welfare within its borders, as well as, to promote the public good in the County of Steuben. Nothing herein prevents a City, in said County, from passing its own local law and such City Local Law will control within the borders of any City passing a Local Law, only.

This Legislature further finds that the State of New York, pursuant to New York State Cannabis Law Section 131, has authorized this body with increased powers to adopt a local law to conduct regulatory inspections of places of business suspected of unlicensed cannabis activities, and to pursue enforcement remedies against such activities.

SECTION 3. LEGISLATIVE INTENT

The purpose of this Local Law is to prohibit unlicensed cannabis activities, to adopt procedures for inspecting premises suspected of such activities, to authorize the commencement of enforcement mechanisms and to seek remedies to halt such activities to protect the public health, safety and welfare and to promote the public good.

SECTION 4. DEFINITIONS

For purposes of this Local Law, the definitions of "person", shall be that as provided in subdivision forty-a of section three of Chapter 7-a of New York State Cannabis Law; "unlicensed activity" shall refer only to unlawfully selling cannabis, cannabis product, or any product marketed or labeled as such without obtaining the appropriate registration, license or permit therefor, or engaging in an indirect sale; "indirect retail sale" shall have the meaning provided for in subdivision forty-six-a of section three of Chapter 7-a of New York State Cannabis Law, and "place of business" shall be as that term is defined in New York State Cannabis Law Section 131.

SECTION 5. INSPECTOR, DUTIES OF INSPECTOR

- A. Authorized Inspector: The County Director of the Office of Weights and Measures is hereby authorized to conduct regulatory inspections of any place of business located within Steuben County that is suspected of engaging in unlicensed cannabis activity or otherwise not licensed or registered with the New York State Office of Cannabis Management (OCM) to perform such retail sales of cannabis.
- B. OCM Liaison: The County Director of the Office of Weights & Measures is hereby appointed as the County Liaison with OCM and shall have the following additional duties beyond inspections:
 - (i) Ensure that updates to the OCM directory of licensees are immediately incorporated into the local inspection process, coordinate with OCM on efforts to inspect unlicensed businesses and related local enforcement efforts;

- (ii) Report biweekly to OCM, via OCM's chosen means of reporting, detailing enforcement efforts in the last two (2) weeks including any information required by OCM such as the number of inspections performed, notices of violations issued, orders to sealed issued and executed, the amount of any products believed to be cannabis, cannabis containing products, or any products herein authorized to be seized, including providing reports if no activities have taken place in the last two weeks; and
- (iii) Serve as the primary contact for OCM in connection with its training program and the sharing of materials made available to counties and cities with regard to the inspection and enforcement of unlicensed cannabis businesses.

SECTION 6. COMPLAINTS

Any person who reasonably believes that a place of business located in Steuben County is providing cannabis for unlicensed sale or indirect retail sale of cannabis, cannabis products and/or any product marketed or labeled as containing cannabis without holding the appropriate state license can report such activity utilizing the link on the Steuben County Website located at: <https://www.steubencountyny.gov>

SECTION 7. INSPECTIONS

Scope of Inspections: Regulatory inspections by the Director of the Office of Weights & Measures shall be limited to determining whether the premises is conducting activity for which a license from OCM is required. Any such regulatory inspection shall only occur during the operating hours of the place of business. Nothing herein shall limit any enforcement action under law when illegal activity is observed or occurs during such inspection.

SECTION 8. NOTICE OF VIOLATION/ORDERS TO CEASE/COURT HEARINGS

- A. Upon determining that activity being conducted on the premises having been inspected is performing activities for which an OCM license is required, the County Director of the Office of Weights and Measures shall issue a notice of violation and an order to cease the unlicensed activity wherein both set forth the nature of the unlawful conduct along with any fines or penalties for such conduct in amounts not to exceed the fines set forth in SECTION 10. hereunder and order any person who is unlawfully selling cannabis, cannabis product or any product marketed or labeled as such without obtaining the appropriate registration, license, or permit therefor, or engaging in indirect retail sale, to cease such prohibited conduct, provided that any such notice of violation and order to cease unlicensed activity may only be issued against the business that is conducting the unlicensed activity or an individual owner of the business. Any notice of violation and order to cease unlicensed activity shall be served by delivery of the order to the owner of the business or other person of suitable age or discretion in actual or apparent control of the premises at the time of the inspection and shall be posted at the building or premises that have been sealed, secured and closed. A copy of the order shall also be mailed by certified mail to any address for the owner of the business at any address provided by the person to whom such order was delivered pursuant to this paragraph.

The order shall remain in effect pending a hearing and final determination of the Steuben County Court, or until such order is vacated by the Director of the Office of Weights & Measures.

- B. Seize any cannabis, cannabis product, or any product marketed or labeled as such, found in the possession of a person engaged in unlicensed activity and in their place of business, maintain documentation of the chain of custody of such seized products, and ensure that such products are properly stored, catalogued, and safeguarded until such time as it may properly be destroyed by the County;
- C. Issue an order to seal the building or premises of any business engaged in unlicensed activity, when such activity is conducted, maintained, or permitted in such building or premises, occupied as a place of business subject to the following procedures:
 - (1) The Director of the Office of Weights & Measures may issue an order to seal with an immediate effective date if such order is based upon a finding by the same of an imminent threat to the public health,

safety, and welfare, as defined in SECTION 9., hereunder. Such order shall remain in effect pending a hearing and final determination of the court or until such order is vacated by the County Director of Weights & Measures as set forth in SECTION IX, hereunder.

(2) An order to seal shall explicitly state that a request for a hearing may be submitted in writing to the Steuben County Attorney within seven (7) days.

(3) Upon the County Attorney's Office receiving a request for a hearing the County Attorney shall file a copy of said request with the Clerk of the County Court.

(4) Upon receipt of a notice of request for a hearing from the County Attorney, the County Court shall then fix the date of such hearing no later than three (3) business days from the date such notice is received by the Court and provide notice to the parties of the date, time, and location of the hearing. Upon such date, the Court shall hear testimony and receive evidence presented by the parties. Within four (4) business days of the conclusion of the hearing, the Court shall make a determination as to:

- (i) whether the person upon which the order to seal was issued was engaged in unlicensed activity,
- (ii) if the person is found to have engaged in unlicensed activity, then whether such unlicensed activity presents an imminent threat to public health, safety and welfare as provided hereunder, and
- (iii) whether the unlicensed activity as described in this section is more than a de minimis part of the business activity on the premises or in the building to be sealed pursuant to the order.

However, when an order to seal has been issued upon a second or subsequent inspection in which unlicensed activity is confirmed to be continuing more than ten (10) calendar days after a notice of violation and order to cease unlicensed activity was previously issued, the Court need only determine:

- (i) whether the person upon which the order to seal was issued was engaged in unlicensed activity;
- (ii) whether a notice of violation and order to cease unlicensed activity had been issued eleven (11) or more days prior to the issuance of the order to seal; and
- (iii) whether the order to seal was issued in compliance with this Local Law.

If the Court determines that an order to seal was not properly issued, the Court shall vacate such order. If the Court is satisfied that an order to seal was properly issued, the Court may render a judgment affirming the issuance of an order to seal, and direct the closing of the building or premises by any police officer or peace officer to abate the unlicensed activity and shall direct any police officer or peace officer to post a copy of the judgment and a printed notice of such closing conforming to the requirements of this Chapter. The closing directed by the judgment shall be for such period as the Court may direct but in no event shall the closing be for a period of more than one year from the posting of the judgment provided for in this section.

Failure of a party that requested a hearing to appear at the hearing will result in a default and order of sealing to remain in effect for such period as the Court may direct but in no event shall the order be in effect for a period of more than one year from the posting of the judgment unless otherwise vacated as provided for herein.

(5) Upon a determination by the County Court that a person or place of business has engaged in unlicensed activity, the County Sheriff's Office shall, pursuant to New York Real Property Actions and Proceedings Law §715-a, personally serve upon the owner or landlord of the premises, or upon their agent, a written notice requiring the owner or landlord to make an application for the removal of a commercial tenant so using or occupying the same for a violation of Article six of the Cannabis Law involving the unlicensed sale of cannabis or products marketed or labeled as such. The County may thereafter authorize the commencement of further legal proceedings pursuant to RPAPL § 715-a and seek an award of remedies

provided thereunder.

County's Pre-Hearing Right of Demand:

Upon a demand by the county a respondent or defendant shall provide to the county prior to a hearing pursuant to Local Law or an order to seal pursuant to Local Law, within five days after a demand or sooner if a hearing is scheduled less than five days from the date of demand, a verified statement setting forth:

(i) If the responding party is a natural person, such party's: (1) full legal name; (2) date of birth; (3) current home or business street address; and (4) a unique identifying number from: (A) an unexpired passport; (B) an unexpired state driver's license; or (C) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual;

(ii) If the responding party is a partnership, limited liability partnership, limited liability company, or other unincorporated association, including a for profit or not-for-profit membership organization or club, the information required pursuant to subparagraph (i) of this paragraph for all of its partners or members, as well as the state or other jurisdiction of its formation;

(iii) If the responding party is a corporation, its state or other jurisdiction of incorporation, principal place of business, and any state or other jurisdiction of which that party is a citizen;

(iv) If the responding party is not an individual, in addition to any information provided pursuant to subparagraphs (ii) and (iii) of this section, and to the extent not previously provided, each beneficial owner of the responding party by: (A) full legal name; (B) date of birth; (C) current home or business street address; and (D) a unique identifying number from: (1) an unexpired passport; (2) an unexpired state driver's license; or (3) an unexpired identification card or document issued by a state or local government agency or tribal authority for the purpose of identification of that individual. As used in this section, the term "beneficial owner" shall have the same meaning as defined in 31 U.S.C. § 5336(a)(3), as amended, and any regulations promulgated thereunder.

SECTION 9. IMMINENT THREAT TO PUBLIC HEALTH, SAFETY AND WELFARE (PURSUANT TO NYS CANNABIS LAW SECTION 138-b)

The factors that determine an imminent threat to public health, safety and welfare shall be limited to:

- A. documented sales to minors;
- B. unlicensed processing of cannabis products at the building or premises;
- C. orders issued following an inspection wherein the person engaged in the unlicensed activity engaged in violent, tumultuous, or other behaviors indicating expressed intent to not comply with the office's order to cease the unlicensed activity;
- D. documented presence of unlawful firearms at the building or premises;
- E. proximity of the building or premises to schools, houses of worship, or public youth facilities;
- F. presence of products deemed unsafe based on reports of illness or hospitalization; or
- G. sales of, or offers to sell, cannabis products not tested or labeled lawfully in accordance with this chapter.

NOTWITHSTANDING the factors listed above, or SECTION 10 herein, the County Director of the Office of Weights & Measures may issue an order to seal with an immediate effective date upon a second or subsequent inspection in which unlicensed activity is confirmed to be continuing more than ten (10) calendar days after a notice of violation and order to cease unlicensed activity was previously issued by the County, provided that

the County has also provided notice that the premises may be subject to an order to seal if upon a subsequent inspection the finds that the County Director of the Office of Weights & Measures the violation has not be abated.

An order to seal may be issued by the County only if: (a) no part of the premises to be sealed is used in part as a residence and pursuant to local law or ordinance is zoned and lawfully occupied as a residence; and (b) the unlicensed activity as described in this section is more than a de minimis part of the business activity on the premises or in the building to be sealed pursuant to the order. In the event that an order to seal may not be issued pursuant to this subdivision, the County shall issue a notice of violation and order to cease the unlicensed conduct, which shall constitute notice that such unlicensed activity must cease immediately.

In assessing whether unlicensed activity within a building or premises is more than de minimis, the County shall consider factors such as any one or more of the following:

- A. the presence of signs or symbols, indoors or out, advertising the sale of cannabis or otherwise indicating that cannabis is sold on the premises;
- B. information shared in any advertisements or other marketing content in connection with the unlicensed business activity and any direct or indirect sales of cannabis or other conduct in violation of this local law;
- C. the volume of illicit cannabis products on site; and
- D. the variety of illicit cannabis products on site.

Upon a request by the County Director of Weights & Measures, any police or peace officer with jurisdiction may assist in the enforcement of an order to seal issued by the County Director of Weights & Measures, in accordance with the following procedures:

A. The police officer or peace officer serving and executing the order to seal shall forthwith make and return to the County Director of Weights & Measures inventory of personal property situated in and used in conducting, maintaining, or permitting the unlicensed activity within the scope of this Local Law and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property.

B. The police officer or peace officer serving and executing the order to seal shall enter the building or premises and, upon service of the order, command all persons present in the building or premises to vacate the premises forthwith. Upon the building or premises being vacated, the premises shall be securely locked, and all keys delivered to the officer serving the order who thereafter shall deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer shall deliver the keys to such fee owner, lessor, or lessee.

C. Upon service and execution of the order to seal, the police officer or peace officer shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by order of the County, and the name of the officer posting the notice.

D. Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of not more than five thousand dollars (\$5,000.00) or by a class B misdemeanor, or both, provided such order or notice contains therein a notice of such penalty, and shall be referred to the district attorney for enforcement. The County shall also adhere to the procedures in this subdivision when executing an order to seal issued in accordance with this section.

The County shall also adhere to the procedures in this subdivision when executing an order to seal issued in accordance with this section., any police officer or peace officer with jurisdiction may assist in the enforcement of an order to seal issued by the County Director of Weights & Measures, in accordance with the following procedures:

A. The police officer or peace officer serving and executing the order to seal shall forthwith make and return to the County Director of Weights & Measures an inventory of personal property situated in and used in conducting, maintaining, or permitting the unlicensed activity within the scope of this Chapter and shall enter upon the building or premises for such purpose. Such inventory shall be taken in any manner which is deemed likely to evidence a true and accurate representation of the personal property subject to such inventory including, but not limited to photographing such personal property.

B. The police officer or peace officer serving and executing the order to seal shall enter the building or premises and, upon service of the order, command all persons present in the building or premises to vacate the premises forthwith. Upon the building or premises being vacated, the premises shall be securely locked, and all keys delivered to the officer serving the order who thereafter shall deliver the keys to the fee owner, lessor, or lessee of the building or premises involved. If the fee owner, lessor, or lessee is not at the building or premises when the order is being executed, the officer shall securely padlock the premises and retain the keys until the fee owner, lessor, or lessee of the building is ascertained, in which event, the officer shall deliver the keys to such fee owner, lessor, or lessee.

C. Upon service and execution of the order to seal, the police officer or peace officer shall post a copy thereof in a conspicuous place or upon one or more of the principal doors at entrances of such premises where the unlicensed activity is being conducted, maintained, or permitted. In addition, the officer shall affix, in a conspicuous place or upon one or more of the principal doors at entrances of such premises, a printed notice that the premises have been closed by order of the City, and the name of the officer posting the notice.

D. Mutilation or removal of such a posted order or such a posted notice while it remains in force, in addition to any other punishment prescribed by law, shall be punishable, on conviction, by a fine of not more than five thousand dollars (\$5,000.00) or by a class B misdemeanor, or both, provided such order or notice contains therein a notice of such penalty, and shall be referred to the district attorney for enforcement.

The County shall also adhere to the procedures in this subdivision when executing an order to seal issued in accordance with this section.

Any order to seal issued by the County Director of Weights & Measures pursuant to this section shall be effective for one year from the later of the posting of the order or the date of the judgment provided for in this Article. An order to seal shall be vacated by the County Director of Weights & Measures if the respondent submits sufficient evidence to the County Director of Weights & Measures by an affidavit and such other proof as may be submitted by the respondent that the unlicensed activity has been abated. An order vacating an order to seal shall include a provision authorizing the County Director of Weights & Measures, or any police officer or peace officer who assisted with the execution of the order to seal, to inspect the building or premises without notice for the purpose of ascertaining whether or not the unlicensed activity has been abated. Any police officer or peace officer with jurisdiction may, upon the request of the County Director of Weights & Measures, assist in the enforcement of an inspection provision of an order vacating an order to seal.

The County Director of Weights & Measures shall mail a copy, by certified mail, of any order to seal within five days following issuance of such order to the person in whose name the real estate affected by the order is recorded in the office of the city or county clerk, as the case may be, who shall be presumed to be the owner thereof. Such mailing shall constitute notice to the owner and shall be deemed to be complete upon such mailing by the office as provided above.

If at any time a respondent vacates the building or premises subject to an order to seal issued by the County Director of Weights & Measures, or if the building owner provides sufficient proof thereof, any action or proceeding filed in accordance with these procedures relating to such building or premises shall be withdrawn by the Code Enforcement Officer without prejudice, and any order to seal shall be vacated.

The remedies provided for in this section are not exclusive and the County may also request and recover penalties in accordance with other provisions in Chapter 7 of New York State Cannabis Law.

SECTION 10. PENALTIES AND OTHER CIVIL REMEDIES

Any person who engages in the unlawful sale of cannabis, cannabis product, or any product marketed or labeled as such, or in indirect retail sales, as defined hereunder, shall be subject to a civil penalty of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00) for each day during which such violation continues, with a maximum penalty of no more than twenty-five thousand dollars (\$25,000.00). The penalty provided for herein may be recovered by an action or proceeding in a court of competent jurisdiction brought by the County to enforce the notice of violation provided for herein.

In addition to, and not in limitation of any other remedies provided herein, the County Manager may direct the County Attorney to maintain an action or proceeding against any person in the name of the County in a court of competent jurisdiction to compel compliance with, or to permanently or preliminarily restrain by injunction the violation of, this Chapter or any other law or ordinance authorizing the use of the procedures of this Chapter, or any rule or regulation adopted pursuant thereto, including but not limited to the relief provided in Section 16-a of the New York Cannabis Law and Real Property and Proceedings Law §715-a.

SECTION 11. VALIDITY AND SEVERABILITY

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

SECTION 12. EFFECTIVE DATE

This Local Law shall take effect the later of ten (10) days after its filing with the New York State Office of Cannabis Management, or upon its filing in the office of the Secretary of State.

AND BE IT FURTHER RESOLVED a Public Hearing on the within Local Law was held on August 26, 2024, at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Two for the Year 2024, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the Office of Weights & Measures, County Manager, and County Attorney.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 169-24

INTRO. NO. : 6-4
INTRO. DATE: 08/26/2024

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ESTABLISHING AN EMS CAPITAL RESERVE FUND.

WHEREAS, pursuant to the County's Certificate of Need, the County has the authority to provide for general ambulance services, pre-hospital emergency medical treatment, and transportation of sick and injured persons within the boundaries of the County; and

WHEREAS, the Hammondsport Volunteer Ambulance Corps., Inc. is planning to dissolve and per their Certificate of Incorporation, they desire to give to the County, cash that will be restricted for public use; and

WHEREAS, there is a need to establish an EMS Capital Project Fund to accept the restricted gift from Hammondsport.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to establish an EMS Capital Project Fund for the specific purpose of accepting the restricted gift; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Timothy D. Marshall, Public Safety Director and the Commissioner of Finance.



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, August 26, 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, August 27, 2024.

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

DATE APPROVED : 08/26/2024
PERM. NO. : 170-24

INTRO. NO. : 7-5
INTRO. DATE: 08/26/2024

INTRO. BY : F. Potter / S. Van Etten SECONDED BY : C. Ferratella

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: APPROPRIATING FUNDING TO A NEW CAPITAL PROJECT ENTITLED "FEMA RESTORATION".

WHEREAS, On August 18, 2021, Tropical Storm Fred caused widespread damage from flooding throughout the County; and

WHEREAS, the Department of Public Works has applied for and received funding from the Federal Emergency Management Association (FEMA) and New York State to reconstruct the flood damaged infrastructure; and

WHEREAS, the Public Works and Finance Committees recommend the appropriation of \$2,890,290.33 from the Unassigned Fund Balance, D391100 to a new capital project entitled "FEMA Restoration".

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to create the Capital Project Account entitled "FEMA Restoration"; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate \$2,890,290.33 from the Unassigned Fund Balance, D391100 to the "FEMA Restoration" capital project account; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, 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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 171-24

INTRO. NO. : 8-6
INTRO. DATE: 08/26/2024

INTRO. BY : F. Potter / S. Van Etten SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

P. W. Y: 5 N: 0 Finance Y: 4 N: 0 Y: N:

TITLE: APPROPRIATING FUNDING TO A NEW CAPITAL PROJECT ENTITLED “DISASTER REPNSE–FLOOD RESPONSE 8/2024”.

WHEREAS, on August 9th, 2024, Tropical Storm Debby caused widespread damage from flooding throughout the County; and

WHEREAS, the Department of Public Works has needed to make emergency purchases to quickly reconstruct the flood damaged infrastructure; and

WHEREAS, the Public Works and Finance Committees have recommended the creation of a new capital project entitled “Disaster Response – Flood Response 8/2024” to cover costs associated with the flooding.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to create the Capital Project Account entitled “Disaster Response – Flood Response 8/2024”; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate \$1,000,000 from the unrestricted general fund balance to this new capital project account; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, 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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 172-24

INTRO. NO. : 9-7
INTRO. DATE: 08/26/2024

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

P. W. Y: 5 N: 0 Finance Y: 4 N: 0 0 Y: N:

TITLE: CHARGING THE ESTABLISHED TIP FEES FOR THE DISPOSAL OF FLOOD DEBRIS FROM TROPICAL STORM DEBBY TO THE STEUBEN COUNTY DEPARTMENT OF EMERGENCY SERVICES.

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

WHEREAS, the County operates a mixed municipal solid waste landfill in the Town of Bath which currently accepts mixed solid waste; and

WHEREAS, on August 9th, 2024, Tropical Storm Debby caused widespread flooding throughout the County; and

WHEREAS, as a result of the flooding, Governor Hochul declared a State of Emergency in the County; and

WHEREAS, it is anticipated that the areas affected throughout the County will require disposal of flood debris which includes, but is not limited to, building materials, garbage, vegetation, dirt, silt, and e-waste; and

WHEREAS, the Public Works and Finance Committees recommend that the appropriate disposal tipping fees incurred by affected municipalities be charged to the Steuben County Department of Emergency Services.

NOW THEREFORE, BE IT

RESOLVED, the County Legislature does hereby authorize the Commissioner of Finance to charge the Department of Emergency Services for the disposal tipping fees associated with the cleanup and disposal of flood debris; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, Commissioner of Public Works, and the County 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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 173-24

INTRO. NO. : 10-8
INTRO. DATE: 08/26/2024

INTRO. BY : F. Potter / S. Van Etten SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: TRANSFERRING FUNDS FROM THE LANDFILL GAS COLLECTION SYSTEM CAPITAL PROJECT TO THE LANDFILL MAJOR EQUIPMENT ACCOUNT.

WHEREAS, the Solid Waste Division has a need to purchase conventional day cab road tractors, prior to the implementation of the recently adopted regulations; and

WHEREAS, the procurement of these types of trucks is necessary now due to high demand and the regulations being implemented beginning with model year 2026; and

WHAEREAS, it is necessary to transfer \$200,000 from the Gas Collection System Capital Project to the Landfill Major Equipment Account to purchase these trucks; and

WHEREAS, the Public Works Committee and Finance Committee have authorized the purchase of said trucks and the transfer of funds from Gas Collection System Capital Project.

NOW THEREFORE, BE IT

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

- Decrease GASCOLLECT.OTHRIMPRV by \$200,000
- Increase 816001.6290 Major Equipment by \$200,000

AND BE IT FURTHER RESOLVED, the Commissioner of Public Works is hereby authorized to execute all documents necessary to complete the purchase; 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.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 174-24

INTRO. NO. : 11-9
INTRO. DATE: 08/26/2024

INTRO. BY : F. Potter / S. Van Etten SECONDED BY : R. Nichols

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: TRANSFERRING FUNDS FROM UNALLOCATED REVENUES TO MAJOR EQUIPMENT IN THE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Public Works Department has a need to lease or purchase two pickup trucks; and

WHEREAS, the Department had liquidated surplus equipment and received revenues from the sale; and

WHEREAS, to lease or purchase two new pickup trucks \$52,679.00 will need to be appropriated from DM999900.426650 Unallocated Revenues to 513000.6290 Major Equipment; and

WHEREAS, the Public Works Committee and Finance Committee recommend the transfer of said funds for the purpose of purchasing said trucks.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate \$52,679.00 from DM999900.426650 Unallocated Revenues to 513000.6290 Major Equipment; and be it further

RESOLVED, the Commissioner of Public Works is hereby authorized to execute all documents needed for the purchase; 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.



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, August 26, 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, August 27, 2024.

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

DATE APPROVED : 08/26/2024
PERM. NO. : 175-24

INTRO. NO. : 12-10
INTRO. DATE: 08/26/2024

INTRO. BY : B. Schu / S. Van Etten SECONDED BY : P. Van Caeseele

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

Admin. Y: 5 N: 0 Finance Y: 5 N: 0 Y: N:

TITLE: AUTHORIZING A CONTINGENCY FUND TRANSFER.

WHEREAS, the County Manager has been authorized to execute a contract with Pracademic Partners; and

WHEREAS, this contract is for \$18,000; and

WHEREAS, Pracademic Partners will provide recruiting services relative to the County Attorney; and

WHEREAS, the Administration Committee authorized the contract on August 13th, 2024; and

WHEREAS, the Finance Committee authorized the Commissioner of Finance to transfer these funds on August 13th, 2024; and

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer \$18,000 from the Contingent Fund (198900-549800) to County Manager-Consultants-Professionals (123000-542300), and be it further

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



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, August 26, 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, August 27, 2024.

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

DATE APPROVED : 08/26/2024 INTRO. NO. : 14-12
PERM. NO. : 177-24 INTRO. DATE: 08/26/2024
INTRO. BY : C. Ferratella / S. Van Etten SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8374 </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> 571 </u>	POSTPONED	<u> </u>		
		ABSENT	<u> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 5 N: 0 Finance Y: 5 N: 0 Y: N:

TITLE: ACCEPTING FAMILY-CENTERED CASE MANAGEMENT SERVICES TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS.

WHEREAS, the New York State Fiscal Year 2024-2025 budget appropriates \$17.2 million in Temporary Assistance for Needy Families (TANF) funds for social services districts to hire appropriately credentialed/experienced staff to provide case management services for families who are having difficulty stabilizing their households and transitioning toward greater financial security; and

WHEREAS, the New York State Office of Temporary and Disability Assistance has awarded Steuben County Social Services \$165,385 in TANF funds; and

WHEREAS, Social Services desires to utilize these funds to contract for said services through the Institute for Human Services for up to two TANF case managers.

NOW THEREFORE, BE IT

RESOLVED effective with the adoption of this resolution, the Commissioner of Finance is hereby authorized to accept \$165,385 in TANF funding and appropriate these funds into the 2024 Department of Social Services Budget as follows:

Expenditures:

601500 543524 BILT \$165,385

Revenues:

601000 446090 Federal TANF (93.558) Funding \$165,385; and be it further

RESOLVED certified copies of this Resolution shall be forwarded to the Commissioner of Finance, County Manager and Commissioner of Social Services.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024 INTRO. NO. : 16-14
PERM. NO. : 179-24 INTRO. DATE: 08/26/2024
INTRO. BY : C. Ferratella / S. Van Etten SECONDED BY : B. Schu

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 5 N: 0 Finance Y: 5 N: 0 Y: N:

TITLE: AUTHORIZING A CONTRACT WITH FAMILY SERVICE SOCIETY.

WHEREAS, Steuben County Community Services has six (6) clinic staff vacancies; and

WHEREAS, Family Service Society, Inc. has staff available to assist with addressing this shortage; and

WHEREAS, Family Service Society, Inc. has agreed to enter into a contract for six (6) positions of contracted staff not to exceed \$125,000.

NOW THEREFORE, BE IT

RESOLVED, the Director of the Department of Community Services is hereby authorized to execute a contract with Family Service Society, Inc., subject to approval by the County Attorney, in an amount not to exceed \$125,000 for six (6) contracted staff; 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.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024 INTRO. NO. : 18-16
PERM. NO. : 181-24 INTRO. DATE: 08/26/2024

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ACCEPTING THE HAZARD MITIGATION PLANNING GRANT.

WHEREAS, Steuben County Office of Emergency Services has a FEMA approved Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, Steuben County's approved plan is due for an update in February 2025; and

WHEREAS, Steuben County has been awarded a 75/25 Project Planning Grant by FEMA; and

WHEREAS, New York State Department of Homeland Security and Emergency Services has primary responsibility for management of the Project and accountability of the funds; and

WHEREAS, the funding can be used for completion of the mitigation plan review and update; and

WHEREAS, Steuben County Office of Emergency Services anticipates hiring a consultant for completion of the plan and will most likely complete the 25 percent match with authorized in-kind services.

NOW THEREFORE. BE IT

RESOLVED the County Manager is authorized to enter into an agreement with the New York State Office of Homeland Security to accept funding in the amount not to exceed \$150,000 for implementation of the Hazard Mitigation Program Planning Grant; and be it further

RESOLVED the County Manager and the Director of Public Safety are authorized and directed to execute the requisite documentation to execute this grant and agreement; and be it further

RESOLVED the Commissioner of Finance be and the same hereby is authorized to establish a revenue account for the purpose of accepting this grant funding from the Federal Government and the New York State Division of Homeland Security and Emergency Services; and be it further

RESOLVED the Commissioner of Finance be and the same hereby is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben Country Office of Emergency Services for the purpose of fulfilling the aforementioned grant; and be it further

RESOLVED certified copies of this resolution shall be forwarded to the New York State Department of Homeland Security and Emergency Services, Mitigation Division, 1220 Washington Avenue, State Office Building 22, Albany NY 12226; the Commissioner of Finance, County Manager; and the Director of Public Safety.

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, August 26, 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, August 27, 2024.





RPS V4 TO BE BILLED FOR 1/1/25 LEVY

.rpsv4chargeback/resolutions

08/06/2024

Swis	Municipality	Parcel Count	ORPS License Fee	County Support Fee	Total Chargeback
4603	Corning City	4,241	\$1,500	\$200	\$1,700
4606	Hornell City	3,689	\$1,300	\$200	\$1,500
4620	Addison	1,314	\$1,000	\$200	\$1,200
4622	Avoca	1,352	\$1,000	\$200	\$1,200
4624	Bath	5,230	\$1,500	\$200	\$1,700
4626	Bradford	587	\$850	\$200	\$1,050
4628	Cameron	780	\$850	\$200	\$1,050
4630	Campbell	1,652	\$1,000	\$200	\$1,200
4632	Canisteo	2,058	\$1,200	\$200	\$1,400
4634	Caton	1,307	\$1,000	\$200	\$1,200
4636	Cohocton	1,903	\$1,000	\$200	\$1,200
4638	Corning Town	3,238	\$1,300	\$200	\$1,500
4640	Dansville	1,337	\$1,000	\$200	\$1,200
4642	Erwin	3,217	\$1,300	\$200	\$1,500
4644	Fremont	821	\$850	\$200	\$1,050
4646	Greenwood	762	\$850	\$200	\$1,050
4648	Hartsville	592	\$850	\$200	\$1,050
4650	Hornby	1,009	\$1,000	\$200	\$1,200
4652	Hornellsville	2,411	\$1,200	\$200	\$1,400
4654	Howard	1,259	\$1,000	\$200	\$1,200
4656	Jasper	901	\$850	\$200	\$1,050
4658	Lindley	1,074	\$1,000	\$200	\$1,200
4660	Prattsburgh	1,898	\$1,000	\$200	\$1,200
4662	Pulteney	1,751	\$1,000	\$200	\$1,200
4664	Rathbone	798	\$850	\$200	\$1,050
4666	Thurston	1,008	\$1,000	\$200	\$1,200
4668	Troupsburg	995	\$850	\$200	\$1,050
4670	Tuscarora	915	\$850	\$200	\$1,050
4672	Urbana	2,065	\$1,200	\$200	\$1,400
4674	Wayland	2,373	\$1,200	\$200	\$1,400
4676	Wayne	1,592	\$1,000	\$200	\$1,200
4678	West Union	562	\$850	\$200	\$1,050
4680	Wheeler	1,010	\$1,000	\$200	\$1,200
4682	Woodhull	1,195	\$1,000	\$200	\$1,200
		56,896	\$35,200	\$6,800	\$42,000

ORPS License Fee Schedule	
Number of Parcels	Fee
0-500	\$750
501-1000	\$850
1001-2000	\$1,000
2001-3000	\$1,200
3001-4000	\$1,300
4001-6000	\$1,500

Steuben County
 Real Property Tax Service Agency
 3 E. Pulteney Square
 Bath, New York 14810
 Wendy Jordan, Director

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

DATE APPROVED : 08/26/2024 INTRO. NO. : 20-18
 PERM. NO. : 183-24 INTRO. DATE: 08/26/2024

INTRO. BY : J. Horton / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PS&C Y: 5 N: 0 Admin. Y: 5 N: 0 Y: N:

TITLE: CREATING ONE PART-TIME ASSISTANT PUBLIC DEFENDER.

WHEREAS, the Public Defender’s Office is in need of one (1) Part-Time Assistant Public Defender to meet the needs of the department; and

WHEREAS, Rule 16C(4) of the *Rules of Procedure* of the County Legislature requires approval by the appropriate Standing Committee and the Administration Committee for requests for any new position not funded in the budget; and

WHEREAS, the Public Safety and Corrections and Administration Committees have recommended the creation of this position.

NOW THEREFORE, BE IT

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>
<u>Public Defender</u>			
Assistant Public Defender Part-Time	1	J	\$35,821 - \$56,024 (MGMT)

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Public Defender, the Personnel Officer and the Commissioner of Finance.


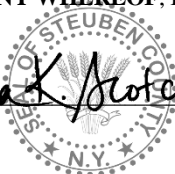
STATE OF NEW YORK)

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, August 26, 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, August 27, 2024.

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

DATE APPROVED : 08/26/2024 INTRO. NO. : 20-19
 PERM. NO. : 184-24 INTRO. DATE: 08/26/2024

INTRO. BY : J. Horton / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PS&C Y: 5 N: 0 Admin Y: 5 N: 0 Y: N:

TITLE: CREATING ONE FULL-TIME SENIOR ASSISTANT PUBLIC DEFENDER, MANAGEMENT GRADE K.

WHEREAS, the Public Defender’s Office is in need of one (1) Senior Assistant Public Defender to meet the needs of the department; and

WHEREAS, Rule 16C(4) of the *Rules of Procedure* of the County Legislature requires approval by the appropriate Standing Committee and the Administration Committee for requests for any new position not funded in the budget; and

WHEREAS, the Public Safety and Corrections and Administration Committees have recommended the creation of this position.

NOW THEREFORE, BE IT

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>
<u>Public Defender</u>			
Senior Assistant Public Defender Full-Time	1	K	\$78,797 - \$123,273 (MGMT)

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Public Defender, the Personnel Officer and the Commissioner of Finance.


STATE OF NEW YORK)

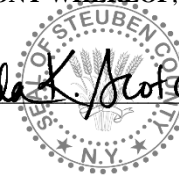
ss.:

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, August 26, 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, August 27, 2024.





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

DATE APPROVED : 08/26/2024 INTRO. NO. : 20-20
 PERM. NO. : 185-24 INTRO. DATE: 08/26/2024
 INTRO. BY : C. Ferratella / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: N: Admin. Y: 5 N: 0 Y: N:

TITLE: CREATING THREE FULL-TIME SOCIAL WORK ASSISTANT POSITIONS, CSEA GRADE H, WITHIN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the Department of Community Services is in need of three (3) Social Work Assistants to meet the needs of the department; and

WHEREAS, Rule 16C(4) of the *Rules of Procedure* of the County Legislature requires approval by the appropriate Standing Committee and the Administration Committee for requests for any new position not funded in the budget; and

WHEREAS, the Human Services, Health and Education and Administration Committees have recommended the creation of these positions.

NOW THEREFORE, BE IT

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>
<u>Community Services</u>			
Social Work Assistant Full-Time	3	H	\$39,399 - \$58,280 (CSEA)

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

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, August 26, 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, August 27, 2024.





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

DATE APPROVED : 08/26/2024
 PERM. NO. : 186-24

INTRO. NO. : 20-21
 INTRO. DATE: 08/26/2024

INTRO. BY : C. Ferratella / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HS&E Y: 5 N: 0 Admin Y: 5 N: 0 Y: N:

TITLE: CREATING ONE SENIOR ALCOHOL & SUBSTANCE ABUSE COUNSELOR POSITION, CSEA GRADE K, WITHIN THE DEPARTMENT OF COMMUNITY SERVICES.

WHEREAS, the Department of Community Services is in need of one (1) Senior Alcohol & Substance Abuse Counselor to meet the needs of the department; and

WHEREAS, Rule 16C(4) of the *Rules of Procedure* of the County Legislature requires approval by the appropriate Standing Committee and the Administration Committee for requests for any new position not funded in the budget; and

WHEREAS, the Human Services, Health and Education and Administration Committees have recommended the creation of this position.

NOW THEREFORE, BE IT

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>
<u>Community Services</u>			
Senior Alcohol & Substance Abuse Counselor Full-Time	1	K	\$45,609 - \$67,466 (CSEA)

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

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, August 26, 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, August 27, 2024.





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

DATE APPROVED : 08/26/2024
PERM. NO. : 188-24

INTRO. NO. : 21-23
INTRO. DATE: 08/26/2024

INTRO. BY : C. Ferratella / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 5 N: 0 Admin Y: 5 N: 0 Y: N:

TITLE: RECLASSIFYING ONE VACANT SUPERVISING SUPPORT CASHIER, CSEA GRADE G, TO SUPERVISING CLERK, CSEA GRADE J, WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, there is a need for a Supervising Clerk who is responsible for the performance of difficult and highly responsible clerical, account-clerical, and office management duties which require an extensive knowledge of specific department functions and applicable laws, rules, policies and procedures; and

WHEREAS, the Personnel Officer, Human Services, Health and Education Committee and Administration Committee have reviewed said position 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 reclassified as follows:

One (1) Supervising Support Cashier position, CSEA Grade G (\$37,523 - \$55,504), to
One (1) Supervising Clerk position, CSEA Grade J, (\$43,437 - \$64,253).

AND BE IT FURTHER RESOLVED, the 2024 County Job Classification and Salary Schedule is hereby amended to reflect the above-stated change, and be it further

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


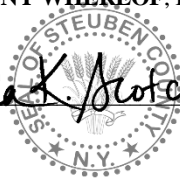
STATE OF NEW YORK)

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, August 26, 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, August 27, 2024.

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

DATE APPROVED : 08/26/2024
PERM. NO. : 189-24

INTRO. NO. : 21-24
INTRO. DATE: 08/26/2024

INTRO. BY : C. Ferratella / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 5 N: 0 Admin Y: 5 N: 0 Y: N:

TITLE: RECLASSIFYING ONE VACANT SENIOR ACCOUNT CLERK, CSEA GRADE G, TO SENIOR ACCOUNT CLERK-TYPIST, CSEA GRADE I , WITHIN THE DEPARTMENT OF SOCIAL SERVICES.

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

WHEREAS, there is a need for a Senior Account Clerk-Typist who is responsible 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, Human Services, Health and Education Committee and Administration Committee have reviewed said position 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 (1) Senior Account Clerk position, CSEA Grade G (\$37,523 - \$55,504), to
- One (1) Senior Account Clerk-Typist position, CSEA Grade I, (\$41,369 - \$61,194).

AND BE IT FURTHER RESOLVED, the 2024 County Job Classification and Salary Schedule is hereby amended to reflect the above-stated change, and be it further

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

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 190-24

INTRO. NO. : 21-25
INTRO. DATE: 08/26/2024

INTRO. BY : C. Ferratella / B. Schu SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HS&E Y: 5 N: 0 Admin Y: 5 N: 0 Y: N:

TITLE: RECLASSIFYING TWO VACANT STAFF SOCIAL WORKER POSITIONS, CSEA GRADE L, TO SENIOR SOCIAL WORKER POSITIONS, CSEA GRADE O, WITHIN THE DEPARTMENT OF COMMUNITY SERVICES.

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

WHEREAS, there is a need for a Senior Social Worker who is responsible for providing psychiatric social work services to patients of the Community Mental Health Program. The work is carried out in accordance with prescribed professional procedures and involves the performance of social work in helping patients with the social, emotional and related difficulties associated with their disabilities; and

WHEREAS, the Personnel Officer, Human Services, Health and Education Committee and Administration Committee have reviewed said position and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in the Department of Community Services are hereby reclassified as follows:

Two (2) Staff Social Worker positions, CSEA Grade L (\$47,890 - \$70,839), to
Two (2) Senior Social Worker positions, CSEA Grade O, (\$55,438 - \$82,005).

AND BE IT FURTHER RESOLVED, the 2024 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 Director of Community Services, Commissioner of Finance and the Personnel Officer.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024
PERM. NO. : 191-24

INTRO. NO. : 22-26
INTRO. DATE: 08/26/2024

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ESTABLISHING THE DATE AND TIME FOR A DELINQUENT REAL PROPERTY TAX PUBLIC AUCTION.

WHEREAS, the County of Steuben has commenced a Delinquent Real Property Tax In-Rem procedure pursuant to Article 11 of the New York State Real Property Tax Law; and

WHEREAS, it is desirable to establish the date and time of the County Delinquent Real Property Tax Public Auction.

NOW THEREFORE, BE IT

RESOLVED, a Delinquent Real Property Tax Public Auction shall be conducted online between the dates of October 15th and October 22nd, 2024; and be it further

RESOLVED, should it be necessary to hold an alternative or additional Delinquent Real Property Tax Public Auction, as determined by the Commissioner of Finance, a subsequent auction shall be conducted online between the dates of October 29th and November 5th, 2024; and be it further

RESOLVED, the subsequent auction would be subject to the same Notice to Bidders and Terms of Sale as the October 15th and October 22nd, 2024, auction; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to establish and publish the terms and conditions of the recited sale in advance of said sale; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, Director of Real Property Tax Service Agency, and the County Attorney.

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, August 26, 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, August 27, 2024.




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

DATE APPROVED : 08/26/2024 INTRO. NO. : 23-27
PERM. NO. : 192-24 INTRO. DATE: 08/26/2024
INTRO. BY : S. Van Etten SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE 2024.

Pursuant to the Steuben County Charter, Article II, Section 2.07.

WHEREAS, on August 13, 2024, the Commissioner of Finance was authorized and directed to establish the terms and conditions of the 2024 Delinquent Tax Auction; and

WHEREAS, on August 13, 2024, the Commissioner of Finance did present the *Notice to Bidders and Terms of Sale – 2024* to the Finance Committee of the County Legislature for review and approval; and

WHEREAS, the Uniform Resource Locator (URL) address to the auction website for the 2024 Delinquent Tax Auction is <http://www.steubencountyauction.com/>; and

WHEREAS, on August 13, 2024, the Finance Committee did approve the recited *Notice to Bidders and Terms of Sale – 2024* as modified.

NOW THEREFORE, BE IT

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2024* as attached hereto is hereby ratified and confirmed; and be it further

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2024* as attached hereto shall apply to the Delinquent Real Property Tax Public Auction to be held online between the dates of October 15th and October 22nd, 2024; and be it further

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2024* as attached hereto shall apply to the Delinquent Real Property Tax Public Auction to be held online between the dates of October 29th and November 5th, 2024, should the Commissioner of Finance determine a subsequent auction is necessary; and be it further

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

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, August 26, 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, August 27, 2024.





Notice to Bidders and Terms of Sale – 2024

The 2024 Steuben County Tax Foreclosure Auction will be undertaken using an online bidding service. This Notice to Bidders and Terms of Sale applies to all parcels presented via the online auction service. Pre-registration with the online auction service is subject to approval. The approval process may take more than 24 hours. No bids may be placed on any parcel until such registration and approval has been completed. The online service is accessed via the following URL address: <http://www.steubencountyauction.com/>

1. All bidders are urged to consult an attorney before submitting a bid.
2. The County obtained title to these properties in accordance with the procedures of Article 11 of Real Property Tax Law of the State of New York.
3. There is absolutely no representation as to the quality of title, lot size, condition or existence of improvements of any parcel to be auctioned and all persons proceed at their own risk with respect to same. Any photographs, maps, and all other depictions of the property are for reference only and all properties are subject to such state of facts that an instrument survey will determine. The County sells only its interest. Any information provided by any County employee is subject to the terms and conditions of this Notice to Bidders and Terms of Sale.
4. All properties are offered for sale to the highest bidder.
5. There is a \$50.00 (fifty dollar) minimum bid requirement for each parcel when no reserve has been established.
6. The Commissioner of Finance retains the right to establish the auction with or without reserves. In this auction, the reserve for each parcel will be listed in the auction book as well as on the auctioneer's website. Typically, the reserve is established at the amount of delinquent taxes owed on each property.
7. The County shall retain the right to reject any and all bids.
8. To the extent allowable under law the County reserves the option to retain all the oil and gas rights. The County will not be exercising this option for any parcels in this public auction.
9. All real property, including any buildings thereon, are sold "as is...where is" as of the date of closing without any representation or warranty whatsoever as to the condition or title and subject to (a) any state of facts an accurate survey or personal inspection of the premises would disclose, and (b) applicable zoning and use/building regulations.
10. Any improvement description concerning manufactured homes, mobile homes and trailers is done for identification purposes of the parcel in question. The manufactured home, mobile home or trailer may or may not be deemed a fixture on the parcel in question and no representations or warranties are made in that regard.
11. The premises being sold may be subject to tenancies and/or leases affecting the said premises. Purchaser is to determine the existence and status of such interests and the applicable legal rights thereto. Evictions if necessary and as subject to Federal CDC regulations, New York State Executive Orders, New York State Administrative Orders, and New York State Laws, are solely the responsibility of the purchaser after closing and execution of the deed. Subject to the rights of a tenant or lease affecting the property, no one is permitted to enter upon any parcels offered for sale for any purpose whatsoever, at any time prior to the closing of the sale and execution of the Deed conveying title to the Grantee. Any Grantee who enters a property prior to the closing of the sale and execution of the Deed conveying title to the Grantee is Trespassing and the County has the right to pursue any charges or fines for the same. See also Term # 17.
12. No personal property is included in the sale. The disposition of any personal property shall be the sole responsibility of the successful bidder following the closing of the sale. The previous owner should be notified and provided the opportunity to remove personal items.
13. Any taxes levied after January 1 of the current year will be the responsibility of the purchaser (City – Village – School, if applicable). Purchaser may also be liable for unpaid water and sewer charges not included in previously levied taxes. It is the Buyer's responsibility to contact the taxing entity, obtain information and pay these taxes, fees, charges and assessments, as the case may be.
14. Bidders must disclose if acting as the agent for another party and identify such party in the remarks section of the online registration system. Failure to disclose principals may result in disqualification from bidding. Additionally, all parties to be named in a deed will need to be identified in the remarks section of the online registration system.
15. The purchaser shall provide information consistent with #14 above and such other information necessary to complete the deed and shall execute the necessary forms and documents required for recording the deed. [Note: Social Security and / or Federal Identification Number will be required for all parties to be referenced on a deed.] Such information shall be furnished to the County Finance Department within three (3) business days following the closing date of the sale. Failure to provide this information will result in a failure to complete

the purchase (see Term #s 23 & 24). After completion of the original forms, the charge to issue and record a correction deed is \$500 per parcel.

16. Conveyance shall be by quit claim deed only, containing a description of the property on the tax roll for the year during which the County acquired title. A separate deed shall be issued for each parcel, and applicable fees charged.
17. The County will execute the deed after approval by the County Legislature, receipt of the full purchase price and recording fees, and receipt of the information necessary to complete the transfer of title (see Term #15). The deeds will be submitted in the same order as which full payment is received. The purchaser may take possession only after the deed has been executed.
18. Purchaser shall be responsible for the payment of a ten percent (10%) buyer's premium and the deed recording fee(s) in addition to the accepted bid price; the sum of these items is the purchase price.
19. A minimum of thirty percent (30%) of the purchase price shall be paid to the Steuben County Finance Office within three (3) business days following the closing day of the auction. (See Term #21 for payment information). The initial minimum deposit is \$1,000.00. If the total amount of the purchase (including fees) is less than \$1,000, the entire amount is due in full within three (3) business days following the closing day of the auction. Should a bidder fail to make the deposit payment described herein, the bidder shall be considered in default; the County may then offer the premises to subsequent bidders (see Term #23); and / or may be disqualified from participating in future Tax Foreclosure auctions (see Term #24); and shall forfeit all interest, rights and remedies afforded to the successful bidder.
20. All sales are subject to subsequent County Legislature confirmation and any balance due must be remitted within thirty (30) days following the closing day of the auction. Any balance due must be paid in full in one payment; partial payments are not permitted.
21. Payment may be in the form of cash, money order, bank draft, certified check or wire transfer payable to STEUBEN COUNTY FINANCE DEPARTMENT, payable in US Dollars only; any negotiable instrument tendered in payment must be drawn on a bank located in the United States.
22. All parcels purchased by a purchaser must be paid for in full, selective closings are not permitted. Failure to remit full payment on all parcels purchased at the auction will result in a forfeiture of all deposits paid, which will be retained by the County as liquidated damages, and the cancellation of all sales to the purchaser.
23. Failure of the purchaser to complete the purchase within the required time limits shall result in the forfeiture of both the down payment and the buyer's premium as liquidated damages. In the event of default of the highest bidder, the County reserves the right to offer the property to the subsequent high bidder(s), or to dispose of the property by any means as may be authorized by the Steuben County Legislature.
24. Any person who fails to complete a purchase may be disqualified from participating in future County tax auctions as a non-responsible bidder as determined by the Commissioner of Finance.
25. Those persons who have allowed the foreclosure of real property for nonpayment of taxes shall be disqualified from participating in County tax auctions for a period of 10 years from the date of such foreclosure proceeding.
26. Pursuant to Section 2.B.2. of the Steuben County Ethics Law and Resolution No. 037-21 of the Steuben County Legislature, County Legislators and employees, including their relatives, siblings, spouses or significant others, of the County Manager, Clerk of the Legislature, Finance Office, Law Department and Real Property Tax Service Agency are prohibited against bidding upon, acquiring or purchasing property offered for sale by the County of Steuben as a result of the tax delinquency of such parcel(s) either directly or through an agent, representative, attorney or other third party. It shall be presumptive proof of a violation of the Ethics Law if any Legislator or employee of the departments listed above shall have acquired any interest in tax delinquent property whatsoever including, but not limited to, the holding of a mortgage, lien or other financial interest, no matter how acquired, either directly or through any third parties within two years of the date upon which such property was sold or conveyed by the County of Steuben.
27. All sales are final, absolute and without recourse.
28. The auctioneer's decision regarding any disputes is final, and the auctioneer reserves the right to reject any bid that is not an appreciable advancement over the previous bid.
29. Should a prospective bidder not have the ability to participate in the online auction format, they are encouraged to contact Moyer Auction & Estate Co., Inc. at (716) 937-7493 as soon as practical. Any such circumstances shall be addressed on a case-by-case basis. Reasonable accommodation shall be made to allow participation in the auction and to facilitate the submission of bids.
30. In the event a sale is cancelled by Court Order, Administrative Order or Executive Order, the purchaser shall be entitled to a return of the purchaser's payment of the purchase price, together with any deposit paid, "deposit" being those sums paid under #19. The purchaser shall not be entitled to any special or consequential damages,

attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.

31. All Buyers agree to accept title according to these terms and conditions. In the event the Successful Bidder nominates a third party to receive title, such nominee will be required to execute an acknowledgment of the said terms of sale prior to receiving title.
32. In the event that any recited term herein or part thereof is determined to be unlawful, then in such event, the remaining terms of sale and unaffected portion(s) thereof shall survive and remain in full force and effect.
33. Auction results and updates will be posted at <https://www.steubencountyny.gov/>.
34. See APPENDIX-A for certain notice and escrow requirements regarding property where discharges of petroleum had occurred in the past resulting in New York State Department of Environmental Conservation (“NYSDEC”) issues.

One (1) certain property offered in this tax sale is a location where discharges of petroleum products had occurred in the past for which the New York State Department of Environmental Conservation (“NYSDEC”) had assigned certain spill numbers to this location and had or continues to perform certain remedial measures at this property. Further, such property is subject to a separate agreement with the NY Environmental Protection and Spill Compensation Fund (“Agreement”). The parcel is:

Tax Map No. 014.00-02-003.000 located at 1998 State Route 63, Wayland, New York 14572. The former owner of the property is Karen B. Dolliver. The DEC Spill No: 1603133 Fund PIN #: 08265. The spill cleanup status is “Closed.”

This Agreement is recorded with the Steuben County Clerk and the Agreement recites the duties of the parties necessary to effect a Release of Liability and Liens. Copies of the Agreement are available from the County Finance Department, on the County’s website (www.steubencountyny.gov) (Tax Auction), as well as the auctioneer’s website (www.steubencountyauction.com).

Under the terms of such Agreement, the successful bidder of the recited parcel will be required to execute a sworn affidavit attesting to the fact that said bidder was not the party responsible for the petroleum discharge under the applicable Navigation law and has never had any relationship, whether business, contractual, familial or agency, with any of the parties deemed responsible, according to applicable principals of statutory or common law, for the discharge of petroleum on or at the sites. The successful bidder must also comply with the terms of the Agreement requiring that the solid waste be removed from the property and lawfully disposed at a solid waste facility. To encourage compliance with this term, the successful bidder will be required to place on deposit with the County a sum of \$12,500.00. Said deposit will be held in escrow by the County until such time as a County representative asserts that the waste from the property has been properly removed to a solid waste facility. Should the solid waste remain on the property twelve months subsequent to the date of the deed granting title to the successful bidder, the deposit will be forfeited to the County.

The recited parcel appears (on July 29, 2024) in the NYSDEC Spill Incidents Database at this “link”:
<https://extapps.dec.ny.gov/cfm/extapps/derexternal/spills/details.cfm>

Facility Information (Source: NYS DEC website)

DEC Region: 8	Spill Number: 1603133
Spill Date: 06/30/2016	Spill Time: 12:00:00 PM
Call Received Date: 06/30/2016	Call Received Time: 12:15:00 PM
Spill Name: DOLLIVER PROPERTY	Address: 1998 ROUTE 63
City: WAYLAND	County: Steuben
Cause: Housekeeping	Source: Commercial/Industrial

Date Spill Closed: 01/13/2020

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either; a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.

Additional information is available on the NYSDEC website by following the “link” above.

Further, any prospective bidders are advised to carefully review all of public records associated with environmental conditions relative to this parcel, including but not limited to the Agreements.

Further, be on notice that Steuben County makes no agreements, promises, covenants, representations, or warranties regarding the information contained in this Paragraph 9 of this Notice or regarding the past, present or future environmental conditions of the Property.

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

DATE APPROVED : 08/26/2024 INTRO. NO. : 24-28
PERM. NO. : 193-24 INTRO. DATE: 08/26/2024
INTRO. BY : K. Fitzpatrick SECONDED BY : J. Horton

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8945 </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> 413 </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.

WHEREAS, the following civil action has been initiated in the Steuben County Supreme Court, State of New York:

PATRICIA HUGHLEY; JACQUELINE PRUDEN;
JOHN COOKE; LIBORIA BUSTAMONTE; MARTIN WARD;
PHILLIP WILLIS; JENNIFER WILLIS; CHRISTOPHER GEROW;
ESTATE OF DAVID L. SHILBERGER, BY DAVID F. SHILBERGER
AS ADMINISTRATOR

Plaintiff(s),

Civil Action No: 24-CV-6129

vs.

COUNTY OF STEUBEN; TAMMY HURD-HARVEY
DIRECTOR OF FINANCE OF STEUBEN COUNTY IN
HER OFFICIAL CAPACITY ONLY;

Defendants.

; and

WHEREAS, the parties having entered into settlement negotiations in the above referenced matter and the parties having agreed to settle the County's portion of this claim, in the amount of Two Hundred Fifteen Thousand Dollars (\$215,000.00) collectively amongst (9 of the 10) referenced parties as refundable surplus from the County's Tax Auction.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the above recited settlement of the above-entitled claim and of the payment of the County's portion thereof in the amount of, Two Hundred Fifteen Thousand Dollars (\$215,000.00) from Tax Auction Escrow Account A-274001, to be paid by Steuben County; and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to David Fitch, Esq., Underberg & Kessler LLP 300 Bausch & Lomb Place, Rochester, NY 14604; Tammy Hurd-Harvey, Commissioner of Finance and Scott Sprague, 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, August 26, 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, October 11, 2024.



