

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

DATE APPROVED : 12/16/2024
PERM. NO. : 272-24

INTRO. NO. : 2-1
INTRO. DATE: 12/16/2024

INTRO. BY : S. VanEtten SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

Finance Y: 5 N: 0 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, the Chair of the Steuben County Legislature, in accordance with the applications filed herewith, is hereby authorized and empowered on behalf of this Legislature to execute the necessary documentation for the disposition of applications for correction of real property taxes levied on the parcels contained in Schedule "A"; and be it further

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

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

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, December 16, 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, December 17, 2024.




SCHEDULE "A"

Resolution No.	Parcel No.	Name	Municipality	Tax Yr(s)	Disposition
A-1	279.00-01-013.000	Edward J. Clark Jr. / NYS	Erwin	2023	Correction of exemption. Cancel 2023 TC tax.

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

DATE APPROVED : 12/16/2024 INTRO. NO. : 3-2
PERM. NO. : 273-24 INTRO. DATE: 12/16/2024

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

VOTE:

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

COMMITTEES:

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

TITLE: RECEIVING AND ACCEPTING THE DECEMBER 16, 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:

November 15, 2024

Young/Sommer LLC – Re: Petition of Prattsburgh Wind, LLC, for a Certificate of Public Convenience and Necessity Pursuant to Public Service Law Section 68 and an Order Granting Lightened Regulation on the Prattsburgh Wind, LLC project (Case No#24-E-0641). In addition, Petitioner is requesting an Order Approving Financing Pursuant to Section 69 of the New York State Public Service Law. *Referred to: AIP Committee; and Marie Meyers Shearing, Planning Director.*

November 18, 2024

NYS Office of Children and Family Services – Re: OCFS Fatality Report #RO-24-009. *Referred to: Kelly Fitzpatrick, Legislature Chair; and Jack Wheeler, County Manager.*

November 25, 2024

NYS Public Service Commission – Re: Order approving final decommissioning plan compliance filing 44 (a) through (e) on the Baron Winds, LLC (Case#15-F-0122) project. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

December 2, 2024

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Baron Winds LLC tax agreement and RP-412-a form for varies properties located in the towns of Fremont, Cohocton, and Dansville. *Referred to: Finance and Administration Committees; Mitchell Alger, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Craig Patrick, Deputy County Attorney.*

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

DATE APPROVED : 12/16/2024 INTRO. NO. : 4-3
PERM. NO. : 274-24 INTRO. DATE: 12/16/2024

INTRO. BY : B. Schu SECONDED BY : G. Swackhamer

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8333</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>1025</u>	REF'D/COM	<u> </u>		

COMMITTEES:

Admin. Y: 4 N: 0 Y: N: Y: N:

TITLE: FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2024, AMENDING LOCAL LAW NO. FIVE FOR THE YEAR 2007, PROVIDING MAXIMUM EXEMPTION ALLOWABLE TO \$18,000, \$12,000 AND \$60,000 FOR SERVICES DURING A DESIGNATED PERIOD OF WAR, SERVICES IN A COMBAT ZONE, AND FOR DISABILITY, RESPECTIVELY.

Pursuant to New York State Real Property Tax Law Section 458-a.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 25, 2024, County of Steuben Local Law Tentatively No. Four for the Year 2024, amending Local Law No. Five for the Year 2007, providing maximum exemption allowable to \$18,000, \$12,000 and \$60,000 for services during a designated period of war, services in a combat zone, and for disability, respectively, and this Legislature by resolution, preliminarily adopted said Local Law on November 25, 2024 making the final adoption of said Local Law subject to a Public Hearing to be held on December 16, 2024; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on December 16, 2024, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben Local Law Tentatively No. Four for the Year 2024, as hereinafter set forth be and the same hereby is finally adopted, to wit:

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

A **LOCAL LAW** amending Local Law No. Five for the Year 2007, providing maximum exemption allowable to \$18,000, \$12,000 and \$60,000 for services during a designated period of war, services in a combat zone, and for disability, respectively.

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

SECTION 1: LEGISLATIVE INTENT

It is the legislative intent of the within Local Law to exercise the option relative to limitations of the exemption of taxation as provided in Real Property Tax Law Section 458-a(2) (d) (ii) so as to permit the maximum exemption allowable in Real Property Tax Law Section 458-a(2), Paragraphs “a”, “b” and “c” to be limited to \$18,000, \$12,000 and \$60,000, respectively.

SECTION 2: ELECTION OF LIMITATIONS REDUCING THE MAXIMUM EXEMPTION

The maximum exemption allowable in Paragraphs “a”, “b” and “c” of subdivision 2 of the Real Property Tax Law Section 458-a be and the same hereby are established at \$18,000, \$12,000 and \$60,000, respectively.

SECTION 3: EFFECTIVE DATE

The within Local Law shall be effective immediately upon passage subject to Real Property Tax Law Section 458-a(4).

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on December 16, 2024, at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Four for the Year 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, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, the Real Property Tax Service Agency Director, and the Veterans' Services Agency.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 5-4
PERM. NO. : 275-24 INTRO. DATE: 12/16/2024

INTRO. BY : B. Schu 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:

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

TITLE: PRESENTING LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2024, AUTHORIZING THE COUNTY OF STEUBEN TO LEASE REAL PROPERTY FOR COUNTY PURPOSES FOR TERMS NOT EXCEEDING 30 YEARS.

Pursuant to Section 215 of the County Law and Sections 10, 20 and 24 of the Municipal Home Rule Law of the State of New York.

WHEREAS, Section 215(3) of the County Law permits counties to lease real property for county purposes for terms not to exceed five (5) years with the privilege of renewal; and

WHEREAS, from time to time it may be to the benefit of the County to enter into lease agreements of real property for terms of more than five (5) years; and

WHEREAS, the five (5) year term restriction may be superseded by the passage of a Local Law subject to permissive referendum; and

WHEREAS, the Administration Committee has recommended County of Steuben Local Law Tentatively No. Five for the Year 2024, authorizing the County of Steuben to Lease Real Property for County Purposes for terms not exceeding thirty (30) years.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Five for the Year 2024, Authorizing the County of Steuben to Lease Real Property for County Purposes for Terms Not Exceeding Thirty (30) Years, as follows:

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

A **LOCAL LAW**, Authorizing the County of Steuben to Lease Real Property for County Purposes for Terms Not Exceeding Thirty (30) Years.

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

SECTION 1. INTENT

The intent of this Local Law is to supersede the provisions of subdivision 3 of Section 215 of the County Law for the purpose of authorizing the County of Steuben to lease real property for County purposes for terms exceeding five (5) years.

SECTION 2. AUTHORITY:

This Local Law is authorized pursuant to Section 215(3) of the County Law and Sections 10, 20, and 24 of the Municipal Home Rule Law.

SECTION 3. COUNTY LAW SUPERSEDED:

Notwithstanding the provisions of subdivision 3 of Section 215 of the County Law, the Legislature of the County of Steuben may lease real property for County purposes for terms not exceeding thirty (30) years with the privilege of renewal.

SECTION 4. SEVERABILITY:

If any part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. EFFECTIVE DATE:

This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on January 27, 2025 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 the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

RESOLVED, the Clerk of the Legislature shall cause 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, have said notice published for one insertion in the two official newspapers of the County, and shall cause 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 to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager 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, December 16, 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, December 17, 2024.





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

DATE APPROVED : 12/16/2024
PERM. NO. : 276-24

INTRO. NO. : 6-5
INTRO. DATE: 12/16/2024

INTRO. BY : S. VanEtten SECONDED BY : P. Van Caeseele

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: APPROVING THE STATEMENT OF TAXES DUE AND DIRECTING DELIVERY OF THE COMPLETED TAX ROLLS WITH ATTACHED WARRANTS.

Pursuant to Sections 900, 902, 904 and 1330 of the Real Property Tax Law and Section 361 of the County Law of the State of New York.

WHEREAS, the County Legislature pursuant to Section 361 of the County Law of the State of New York, is deemed to have passed a budget for Fiscal Year 2025, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2025; and

WHEREAS, the Director of the County Real Property Tax Service Agency has prepared the statement of taxes due January 1, 2025, for all towns and cities showing the respective real property tax levies and tax rates; and

WHEREAS, upon the tax rolls of the several tax districts, the several taxes have been duly extended as provided by Law and said completed tax rolls have been laid before this County Legislature for its approval.

NOW THEREFORE, BE IT

RESOLVED, the said statement of taxes due January 1, 2025, tax rates and tax rolls for the taxes for the year 2025 extended on the several assessment valuations of parcels of land of the several tax districts for the County and Town purposes be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and be it further

RESOLVED, there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Legislature and heretofore laid before the Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several Warrants be signed by the Chairman and Clerk of this Legislature, under the Seal of the Legislature; and that the said rolls with the said Warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts in the County; and be it further

RESOLVED, the Warrant shall designate the amount payable to the Commissioner of Finance and the amount payable to the Supervisor, and shall constitute the authority of such collectors of taxes to collect and receive the several amounts thereof to be paid over to the respective Commissioner of Finance and Supervisor on or before March 31, 2025; and it be further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 7-6
 PERM. NO. : 277-24 INTRO. DATE: 12/16/2024
 INTRO. BY : S. VanEtten SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

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

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

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

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

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

NOW THEREFORE, BE IT

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

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

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

RESOLVED, said authority shall be effective immediately, terminating December 31, 2025; and be it further

RESOLVED, the Commissioner of Finance or Deputy Commissioner of Finance shall provide the Steuben County Finance Committee, at its monthly meeting, a report specifying the corrections, refunds, and credits

processed by the Director and approved by the Commissioner or Deputy Commissioner of Finance pursuant to this resolution during the preceding month; said report shall indicate the name of each recipient, the location of the property, justification for the request, and the amount requested; and be it further

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

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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 9-8
PERM. NO. : 279-24 INTRO. DATE: 12/16/2024
INTRO. BY : F. Potter SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PW Y: 3 N: 0 Y: N: Y: N:

TITLE: ABANDONING AND CONVEYING EXCESS COUNTY HIGHWAY RIGHT-OF-WAY TO THE LANDOWNERS ADJACENT TO THE SMITH HILL ROAD BRIDGE OVER THE COHOCTON RIVER IN COOPERS PLAINS IN THE TOWN OF ERWIN.

WHEREAS, the County has completed construction of the Smith Hill Road Bridge NY project over the Cohocton River in Coopers Plains in the Town of Erwin; and

WHEREAS, the County has excess highway right-of-way adjacent to the bridge that is no longer necessary for use or maintenance by the County; and

WHEREAS, this excess highway right-of-way consists of 0.15 acres of land within Tax Map No. 279.16-01-001.200 as depicted on Map No. 3 of the Smith Hill Road Bridge NY project; and

WHEREAS, the County is desirous of abandoning its interest in this excess highway right-of-way and conveying it to the adjacent landowners, Leslie Harold Force Jr. and Diane Force, including any and all rights the County may have to the land.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby approve of abandoning its interest in said parcel of excess highway right-of-way and conveying it to the adjacent landowners, Leslie Harold Force Jr. and Diane Force; and be it further

RESOLVED, this conveyance shall be recorded in the County Clerk's Office and Real Property Tax Office.

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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 10-9
PERM. NO. : 280-24 INTRO. DATE: 12/16/2024

INTRO. BY : F. Potter / S. VanEtten SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PW Y: 3 N: 0 Finance Y: 5 N: 0 Y: N:

TITLE: AUTHORIZING AN AGREEMENT FOR DESIGN WORK OF THE COUNTY ROAD 15 BRIDGE REHABILITATION OVER THE COHOCTON RIVER (BIN 3333120) BRIDGE NY (5) CAPITAL PROJECT.

WHEREAS, a project for the Bridge Rehabilitation (BIN 3333120) County Road 15 over the Cohocton River, Town of Bath, Steuben County, P.I.N. 6755.85 ("The Project") was selected for funding by New York State under Title 23 U.S. Code, as amended, 23CFR as amended, and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL), that calls for the apportionment of the costs of such program to be borne at the ratio of 95 percent Federal funds and 5 percent non-Federal funds; and

WHEREAS, it is in the best interest of Steuben County to contract with an outside engineering firm for the design work; and

WHEREAS, Fisher Associates has submitted a design work agreement not to exceed \$524,000 that has been approved by Steuben County Public Works for the County Road 15 Bridge Rehabilitation Project over the Cohocton River in the Town of Bath.

NOW THEREFORE, BE IT

RESOLVED, this County Legislature hereby approves the agreement; and be it further

RESOLVED, this County Legislature hereby authorizes the County to initially fund 100 percent of the costs of the design and right of way work for the Project, with the understanding that qualified costs will be eligible for 95 percent reimbursement from Bridge NY funds; and be it further

RESOLVED, the County Manager be and is hereby authorized to execute on behalf of the County this agreement and all reimbursement requests for Bridge NY funding with the NYS Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, certified copies of this resolution shall be filed with the Commissioner of Public Works and Fisher Associates Attn: Brian Haas, P.E., 99 Collier Street, Suite 100, Binghamton, NY 13901.

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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 12-11
PERM. NO. : 282-24 INTRO. DATE: 12/16/2024
INTRO. BY : F. Potter SECONDED BY : J. Tobia

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING A LEASE AGREEMENT WITH CORNING PROPERTY MANAGEMENT CORPORATION.

WHEREAS, Corning Property Management Corporation is the owner of certain premises located in the City of Corning, County of Steuben, State of New York, located at the Baron Steuben Building, One West Market Street, Corning, New York; and

WHEREAS, the District Attorney has official need for use of said space; and

WHEREAS, the District Attorney desires to lease from Corning Property Management Corporation, and Corning Property Management Corporation desires to lease to the District Attorney.

NOW THEREFORE, BE IT

RESOLVED, the District Attorney is hereby authorized to enter into an agreement with Corning Property Management Corporation subject to the following terms and conditions:

1. TERM - This Lease term shall be for two (2) years, beginning October 1, 2024, and ending September 30, 2026.
2. RENT - \$1.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the District Attorney and Colleen M. Caravati-Birdwell, Director, Global Real Estate and Workplace Strategy, One Riverfront Plaza, MP-HQ, Corning, NY 14831.

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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 14-13
PERM. NO. : 284-24 INTRO. DATE: 12/16/2024
INTRO. BY : S. VanEtten SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE APPROPRIATION OF REMAINING AMERICAN RESCUE PLAN ACT (ARPA) PROJECT BALANCES TO THE BROADBAND PROJECT.

WHEREAS, several American Rescue Plan Act (ARPA) projects have remaining balances available to offset the \$1,749,556 local share of the “Broadband in Steuben County for the Unserved” (Broadband) project originally detailed in Resolution #30-23; and

WHEREAS, the ARPA projects with remaining balances are either fully completed or are nearing completion; and

WHEREAS, the remaining ARPA project balances need to be transferred / “re-obligated” prior to December 31, 2024 to help further offset the Broadband project’s local share; and

WHEREAS, the ARPA projects with remaining balances are detailed below:

- Information Technology Infrastructure (MOBIT&COM) - \$84,716.70
- Jail Chiller (JAILCHILLR) - \$44,697.77
- Civil Defense Renovations / E. Steuben Parking (CIVD-PRKLT) - \$8,567.87
- Highway Shop Construction (HWSHOPCONS) - \$162,000 (*Estimate); and

*There are a few open purchase orders and there may be additional expenses to close-out the Highway Shop Projects.

WHEREAS, Local Assistance and Tribal Consistency Fund (LATCF) funds (\$100,000) as well as Interest Earnings on ARPA funds are also available to further offset the County’s local share of the Broadband project; and

WHEREAS, the \$1,749,556 local share was initially authorized from the County’s unrestricted general fund balance; and

WHEREAS, the ARPA project balances and LATCF funds shall be applied first and interest earnings shall be subsequently applied to further reduce the County’s local share.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to make the requisite accounting entries to appropriate the remaining ARPA project balances described above to the ARPA Broadband project; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate all (\$100,000) of the Local Assistance and Tribal Consistency Fund (LATCF) funds to further offset the County’s local share of the Broadband project; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate all existing and future ARPA-related interest earnings to the ARPA Broadband project; and be it further

RESOLVED, the appropriations described herein shall not increase the initial budgeted cost for the Broadband project (\$8,000,000); and be it further

RESOLVED, should there be ARPA interest earnings above and beyond the County’s local share, the Commissioner of Finance is hereby authorized and directed to return such interest earnings to the County’s General Fund, unless otherwise authorized and directed, and be it further

RESOLVED, a certified copy of this resolution shall be forwarded 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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 15-14
PERM. NO. : 285-24 INTRO. DATE: 12/16/2024

INTRO. BY : C. Ferratella / S. VanEtten SECONDED BY : J. Tobia

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 4 N: 0 Finance Y: 5 N: 0 Y: N:

TITLE: AUTHORIZING THE APPROPRIATION OF OPIOID SETTLEMENT FUNDS TO PROACTION FOR CASE MANAGEMENT SERVICES AT THE BRIDGES TO HOPE CENTER.

WHEREAS, Steuben County has received Opioid Settlement Funds, which are to be used for opioid treatment and prevention efforts; and

WHEREAS, ProAction has requested \$107,311.86 to employ a case manager for 2025 at the Bridges to Hope Center; and

WHEREAS, the Department of Community Services is requesting authorization to utilize \$107,311.86 of these funds to support ProAction in supporting case management services at the Bridges to Hope Center for prevention, harm-reduction, and outreach/engagement efforts; and

WHEREAS, the Human Services Health & Education Committee and Finance Committee have approved such request.

NOW THEREFORE, BE IT

RESOLVED, the Director of Community Services is authorized to enter into an agreement to fund the above-mentioned agency on behalf of the Steuben County Legislature; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate \$107,311.86 from the Opioid Settlement Fund as follows:

Expenditure account: 423020 543369 \$107,311.86

Revenue account: 423020 434906 \$107,311.86

AND IT BE FURTHER RESOLVED, certified copies of this resolution shall be sent to the Director 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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 16-15
PERM. NO. : 286-24 INTRO. DATE: 12/16/2024

INTRO. BY : F. Potter / S. VanEtten SECONDED BY : G. Swackhamer

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PW Y: 3 N: 0 Finance Y: 4 N: 0 Y: N:

TITLE: AUTHORIZING A TRANSFER FROM LEACHATE TREATMENT PLANT CAPITAL PROJECT TO THE LANDFILL MAJOR EQUIPMENT ACCOUNT.

WHEREAS, the Solid Waste Division needs to replace an articulated off-road dump truck that was involved in an incident at the Bath Landfill; and

WHEREAS, the proceeds from the insurance company does not cover the replacement cost for a new articulated off-road dump truck; and

WHEREAS, it is necessary to transfer \$150,000 from the Leachate Treatment Plant Capital Project to the Landfill Major Equipment Account; and

WHEREAS, the Public Works Committee and Finance Committee have authorized the purchase of said truck and the transfer of funds from Leachate Treatment Plant Capital Project.

NOW THEREFORE, BE IT

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

- Decrease LEACHTR.LTPFRCMAIN by \$150,000
- Increase 816001.6290 Major Equipment by \$150,000

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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 18-17
PERM. NO. : 288-24 INTRO. DATE: 12/16/2024
INTRO. BY : F. Potter / S. Van Etten SECONDED BY : W. Thew

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH COUNTY MUNICIPALITIES FOR THE IMPLEMENTATION OF A COUNTYWIDE RECORDS MANAGEMENT SYSTEM.

WHEREAS, the Sheriff received authorization to accept \$601,102 in grant funds from the Division of Criminal Justice Services for a countywide records management system for policing in Steuben County; and

WHEREAS, the grant funding will provide local law enforcement agencies with the equipment and software for the records management system; and

WHEREAS, to facilitate this project, the Sheriff is requesting authorization to enter into intermunicipal agreements with county municipalities for the implementation of a countywide records management system, specifically, Tyler Technologies Software; and

WHEREAS, there is sufficient funding from the grant for the County to cover the annual costs of participating municipalities for two (2) years; and

WHEREAS, such agreements with county municipalities would prove beneficial to all law enforcement agencies and allow shared access to all agency records.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby authorizes the Steuben County Sheriff to enter into intermunicipal agreements with local law enforcement agencies for a countywide law enforcement records management system, said agreements to be renewed every five (5) years, subject to the approval of the County Attorney; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, December 16, 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, December 17, 2024.





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

DATE APPROVED : 12/16/2024 INTRO. NO. : 19-18
PERM. NO. : 289-24 INTRO. DATE: 12/16/2024
INTRO. BY : F. Potter / B. Schu SECONDED BY : J. Tobia

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

PS&C Y: 5 N: 0 Admin. Y: 4 N: 0 Y: N:

TITLE: RECLASSIFYING ONE CASE MANAGER POSITION TO SENIOR CASE MANAGER WITHIN THE PUBLIC DEFENDER'S OFFICE.

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

WHEREAS, there is a need to reclassify one Case Manager position within the Public Defender's Office to Senior Case Manager; and

WHEREAS, the Public Safety and Corrections and Administration Committees have approved reclassification of said position.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Public Defender's Office is reclassified as follows:

One Full-Time Case Manager, CSEA Grade L (\$47,890- \$70,839), to
One Full-Time Senior Case Manager, CSEA Grade M (\$50,284 – \$74,381); and it be further

RESOLVED, the 2024 County Job classification and schedule is hereby amended to reflect the above-stated changes; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, the Public Defender 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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024
PERM. NO. : 290-24

INTRO. NO. : 20-19
INTRO. DATE: 12/16/2024

INTRO. BY : F. Potter / Schu SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

 PS&C Y: 5 N: 0 Admin. Y: 4 N: 0 Y: N:

TITLE: RECLASSIFYING ONE FULL-TIME ASSISTANT DISTRICT ATTORNEY TRAINEE POSITION TO ONE FULL-TIME ASSISTANT DISTRICT ATTORNEY POSITION WITHIN THE DISTRICT ATTORNEY'S OFFICE.

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

WHEREAS, there is a need to reclassify one Full-Time Assistant District Attorney Trainee position within the District Attorney's Office to one Full-Time Assistant District Attorney position; and

WHEREAS, the Public Safety and Corrections and Administration Committees have approved reclassification of this position.

NOW THEREFORE, BE IT

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

One Full-Time Assistant District Attorney Trainee, Management Grade I (\$69,037-\$107,960), to One Full-Time Assistant District Attorney, Management Grade J (\$75,941-\$118,771); and be it further

RESOLVED, the 2024 Management Salary Plan 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 Personnel Officer, the District Attorney 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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024
 PERM. NO. : 291-24

INTRO. NO. : 21-20
 INTRO. DATE: 12/16/2024

INTRO. BY : F. Potter / B. Schu SECONDED BY : J. Tobia

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

 PS&C Y: 5 N: 0 Admin. Y: 4 N: 0 Y: N:

TITLE: CREATING ONE PERMANENT PART-TIME ASSISTANT DISTRICT ATTORNEY POSITION WITHIN THE DISTRICT ATTORNEY’S OFFICE.

WHEREAS, the District Attorney’s Office is in need of one Permanent Part-Time Assistant District Attorney in the Office of the District Attorney to meet the needs of the department; and

WHEREAS, Rule 16 C (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.

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>District Attorney</u>			
Part-time Asst. District Attorney	1	J	\$37,971-\$59,386 (MGMT)

AND BE IT FURTHER RESOLVED, the 2024 Management Salary Plan is hereby amended to reflect the above-stated change; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney, 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, December 16, 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, December 17, 2024.




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

DATE APPROVED : 12/16/2024 INTRO. NO. : 22-21
 PERM. NO. : 292-24 INTRO. DATE: 12/16/2024
 INTRO. BY : F. Potter / B. Schu SECONDED BY : R. Nichols

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8333 </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> 1025 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: CREATING ONE PERMANENT PART-TIME INVESTIGATOR IN THE OFFICE OF THE DISTRICT ATTORNEY POSITION.

WHEREAS, the District Attorney’s Office is in need of one (1) Part-Time Investigator position 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.

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>District Attorney</u> Part-Time Investigator in the Office of the District Attorney	1	H	\$62,769 - \$98,151 (MGMT)

AND BE IT FURTHER RESOLVED, the 2024 Management Salary Plan is hereby amended to reflect the above-stated change; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the District Attorney, 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, December 16, 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, December 17, 2024.




**FREEDOM OF INFORMATION LAW
RULES AND REGULATIONS
COUNTY OF STEUBEN**

1) DESIGNATIONS.

- a) Records Access Officer. There shall be two (2) Records Access Officers for the County of Steuben. The Clerk of the Legislature or a person designated by the Clerk, shall be in charge of all those records of the municipality, except for the records of the Steuben County Department of Social Services. The Commissioner of the Steuben County Department of Social Services or a person designated by the Commissioner shall be in charge of all of the records of the Steuben County Department of Social Services. In addition thereto, the Clerk is authorized to designate and appoint an individual in each of the Office of Sheriff and the Community Mental Health Center who shall, subject to the Clerk's supervision, assist in processing requests pursuant to the Freedom of Information Law.¹
- b) Record shall be defined as any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including but not limited to reports, statements examination, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes.

~~e) The Fiscal Officer shall be the Commissioner of Finance of the County of Steuben.~~

2) LOCATION.

Requests to inspect or secure copies of records must be made in writing at-to the office of the Clerk of the Legislature of the County of Steuben, 3 E. Pulteney Square, Bath, New York for all records under the Clerk's charge or in writing at-to the office of the Commissioner of the Steuben County Department of Social Services, Bath, New York, for all records under the Commissioner's charge.

The Records Access Officer will determine and advise the requester within five (5) business days of the request either a) the time and place where the requested records are available for inspection/receipt, or b) that the request has been denied, in writing, or c) that the request has been received and a statement of the approximate date when the request will be granted or denied.

The records shall be made available at the office of the Records Access Officer unless indicated otherwise to the requester.

3) DUTIES.

The Records Access Officer is responsible for assuring the agency personnel:

~~a) Maintain an up to date subject matter list;~~

~~b)a)~~ Assist the requester in identifying requested records, if necessary;

~~e)b)~~ Upon locating the records, take one of the following actions:

- i. Make records available for inspection/receipt; or
- ii. Deny access to the records in whole or in part and explain in writing the reasons therefore.

~~e)c)~~ Upon request for copies of records:

- i. Make a copy available upon proper payment of any required fees; or
- ii. ~~Permit the requester to copy those records.~~ Provide the records electronically.

~~e)d~~ Upon request, certify that a record is a true copy;

~~e)e~~ Upon failure to locate records, certify that:

- i. The Agency is not the custodian for such records, or
- ii. The records of which the agency is a custodian cannot be found after diligent search.

4) TIME.

Records available for inspection by the public may be inspected or copied if a request is granted on all days excluding Saturdays, Sundays, Public Holidays and any other day on which the County of Steuben Offices are closed for general business, between the hours of ~~8:30~~9:00 a.m. and ~~5~~4:00 p.m. ~~with the exception of the months of July and August when said hours shall be between 8:30 a.m. and 4:00 p.m.~~

5) RECORDS AVAILABLE.

ALL records of the County of Steuben shall be available for public inspection and copying except that the County of Steuben may deny access to records or portions thereof that:

- a) Are specifically exempted from disclosure by State or Federal statute;
- b) If disclosed would constitute an unwarranted invasion of personal privacy under the provisions of Section 89 subdivision 2 of the Public Officers Law of the State of New York;
- c) If disclosed would impair present or imminent contract awards or collective bargaining negotiations;
- d) Are trade secrets or are maintained for the regulation of commercial enterprise which if disclosed would cause substantial injury to the competitive position of the subject enterprise;
- e) Are compiled for law enforcement purposes and which, if disclosed, would:
 - ~~a)i.~~ i. Interfere with law enforcement investigations or judicial proceedings;
 - ~~b)ii.~~ ii. Deprive a person of a right to a fair trial or impartial adjudication;
 - ~~c)iii.~~ iii. Identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - ~~d)iv.~~ iv. Reveal criminal investigative techniques or procedures, except routine techniques and procedures;
- f) If disclosed would endanger the life or safety of any person;
- g) Are inter-agency or intra-agency materials which are not:
 - i. Statistical or factual tabulations or data;
 - ii. Instructions to staff that affect the public; or
 - iii. Final agency policy or determinations; or
 - ~~iii.~~iv. External audits, including but not limited to audits performed by the comptroller and the federal government;
- h) Are examination questions or answers which are requested prior to the final administration of such questions.
- i) If disclosed, would jeopardize an agency's capacity to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures; or

j) [Expires and deemed repealed Dec. 1, 2029] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-b of the vehicle and traffic law.

k) [Expires and deemed repealed July 1, 2028] are photographs, microphotographs, videotape or other recorded images produced by a bus lane photo device prepared under authority of section eleven hundred eleven-c of the vehicle and traffic law.

l) [As added by L.2019, c. 59, pt. ZZZ, subpt. A, § 7. See, also, par. (p) below.] are data or images produced by an electronic toll collection system under authority of article forty-four-C of the vehicle and traffic law and in title three of article three of the public authorities law.

~~h)~~

~~a)~~

m) [Expires and deemed repealed Oct. 6, 2026. See, also, pars. (r) below.] are photographs, microphotographs, videotape or other recorded images prepared under the authority of section eleven hundred eighty-e of the vehicle and traffic law.

n) [Expires and deemed repealed Dec. 1, 2026. See, also, pars. (r) above and below.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-f of the vehicle and traffic law.

o) [Expires and deemed repealed Dec. 1, 2025. See, also, pars. (r) above.] are photographs, microphotographs, videotape or other recorded images or information and data prepared under authority of section three hundred eighty-five-a of the vehicle and traffic law.

p) [Expires and deemed repealed July 1, 2028. See, also, pars. (s) below.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-c-one of the vehicle and traffic law.

q) [Expires and deemed repealed Oct. 28, 2028. See, also, pars. (s) above and below.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eleven-g of the vehicle and traffic law.

r) [Expires and deemed repealed Dec. 31, 2028. See, also, pars. (s) above.] are photographs, microphotographs, videotape or other recorded images prepared under authority of section eleven hundred eighty-f of the vehicle and traffic law.

6) PROCEDURE FOR OBTAINING ACCESS TO RECORDS.

a) Requests to inspect or secure copies of records ~~other than a payroll record~~, shall be submitted in writing to the Records Access Officer either on a form prescribed by the Clerk of the Legislature, ~~copies of which are available in the office of the Records Access Officer, or via email to FOIL@steubencountyny.gov.~~ Said form shall be posted on the Steuben County Website.

~~b) The Fiscal Officer shall be the custodian of the payroll records and shall maintain a record setting forth the name, public office address, title and salary of every officer or employee of the County of Steuben.~~

~~e)~~b) The Records Access Officer will determine and advise the requester whether the records specified in the request are available for inspection and copying.

~~e)~~c) With respect to records which are determined to be available, the Records Access Officer will make the records available for inspection or copying either at the Records Access Officer's office or at some

other convenient place. Where paper copies are requested, the Records Access Officer will make the necessary arrangements for the preparation and certification, if requested, upon tender of the required fee.

~~e)~~d) The Records Access Officer shall reply to the request within five business days, in writing, in all cases. If the Records Access Officer does not provide or deny access to the record sought within five (5) business days of the receipt of a request, the Records ~~a~~Access Officer shall furnish a written acknowledgement of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ~~ten-twenty~~ (120) business days after the date of the acknowledgement of the receipt of a request, the request may be construed as a denial of access that may be appealed.

~~f)~~e) With respect to records which are determined not to be available, the Records Access Officer will ~~note~~ state the reason for unavailability in writing and provide on the request form, date the form and return one copy of the form with additional notice to the requester that the decision may be appealed within thirty (30) days to the Chairman of the Legislature, 3 E. Pulteney Square, Bath, New York 14810.

~~f)~~f) Requests by mail for copies of available records may be addressed to the Records Access Officer and will be honored, upon payment of the required fee, provided the requester and the record of which a copy is requested are sufficiently identified to make compliance practicable.

7) NOTIFICATION TO EMPLOYEES REGARDING THE DISCLOSURE OF DISCIPLINARY RECORDS.

~~b)~~a) The Records Access Officer shall make reasonable efforts to notify an employee, both former and current, when ~~a FOIL request is received seeking access to the disciplinary records of that individual have been released through a FOIL request.~~

~~e)~~b) Notification shall be sent by postal service to the employee's last known home address on file and include a description of the records requested, the identity of the requestor, if known, and the date of disclosure.

8) APPEALS.

~~i)~~a) Appeals shall be directed to the Chair~~man~~ of the Legislature in writing.

~~j)~~b) All appeals shall be delivered to the Records Access Officer within thirty (30) days after the denial from which such appeal is taken.

~~k)~~c) Appeals will be determined by the Chair~~man~~ of the Legislature or his/her authorized representative, but in no case by the Records Access Officer.

~~l)~~d) The Chair~~man~~ of the Legislature shall cause to be sent copies of all appeals upon the receipt of an appeal to:

Committee on Open Government
NYS Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
Albany, NY 12231

~~m)~~e) The Chair~~man~~ of the Legislature shall inform the appellant and the Committee on Open Government of its determination in writing within ~~seven-ten~~ (710) business days of receipt of an appeal.

~~h)f)~~ A final denial of access to a requested record, as provided for in subdivision (e) of this section shall be subject to court review as provided for in Article ~~73-78~~ of the Civil Practice Law and Rules.

9) FEES.

~~e)a)~~ There shall be no fee charged for the following:

- i. Inspection of records;
- ii. Search for records; or
- iii. Any certification pursuant to these rules.

~~f)b)~~ There shall be a fee for copies of available records as follows:

- ~~i-i.~~ Pages not larger than nine (9) inches by fourteen (14) inches in any size, twenty-five cents (25¢) per page.
- ii. The fees for other types of copies, records, or transcripts, the actual cost reproduction, ~~which shall include the actual cost of clerical help, if necessary.~~

c) In the case where an identical record has been prepared for a previous request within the past 6 months and an electronic copy is available, an agency shall not charge a fee for the reproduction of such record, except for the actual cost of a storage device or media if one is provided to the requester in complying with such request.

d) In determining the actual cost of reproducing a record, an agency may include only:

- i. an amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare a copy of the requested record;
- ii. the actual cost of the storage devices or media provided to the person making the request in complying with such request;
- iii. the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy; and
- ~~i-iv.~~ preparing a copy shall not include search time or administrative costs, and no fee shall be charged unless at least two hours of agency employee time is needed to prepare a copy of the record requested. A person requesting a record shall be informed of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time is needed, or if an outside professional service would be retained to prepare a copy of the record.

10) SUBJECT MATTER LIST.

The Records Retention and Disposition Schedule LGS-1³, as prepared by the New York State Education Department, shall be the official Subject Matter List of the County of Steuben and all departments and agencies thereof.²

11) PUBLIC NOTICE.

The Clerk of the Legislature shall cause copies of this regulation to be posted on the ~~bulletin boards of each county courthouse in the~~ County website, ~~and release the same to the official newspapers of the County so that the public is informed how to request access to public county records.~~ County Department Heads shall also cause this regulation to be posted in an obvious spot within each department.

12) EFFECTIVE DATE.

This regulation shall take effect immediately upon its adoption.

Employees' Association bargaining unit as to the terms and conditions of employment for the years 2025, 2026, 2027 and 2028; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, County Attorney, Personnel Officer, Clerk of the Legislature, Commissioner of Finance and to the President of the Steuben County Local #1000 of the Civil Service Employees' Association, Inc.

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, December 16, 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, December 17, 2024.

A handwritten signature in cursive script, reading "Brenda K. Stochmer", is written over a horizontal line. The signature is positioned to the left of the official seal.



Pulaski Inc. thereby releasing and resolving all claims brought by the County against said Defendants in its' Complaint of February 2, 2018; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Napoli Shkolnik PLLC, 360 Lexington Ave-11th Floor, New York , New York 10017; County Attorney, County Manager and Commissioner of Finance.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

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