

REGULAR MEETING
Morning Session
Monday, August 25, 2025
Legislative Chambers

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers in Bath, NY on the 25th day of August 2025, at 10:00 a.m. and was called to order by the Chair of the Legislature, Kelly H. Fitzpatrick.

Roll Call and all members present except Legislator Nichols.

Mr. Thew provided the Invocation and Mr. Potter led the Pledge of Allegiance.

Chair Fitzpatrick asked Nicholas Snyder to come forward. Mr. Snyder is an employee in the 911 Department. She presented him with a Certificate of Appreciation and a pin in recognition of his 20 years of service to Steuben County.

Chair Fitzpatrick asked Carime Ames to come forward. Ms. Ames is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

The Deputy Clerk of the Legislature read the names of the following individuals who were unable to attend and receive their recognition:

Todd Vonhagn, Office of Community Services – 20 years
Daniel Guerin, Public Works – 20 years
Kathryn Russell, Office for the Aging – 20 years
Lorrie Gardner, Sheriff's Office – 25 years
Leon Woodworth, Sheriff's Office – 25 years
Jessica Yarka, Sheriff's Office – 15 years
Robert Shepherd, Jr., Sheriff's Office – 10 years
Sue Cleland, Deputy County Clerk – Retiring with 20 years

Chair Fitzpatrick opened the floor for comments by members of the public. There being none, she declared the opportunity for public comment closed.

Laura Rossman, Executive Director, ProAction of Steuben and Yates, Inc. stated thank you for your 60 years of partnership. ProAction was formed in 1965 as a private not-for-profit 501C-3 corporation. Ms. Rossman provided a handout outlining the services and programs they provide. The handout also included the 2024 impact report and major outcomes. In 2024 they served 13,370 individuals from 72 programs and at 9 different locations. We partner with over 190 not-for-profit and for-profit businesses. In terms of economic impact, we employ 530 staff and have a payroll of about \$9 million. We distributed \$1.3 million worth of WIC coupons and also paid \$7.6 million to childcare providers. Our not-for-profit agency brings approximately \$18 million of economic impact to Steuben County. She commented that Legislator Lando has been a long-term, active and caring member. Additionally, Kathy Muller and Eric Rose also serve on our Board. We are looking forward to another 60 years of helping the community. We truly appreciate our partnership with the County.

Mrs. Lando commented it is so important to keep the funding for this agency. Nothing is more important than food and housing.

Ms. Fitzpatrick presented the following Proclamation to Laura Rossman:

COMMEMORATING THE 60TH ANNIVERSARY OF PROACTION OF STEUBEN AND YATES, INC.

WHEREAS, Pro Action has made essential contributions across Steuben and Yates County for 60 years, inspiring a spirit of hope, creating opportunities for millions of people to be a part of the American Dream, and improving communities; and

WHEREAS, Pro Action is a robust local force connecting people to life-changing services and creating pathways to prosperity; and

WHEREAS, Pro Action builds and promotes economic stability as an essential aspect of enabling and enhancing stronger, more resilient, communities and stable homes; and

WHEREAS, Pro Action strategies and innovative solutions evolve as the needs of individuals, families, and communities change; and

WHEREAS, Pro Action is experienced in advancing opportunities by coordinating federal, state, local and private resources to achieve results for the people in both Steuben and Yates County; and

WHEREAS, Pro Action insists on community participation and involvement ensuring that all sectors of the community have a voice and will be heard; and

WHEREAS, Pro Action of Steuben and Yates, Inc. is recognizing 60 years of innovation, impact, and providing proven results for the people in our communities.

NOW, THEREFORE, I, KELLY FITZPATRICK, CHAIR OF THE STEUBEN COUNTY LEGISLATURE, on behalf of the members of this Legislature, do hereby proclaim September 14th, 2025 as the 60th anniversary of Pro Action of Steuben and Yates, Inc., and recognize the 60 years of dedication and results achieved by Pro Action of Steuben and Yates, Inc. and encourage all citizens of Steuben County to recognize them for their commitment and accomplishments.

Chair Fitzpatrick asked Wendy Kimmey to come forward. Ms. Kimmey is an employee in the Department of Social Services. She presented her with a Certificate of Appreciation and a clock in recognition of her retirement with 34 years of service to Steuben County.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proof of Publication and Proof of Posting for the Public Hearing relative to the current Community Development Block Grant (CDBG) Project: Woodlands Community, Inc., in the amount of \$998,796. Chair Fitzpatrick opened the floor to comments by members of the public. There being none, she declared the Public Hearing closed.

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

Mr. Marshall stated they have done a press release to make everyone aware that August is National Emergency Preparedness Month. This also brings awareness of emergency management programs. It is also a time for us to honor our emergency management office and staff that do the work that is very important in our communities.

RESOLUTION NO. 149-25

Introduced by K. Fitzpatrick.

Seconded by H. Lando

RECEIVING AND ACCEPTING THE AUGUST 25, 2025, COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY'S 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 18, 2025

Steuben County Conference and Visitors Bureau – Re: 2026 Budget request in the amount of \$945,000. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

July 21, 2025

NYS Department of Public Service – Re: Notification of the approved minor change (28) to the Baron Winds LLC (Case#15-F-0122) project. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

Cullen and Dykman LLP– Re: Case 25-T-0246 Application of New York State Electric Gas Corporation for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Steuben-Chemung Area Transmission Enhancement Project. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

July 25, 2025

NYS Department of Agriculture and Markets – Re: Final notice of intent to undertake an action within an agricultural district, Delaware River Solar, State Route 415 Solar Project in the Town of Avoca, Steuben County Agricultural District No#3. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

Elisabeth Witt – Re: Letter of appreciation for all the assistance provided from the recent June flooding. *Referred to: Public Works Committee; and Eric Rose, Commissioner of Public Works.*

The ARTS Council of the Southern Finger Lakes – Re: 2026 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 28, 2025

Steuben County Soil and Water Conservation District - 2026 Budget request in the amount of \$278,676. *Referred to: A.I.P. Committee; Finance Committee; Jack Wheeler, County Manager; and Marie Myers Shearing, Planning Director.*

July 29, 2025

Finger Lakes Tourism Alliance – Re: 2026 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.*

August 4, 2025

Finger Lakes Wine Country – Re: 2026 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.*

Harris Beach Murtha, Attorneys at Law – Re: Second amendment to the lease agreement for property located at 27 Main Street, in the City of Hornell, N.Y. between the City of Hornell Industrial Development Agency and Amexstra, Inc. *Referred to: Finance and Administration Committees; Mitchell Alger, Commissioner of Finance; Larry Roach, RPTSA Director; and Timothy Rosell, County Attorney.*

August 6, 2025

NYS Department of Public Service – Re: Notification of the approved minor change (31) to the Baron Winds LLC (Case#15-F-0122) project. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

Vote: Acclamation – Adopted.

RESOLUTION NO. 150-25

Introduced by B. Schu.

Seconded by W. Thew.

EXTENDING THE INCREASE OF THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

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

Section 1. The first sentence of section two of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1972, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992, and ending November 30, 2027, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivision (g) of section three of Resolution 321 as enacted in 1967, as amended, is amended to read as follows:

(g) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2027, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in said subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction, which may not be subject to the additional tax, imposed effective on that date.

Section 3. Section four of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

SECTION 4. Impositions of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred

and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2027, the tax shall be at the rate of four percent, and on and after December 1, 2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

Section 4. Subdivision (k) of section six of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by Sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2027.

Section 5. Paragraph (B) of Subdivision one of section eleven of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2027, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

Section 6. Subdivision (d) of section fourteen of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(d) Notwithstanding any provision of law or this resolution to the contrary, of the net collections received from the additional one percent rate of sales and compensating use taxes imposed, respectively, by sections two and four of this resolution during the period beginning December 1, 2025 and ending November 30, 2027, the County shall annually pay or cause to be paid to the City of Hornell the sum of nine hundred thousand dollars (\$900,000.00), to the City of Corning the sum of nine hundred thousand dollars (\$900,000.00), and the sum of nine hundred thousand dollars (\$900,000.00) to the towns and villages of the County, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area. The remainder of the net collections received from such additional one percent rate of sales and compensating use taxes imposed during such period shall be set aside for County purposes and shall be available for any County purpose.

Section 7. This resolution shall take effect December 1, 2025.

Section 8. Certified copies of this resolution shall be forwarded to Office of Counsel, New York State Department of Taxation and Finance, W. A. Harriman Campus, Building 9, Room 228, Albany, NY 12227; NYS Department of State, Attn: State Records and Law Bureau, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001; Office of the State Comptroller, Attn: Legal Services, 110 State St., Albany, NY 12236; Judith M. Hunter, County Clerk; Jack K. Wheeler, County Manager; Mitch Alger, Commissioner of Finance; and Timothy Rosell, County Attorney.

Mr. Thew asked what is the background on this? Mr. Wheeler stated 3 percent sales tax is authorized by State Law. Most, if not all, counties have the additional 1 percent sales tax and are required to request authorization for the additional 1 percent. Now that we have the bill numbers, this is the third and final step in requesting extending that authorization. This is not an additional tax; it keeps us at the same local share of 4 percent. Mr. Van Etten asked has this ever been denied? Mr. Wheeler stated he has heard of it being denied for counties that have requested a new incremental increase, but those eventually do get signed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 151-25

Introduced by C. Ferratella and S. Van Etten.

Seconded by J. Tobia.

AUTHORIZING A CONTINGENCY FUND TRANSFER TO THE 2025 EDUCATION-SPECIAL CHILDREN BUDGET.

WHEREAS, Steuben County is required to pay for state mandated Special Children’s Services Pre-School Programs for eligible children ages 3-5 living in Steuben County per New York State Consolidated Laws Article 89 - New York State Education Law sections 4401 through 4410-C relating to the requirements and procedures for the education of students with disabilities; and

WHEREAS, Pre-School Programs are provided through Center Based sites which bill Steuben County for Tuition and Services, and Transportation costs; and

WHEREAS, Center Based Tuition and Services rates are established by the State Education Department Rate Setting Unit; and

WHEREAS, Pre-School transportation rates are established through a competitive bid; and

WHEREAS, the startup of a new Pre-School Center Based site, Keuka Lake School – Bath VEW location, creates additional and unanticipated expenses to the 2025 Steuben County Pre-School Program budget.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer \$147,656 from the Contingency Fund (198900-549800) and appropriate \$234,804 to Public Health Special Children’s Services Pre-School Tuition and Services (296000-541102) and \$52,560 to Special Children’s Services Pre-School Transportation (296000-544100) and \$139,708 to Special Children’s Services Pre-School Ed-Handicapped Children (296000-432770); and be it further

RESOLVED, certified copies of this resolution shall be sent to the Interim Public Health Director, County Manager and the Commissioner of Finance.

Vote: Roll Call – Adopted.

RESOLUTION NO. 152-25

Introduced by B. Schu and S. Van Etten.

Seconded by F. Potter.

AUTHORIZING A CONTINGENCY FUND TRANSFER TO THE JUDGMENTS AND CLAIMS LINE ITEM.

WHEREAS, the Risk Manger’s Office is in need of additional funding in the Judgments & Claims line item; and

WHEREAS, the Administration Committee and Finance Committee have recommended a transfer of \$175,000 from the contingency fund.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer \$175,000 from the Contingency Fund (198900-549800) to Risk Manager-Judgments & Claims (193000-541400); and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 153-25

Introduced by C. Ferratella and S. Van Etten.

Seconded by W. Thew.

AUTHORIZING A CONTINGENCY FUND TRANSFER FOR A LEASE AGREEMENT WITH TRI-COUNTY YMCA OF NEW YORK.

WHEREAS, Steuben County wishes to enter into a ten-year lease agreement with Tri-County YMCA of New York, through its Hornell YMCA branch, for space to house a Senior Center; and

WHEREAS, proposed lease terms include an allocation of \$120,000 from the County to Tri-County YMCA of New York for initial construction and capital improvements; and

WHEREAS, a transfer from the Contingency Fund in the amount of \$120,000 is necessary to provide the capital allocation; and

WHEREAS, the Human Services, Health, and Education Committee and Finance Committee have recommended the allocation of \$120,000 to Tri-County YMCA of New York for initial construction and capital improvements.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to make a contingency fund transfer as follows:

From	Contingency Fund	\$120,000
To	677300.549800 Other Expenses	\$120,000

and be it further;

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, the County Auditor, the Director of the Office for the Aging, and the County Manager.

Mr. Swackhamer asked for an explanation. Mr. Wheeler stated we are partnering with the Hornell YMCA. The YMCA accepted a donation of the building across from their campus and will be renovating to two-thirds into a childcare center and one-third will be a senior center. They have offered us a ten-year lease agreement to use that space. If we provide \$120,000 up front to help defray the capital cost, they will reduce our monthly rent for the next ten years. The project is currently out for bid. This space will be used as a congregate meal site and will help support the

home-delivered meals program in that area. Mr. Van Etten commented if within ten years we exist the lease, they will prorate the \$120,000 back to us. Mr. Swackhamer stated it is great that we can help the community, and it is a great investment.

**Vote: Roll Call – Adopted. Yes: 8,167; No – 0; Abstained – 643; Absent – 560
(Abstained – Legislator Schu due to a conflict; Absent – Legislator Nichols)**

RESOLUTION NO. 154-25

Introduced by C. Ferratella.

Seconded by W. Thew.

AUTHORIZING A LEASE AGREEMENT WITH TRI-COUNTY YMCA OF NEW YORK.

WHEREAS, the County wishes to enter into a ten-year lease agreement with the Tri-County YMCA of New York, through its Hornell YMCA branch, for space to house a Senior Center; and

WHEREAS, proposed lease terms include an allocation of \$120,000 from the County to Tri-County YMCA of New York for initial construction and capital improvements, and \$1,500 monthly rent for the first year of the ten-year term, with the monthly rent increasing each subsequent year by 2.5% annually; and

WHEREAS, the Human Services, Health, and Education and Finance Committees of the Legislature have recommended the execution of the lease agreement and the initial allocation of \$120,000 to Tri-County YMCA of New York.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby authorizes the County Manager to execute a ten-year lease with Tri-County YMCA of New York, subject to review and approval of the County Attorney; and be it further

RESOLVED, that the Office for the Aging is authorized to allocate \$120,000 to Tri-County YMCA of New York upon execution of said lease agreement; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, the County Auditor, the Director of the Office for the Aging, and the County Manager.

**Vote: Roll Call – Adopted. Yes – 8,155; No – 0; Abstained – 643; Absent – 560
(Abstained – Legislator Schu; Absent – Legislator Nichols)**

RESOLUTION NO. 155-27

Introduced by J. Horton.

Seconded by H. Lando.

AUTHORIZING THE PUBLIC DEFENDER TO ENTER INTO A CONTRACT WITH AXON FOR THE DIGITAL EVIDENCE MANAGEMENT SYSTEM.

WHEREAS, the Chief Public Defender oversees the administration of the Steuben County Office of the Public Defender; and

WHEREAS, the purpose of this department is to provide the highest quality criminal and family court representation for members of the community that cannot afford to hire private counsel; and

WHEREAS, the Department of Criminal Justice Services has issued several Grants designed to support, fund and greatly enhance the ability of the County of Steuben to deliver quality indigent legal services and programs; and

WHEREAS, the Office of the Public Defender has determined, with the support of the Director and Deputy Director of Information Technology and the County Manager, the need for a Digital Evidence Management Service to improve attorney and staff efficiency in reviewing hundreds of hours of audio and video surveillance provided by local law enforcement and the District Attorney’s Office per the New York State Discovery Reform Act of 2020, eliminate the exponential cost of storing this information locally and instead use cloud based storage, and fully integrate with the Axon Discovery Management System currently used by the Sheriff’s Department and the District Attorney’s Office; and

WHEREAS, Axon Enterprise, Inc. has been deemed a sole source provider of such Digital Evidence Management Services; and

WHEREAS, the Office of the Public Defender has the grant funding to acquire the Axon Digital Evidence Management System (Justice Premier) for a period of 60 months.

NOW THEREFORE, BE IT

RESOLVED, the Chief Public Defender is hereby authorized on behalf of the County of Steuben and the Steuben County Public Defender’s Office to enter into a contract with Axon Enterprise, Inc. for their Justice Premier service, in the amount of \$247,115.00 for a period of 60 months paid for by DCJS funding; and be it further

RESOLVED, the contract is subject to the review and approval of the County Attorney; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the County Manager, Commissioner of Finance and the Chief Public Defender.

Vote: Roll Call – Adopted.

RESOLUTION NO. 156-25

Introduced F. Potter.

Seconded by G. Swackhamer.

AUTHORIZING A ROAD MAINTENANCE AGREEMENT WITH NYSDOT FOR CR 70A AND CR 66.

WHEREAS, the New York State Department of Transportation (NYSDOT) has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain 0.029 centerline miles of a County Road (shown as part numbered 9B on the Table of Maintenance) known as County Road 70A (Big Creek Road) for pavement, shoulders, drainage system, signs, pavement markings, and landscaping and for snow and ice removal (shown as part numbered 30 on the Table of Maintenance; and by which the County of Steuben is to maintain 0.043 centerline miles of a County Road (shown as part numbered 11B on the Table of Maintenance) known as County Road 66 (Webbs Crossing Road) for pavement, shoulders, drainage system, signs, pavement markings, and landscaping and for snow and ice removal (shown as part numbered 32 on the Table of Maintenance) and to be designated as a portion of New York Project No. 6096.32 D265520; and

WHEREAS, prior to the County’s maintenance of said road, NYSDOT will provide improvements under United States Federal Highway Administration funds; and

WHEREAS, said proposed agreement also provides for the County to request the NYSDOT, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration; and

WHEREAS, if such project is approved and constructed by the NYSDOT and the Administrator of the United States Federal Highway Administration, the County will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the NYSDOT and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben shall maintain said portion of said road and guarantees the maintenance of such road when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to NYSDOT or its authorized representatives and will make ample provisions each year for such maintenance; and be it further

RESOLVED, the County recommends that NYSDOT submit such project to the Administrator of the United States Federal Highway Administration and recommend to him/her the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, the County Manager is hereby authorized to enter into an agreement with NYSDOT, for the maintenance of that certain part of County Route 70A (Big Creek Road) and County Route 66 (Webbs Crossing Road) after NYSDOT project is completed; and be it further

RESOLVED, two certified copies of this resolution shall be submitted to the State Department of Transportation; the Commissioner of Public Works; County Attorney, and the Administrator of the United States Federal Highway Administration.

Vote: Roll Call – Adopted.

RESOLUTION NO. 157-25

Introduced by J. Horton.

Seconded by C. Ferratella.

AUTHORIZING THE SHERIFF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LEGAL ASSISTANCE OF WESTERN NEW YORK (LawNY).

WHEREAS, LawNY is the lead agency for the S.T.O.P. VAWA (S.T.O.P. Violence Against Women) Act Grant and LawNY is applying for continued funding to work together as part of the Steuben County Domestic Abuse Response Team (DART); and

WHEREAS, the Sheriff’s Office will assist by attending monthly DART meetings and providing Domestic Incident Reports (DIRs) for DART review; and

WHEREAS, LawNY offers to reimburse the Sheriff’s Office up to \$3,500 annually for time spent at DART meetings.

NOW THEREFORE, BE IT

RESOLVED, the Legislature authorizes the Sheriff to enter into a Memorandum of Understanding with LawNY; and be it further

RESOLVED, the Commissioner of Finance is authorized and directed to accept revenue from LawNY and appropriate to Sheriff’s Fees (311000-415100); and be it further

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

Vote: Roll Call – Adopted. Yes – 8,257; No – 0; Abstained – 541; Absent – 560
(Abstained – Legislator Thew; Absent – Legislator Nichols)

RESOLUTION NO. 158-25

Introduced by J. Horton and S. Van Etten.

Seconded by C. Ferratella.

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF WAYLAND AND AWARDING FUNDS FROM THE LAW ENFORCEMENT GRANT PROGRAM.

WHEREAS, the Steuben County Legislature has established a Law Enforcement Grant Program to assist local agencies and municipalities in funding equipment purchases; and

WHEREAS, the Village of Wayland Police Department has submitted a request in the amount of \$9,379.00 for the purchase of one (1) Sotoxa Oral Fluid Analyzer and one (1) Axon LPR with in car camera system; and

WHEREAS, the Public Safety & Corrections and Finance Committees have approved said award.

NOW THEREFORE, BE IT

RESOLVED, the County Legislature hereby authorizes and directs the County Manager to sign an Intermunicipal Agreement with the Village of Wayland to facilitate grant funding, as required by the Law Enforcement Grant Program; and be it further

RESOLVED, that upon execution of said Intermunicipal Agreement, the Commissioner of Finance is authorized and directed to distribute \$9,379.00 to the Village of Wayland for the purchase of one (1) Sotoxa Oral Fluid Analyzer and one (1) Axon LPR with in car camera system; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager, Commissioner of Finance, Phil Barry, Mayor, Village of Wayland, 15 North Main Street, Wayland, NY 14572; and Mark Barnhart, Office in Charge, Wayland Village Police Department, 15 1st Street, Wayland, NY 14572.

Vote: Roll Call – Adopted.

RESOLUTION NO. 159-25

Introduced by J. Horton and S. Van Etten.

Seconded by G. Swackhamer.

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF COHOCTON AND AWARDING FUNDS FROM THE LAW ENFORCEMENT GRANT PROGRAM.

WHEREAS, the Steuben County Legislature has established a Law Enforcement Grant Program to assist local agencies and municipalities in funding equipment purchases; and

WHEREAS, the Cohocton Police Department has submitted a request in the amount of \$9,167.64 for the purchase of six (6) Glock 45 MOS8 9mm handguns with factory Aimpoint red dot optics, three (3) Colt 6933 EPR 11.5” Patrol Rifles and three (3) Rugged RAZOR556 QD suppressors; and

WHEREAS, the Public Safety & Corrections and Finance Committees have approved said award.

NOW THEREFORE, BE IT

RESOLVED, the County Legislature hereby authorizes and directs the County Manager to sign an Intermunicipal Agreement with the Town of Cohocton to facilitate grant funding, as required by the Law Enforcement Grant Program; and be it further

RESOLVED, that upon execution of said Intermunicipal Agreement, the Commissioner of Finance is authorized and directed to distribute \$9,167.64 to the Town of Cohocton for the purchase of six (6) Glock 45 MOS8 9mm handguns with factory Aimpoint red dot optics, three (3) Colt 6933 EPR 11.5” Patrol Rifles and three (3) Rugged RAZOR556 QD suppressors; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; Commissioner of Finance; Judith Hall, Supervisor, Town of Cohocton, PO Box 200, Atlanta, NY 14808; Mark Barnhart, Office in Charge, Cohocton Police Department, 15 South Main Street, Cohocton, NY 14826; and the County Auditor.

Vote: Roll Call – Adopted.

Motion combining Resolutions #12 -15 and waive the reading made by Mr. Thew, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 160-25

Introduced by K. M. Hanna.

Seconded by G. Swackhamer.

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

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

WHEREAS, the New York State Office of Community Renewal has made funding available for the 2025 program year; and

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

NOW THEREFORE, BE IT

RESOLVED, the Planning Director is hereby authorized to submit one or more applications for the Community Development Block Grant funds that are available for the 2025 program year through the New York State Office of Community Renewal; and be it further

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

RESOLVED, certified copies of this resolutions shall be forwarded to the Planning Director and the County Manager.

Vote: Roll Call – Adopted.

RESOLUTION NO. 161-25

Introduced by J. Horton and S. Van Etten.

Seconded by G. Swackhamer.

ACCEPTING AND APPROPRIATING THE “AID TO DEFENSE” SUPPLEMENTAL GRANT AWARD.

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded Steuben County a Grant known as the “Aid to Defense – Supplemental” in the amount of \$230,421.00 commencing April 1, 2025, and ending March 31, 2026; and

WHEREAS, such “Aid to Defense – Supplemental” Grant may be used for any programs and expenses that “support public defense services and expenses incurred by government and not-for-profit entities” for criminal defense; and

WHEREAS, such Grant funds will greatly enhance the ability of the County of Steuben to deliver quality indigent legal services and programs.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized on behalf of the County of Steuben and the Steuben County Public Defender’s Office to accept the above-mentioned grant funds from the New York State Division of Criminal Justice Services Grants known as the “Aid to Defense Supplemental”, in the amount of \$230,421.00; and be it further

RESOLVED, the Commissioner of Finance be and the same hereby is authorized to appropriate such revenue towards the general support of public defense services in accordance with the terms of the “Aid to Defense Supplemental” Grant; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the Commissioner of Finance and the Public Defender.

Vote: Roll Call – Adopted.

RESOLUTION NO. 162-25

Introduced by B. Schu and S. Van Etten.

Seconded by G. Swackhamer.

ACCEPTING AND APPROPRIATING THE VOTE BY MAIL GRANT.

WHEREAS, the New York State Board of Elections allocated Vote by Mail grant funds in the amount \$25,087.90 to Steuben County; and

WHEREAS, this grant will be made in the form of reimbursement (up to the grant amount) to Steuben County for any expenditures made pursuant to the terms and conditions contained in the grant contract between the Steuben County Board of Elections and the New York State Board of Elections, a copy of which is maintained at the Steuben County Board of Elections.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to execute all documents for receipt of the Vote by Mail grant; and be it further

RESOLVED, that the Commissioner of Finance shall appropriate said funds as follows:

Revenue – 145000 – 430892 Other State Aid \$25,087.90

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, County Manager and Board of Elections Commissioners.

Vote: Roll Call – Adopted.

RESOLUTION NO. 163-25

Introduced by B. Schu and S. Van Etten.

Seconded by G. Swackhamer.

ACCEPTING AND APPROPRIATING THE 2025 GENERAL ELECTION FUND GRANT.

WHEREAS, the New York State Board of Elections allocated 2025 General Election grant funds in the amount \$8,462.13 to Steuben County; and

WHEREAS, this grant will be made in the form of reimbursement (up to the grant amount) to Steuben County for any expenditures made pursuant to the terms and conditions contained in the grant contract between the Steuben County Board of Elections and the New York State Board of Elections, a copy of which is maintained at the Steuben County Board of Elections.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to execute all documents for receipt of the 2025 General Election grant; and be it further

RESOLVED, that the Commissioner of Finance shall appropriate said funds as follows:

Revenue – 145000 - 430892 Other State Aid \$8,462.13

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Finance, County Manager and Board of Elections Commissioners.

Vote: Roll Call – Adopted.

RESOLUTION NO. 164-25

Introduced by B. Schu.

Seconded by P. Van Caesele.

AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE CSEA MAIN UNIT AMENDING ARTICLE XXVIII, SECTION 5.E. BOOTS.

WHEREAS, both the County of Steuben and the CSEA Main Unit desire to memorialize and implement a change to the current CBA language; and

WHEREAS, both the County of Steuben and the CSEA Main Unit believe it is in the best interests to ratify this Memorandum of Agreement; and

WHEREAS, the Steuben County Manager and the Steuben County Personnel Officer have reviewed and recommended the proposed changes; and

WHEREAS, the CSEA Main Unit has accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the proposed changes in the current contract contained in the Proposed Memorandum of Agreement between Steuben County and the CSEA Main Unit of the County of Steuben is hereby approved; and be it further

RESOLVED, the above referenced changes will become effective upon signing of the attached Memorandum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Manager; County Attorney; County Personnel Officer; County Commissioner of Finance; and Adam Buck, Unit President Steuben County CSEA Main Unit.

MEMORANDUM OF AGREEMENT

By and Between the

*County of Steuben
(hereinafter referred to as "County")*

And the

*CSEA Local 1000, AFSCME, AFL-CIO
Steuben County Local 851
(hereinafter referred to as "Union")*

WHEREAS, both the County and Union desire to memorialize and implement a change to the CBA; and

WHEREAS, both the County and Union believe it is in the best interests to ratify this Memorandum of Agreement;
and

WHEREAS, the County adopted the changes set forth herein by Resolution ___-__ dated _____, 20__; and

WHEREAS, the CBA effective January 1, 2025, to December 31, 2028, allows, per Article XXXV, Amendments to the CBA in writing.

NOW, THEREFORE, the parties agree to this Memorandum of Agreement for the purpose of modifying the CBA as follows:

Section 1. The above recitals are true and correct and are incorporated herein.

Section 2. Article XXVIII, Section 5. E. of the CBA shall be amended as follows:

Effective January 1, 2025, the Buildings & Grounds Department employees, the Probation Department and the Building Maintenance Mechanic employees working in the Sherriff's Office who are required to wear County specified work shoes while performing their duties, shall be granted an allowance of \$200 annually for the purchase of footwear to be utilized solely at work. Employees of the Department of Public Works shall be granted an annual allowance of \$275 to wear County specified work shoes while performing their duties. In all cases, purchased footwear is to be used solely while performing work for the County. Transforming shoe allowances from the current program to an annual allowance shall be discussed in a Labor Management setting to provide for the most efficient use of the allotted allowances for both the County and the employees.

Section 3. All other terms and conditions in the CBA shall remain in full force and effect.

Section 4. Should any part, term or provision of this Memorandum of Agreement be by the Courts decided to be illegal or in conflict with any law of the State, the validity of the remaining portions or provisions shall not be affected thereby.

Section 5. This agreement shall be effective _____.

IN WITNESS WHEREOF, the parties have caused this agreement to be signed by their duly authorized representatives on this ____ day of _____, 20__.

COUNTY OF STEUBEN

CSEA

By: _____
Kelly Fitzpatrick, Chair of Legislature

By: _____
Ryan Carbone, LRS

By: _____
Jack Wheeler, County Manager

By: _____
Adam Buck, Unit President

By: _____
Nathan Alderman, Personnel Officer

Vote: Roll Call – Adopted.

RESOLUTION NO. 165-25

Introduced by B. Schu.

Seconded by S. Van Etten.

REAPPOINTING THE DIRECTOR OF REAL PROPERTY TAX SERVICE AGENCY.

Pursuant to Section 12.14 of the Steuben County Charter and Real Property Tax Law §1530.

WHEREAS, Larry Roach of Canisteo, New York, has been reappointed by the County Manager as the Steuben County Director of Real Property Tax Services II in accordance with the Management Salary Plan in Grade I; and

WHEREAS, the Administration Committee has recommended the Steuben County Legislature confirm said reappointment.

NOW THEREFORE, BE IT

RESOLVED, Larry Roach of Canisteo, New York, as the Steuben County Director of Real Property Tax Services II is hereby confirmed by the Steuben County Legislature for a six-year term, commencing October 1, 2025, through September 30, 2031; and be it further

RESOLVED, an Oath of Office shall be filed in the Steuben County Clerk's Office, and the Clerk of this Legislature is directed to file certified copies of this resolution with the above-named appointee, the County Clerk, the Personnel Officer, and the NYS Department of Taxation and Finance, W A Harriman Campus, Building 8A, Albany NY 12227.

Vote: Roll Call – Adopted.

RESOLUTION NO. 166-25

Introduced by B. Schu.

Seconded by H. Lando.

APPROVING THE STANDARD WORKDAY AND RETIREMENT REPORTING RESOLUTION AS REQUIRED BY THE NEW YORK STATE COMPTROLLER.

WHEREAS, the New York State and Local Employees' Retirement System adopted 2 NYCRR §315.4, a regulation on retirement reporting for elected and appointed officials which became effective August 12, 2009; and

WHEREAS, the regulation requires an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben hereby establishes the following standard workdays for the listed titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:

TITLE	STANDARD WORKDAY (HRS/DAY)	NAME	TIER 1 MEMBER	CURRENT TERM BEGINS/ENDS	ROA Result	ROA Not Submitted
Appointed Officials						
Assistant Public Defender, PT	6.0	Jennifer L. Donlon		02/26/23-12/31/27	14.96	
Assistant Public Defender, PT	6.0	Raymond P. Kot		03/21/22-12/31/23	12.46	
Assistant Public Defender, PT	6.0	Raymond P. Kot		01/01/24-12/31/27	12.46	
Assistant Public Defender, PT	6.0	Jenna Bauer		06/24/24-12/31/27	14.39	
Assistant Public Defender, PT	6.0	Peter Degnan		03/28/23-12/31/27		X
Assistant Public Defender, PT	6.0	Sara Morton		04/17/23-12/31/27		X
Assistant Public Defender, PT	6.0	Christopher Quinlan		01/01/24 -12/31/27		X
Assistant District Attorney, PT	6.0	Christopher A. Barton		06/12/23-12/31/27	5.93	
Assistant District Attorney, PT	6.0	Paul S. Barton		05/15/23-12/31/27	8.66	

AND BE IT FURTHER RESOLVED, elected and appointed officials who are not members of the State Retirement System are not subject to the provisions of this law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Finance Commissioner, the Personnel Officer and the New York State Comptroller following 30 days of public posting.

Mr. Van Etten asked in the past when we had people that did not submit, did we penalize them to force them to do it? Mr. Wheeler stated it is not in their best interest to not do this as they will not earn their service credits. Ethics disclosure was also part of that. Under the Fair Labor Standard, if they work the hours, we have to pay them. In the end, it is the employee’s choice.

Secretary’s Note: If an individual does not submit a record of activities, they will not be eligible for any salary increases until they comply.

Vote: Roll Call – Adopted.

RESOLUTION NO. 167-25

Introduced by J. Horton.

Seconded by F. Potter.

DEDICATING THE PUBLIC WORKS MACHINE SHOP IN MEMORY OF JERRY MILLER, II.

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

WHEREAS, Machine Shop Supervisor Jerry R. Miller, II, had served with distinction in the Steuben County Department of Public Works with 37 years of service, noting particularly his leadership as Machine Shop Supervisor since 2008; and

WHEREAS, as Machine Shop Supervisor, Jerry R. Miller, II had been a strong advocate for improving and maintaining the County’s fleet for the benefit of the residents of Steuben County; and

WHEREAS, it is appropriate to honor Jerry R. Miller, II.

NOW THEREFORE, BE IT

RESOLVED, that a memorial plaque in recognition of Machine Shop Supervisor Jerry R. Miller's, II distinguished service to the Department of Public Works shall be placed at the Department of Public Works Machine Shop – Station 2; and be it further

RESOLVED, that the Commissioner of Public Works is directed to prepare the appropriate plaque and host a dedication ceremony as soon as possible.

Chair Fitzpatrick stated this is a nice token of appreciation.

Vote: Roll Call – Adopted.

RESOLUTION NO. 168-25

Introduced by C. Ferratella.

Seconded by J. Tobia.

DESIGNATING STEUBEN COUNTY AS A HIDDEN HEROES COMMUNITY.

WHEREAS, the series of wars and conflicts in which our nation has been engaged since World War II has resulted in 14.3 million military and veteran caregivers who are parents, spouses, siblings, friends, and loved ones caring for those wounded, ill, or injured who have served our nation; and

WHEREAS, the daily tasks of these military and veteran caregivers can include bathing, feeding, dressing, and caring for the grievous injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical, and emotional effects as a result of their caregiving duties; and

WHEREAS, the Steuben County Legislature desires to recognize and support those who are serving in these vital roles in our own community; and

WHEREAS, Steuben County, through its Veterans Services Department, will endeavor to expand caregiver resources into programming for the county's service members, veterans, and their families.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby designates Steuben County as a Hidden Heroes Community, as championed by the Elizabeth Dole Foundation; and be it further

RESOLVED, that Steuben County will strive for additional resources in identifying military and veteran caregivers, raising awareness of the unique challenges faced by military and veteran caregivers and create caregiver inclusive communities, and understanding the local needs of the caregiver population and plan strategic caregiver support initiatives in partnership with the Elizabeth Dole Foundation's national Hidden Heroes campaign; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to Gary Smith, Director of Veterans Services and the Elizabeth Dole Foundation, 1625 Eye Street NW, Suite 725 Washington, DC 20006.

Mr. Thew asked what affect does this have? Mr. Wheeler stated it could make us eligible to receive additional private grants. This provides more public awareness. It also gives your Veterans

Services Director your support to offer additional programs. This is for caregivers of Veterans. It does not look like there will be any substantial additional costs.

Mr. Kuhl stated he would like to thank Mr. Smith for his willingness to do this. We know the Veterans caregiver's community exists and I appreciate Mr. Smith's continued commitment to Veterans and their caregivers in Steuben County.

Vote: Roll Call – Adopted.

RESOLUTION NO. 169-25

Introduced by K. Fitzpatrick.

Seconded by B. Schu.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

Pursuant to Section 12.20 of the Steuben County Charter and Article 8, Title 28-AA of the Public Authorities Law.

WHEREAS, Article 8, Title 28-AA of the Public Authorities Law creates the Southern Tier Extension Railroad Authority Act to continue and strengthen the system of railroads serving Allegany, Cattaraugus, Chautauqua and Steuben Counties through the creation of a regional, public benefit corporation; and

WHEREAS, Section 265-C of the Act requires the establishment of the Southern Tier Extension Railroad Authority; and

WHEREAS, the County Legislature is authorized to appoint three voting members to the Authority upon the recommendation of the County Manager; and

WHEREAS, one member's term has expired.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby appoint the following individual to serve as a member of the Southern Tier Extension Railroad for the term as indicated:

Paul E. Van Caesele
Steuben County Legislator
61 Maple Street
Hornell, NY 14843

Term: September 1, 2025, through August 31, 2028

AND BE IT FUTHER RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Extension Railroad Authority; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the Southern Tier Extension Railroad Authority, Center for Regional Excellence, 4039 Route 219, Salamanca, NY 14779-1493; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 170-25

Introduced by K. Fitzpatrick.

Seconded by J. Kuhl.

FILLING A VACANCY ON THE TRAFFIC SAFETY BOARD.

Pursuant to Section 12.19 of the Steuben County Charter and Article 43 of the Vehicle and Traffic Law.

WHEREAS, a vacancy exists on the Steuben County Traffic Safety Board and said vacancies need to be filled.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Manager hereby endorses the appointment of the following person as a member of the Steuben County Traffic Safety Board for the term indicated:

JANUARY 1, 2025, TO DECEMBER 31, 2027

Don Lewis, Bath Village Police Chief, or Designee

(filling unexpired term of Chief/Acting Chief, Canisteo Village Police Department, or Designee)

BE IT FURTHER RESOLVED, the organization of the Steuben County Traffic Safety Board shall be in accordance with Section 1674 of the New York State Vehicle and Traffic Law and the members shall receive no compensation for their services on such Board, but shall be entitled to the reasonable and necessary expenses, upon submission of a County voucher with receipts attached, incurred in the performance of their duties within any appropriation made for such purpose. The functions of the Board shall be in accordance with Section 1675 of the New York State Vehicle and Traffic Law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Auditor, and the Governor's Traffic Safety Committee, Swan Street Building, Empire State Plaza, Albany, NY 12228.

Vote: Acclamation – Adopted.

RESOLUTION NO. 171-25

Introduced by K. Fitzpatrick.

Seconded by H. Lando.

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

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

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

Steuben County Landowner Representative

January 1, 2024 – December 31, 2025

Mike Warren
2901 County Road 56
Hornell, NY 14843

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

Michael Switzer
406 Duane Street
Hornell, NY 14843

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

Jeffrey P. Horton
8529 Main Street
Campbell, NY 14821

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

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

Vote: Acclamation – Adopted. No – 571; Absent – 560
(No – Legislator Pelham; Absent – Legislator Nichols)

Chair Fitzpatrick asked if there was any objection to adding a memorializing resolution against the NYSEG rate increase? This resolution did not go through committee.

Motion adding a resolution for consideration regarding memorializing against the NYSEG rate increase made by Mr. Horton, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 172-25

Introduced by K. Fitzpatrick.

Seconded by F. Potter.

MEMORIALIZATION OF THE STEUBEN COUNTY LEGISLATURE AGAINST NYSEG RATE INCREASE REQUEST.

WHEREAS, the Legislative body of Steuben County is aware that on June 30, 2025, New York State Electric and Gas (NYSEG) requested from the Public Service Commission (PSC) an overall rate increase; and

WHEREAS, other NY Counties have sought and gained party status to appear in front of the PSC in opposing the increase; and

WHEREAS, the revenue of the NYSEG is approximately \$2 billion annually; and

WHEREAS, NYSEG is seeking an electric rate increase of 18.4% which is an increase of 35% in delivery charges alone to take place May 1, 2026. This is following years of increases in the past where many of our residents are barely meeting needs while the company garners significant profits. Where natural gas is provided by NYSEG a 22% increase is requested and a 39% increase in delivery charges according to their own June 23, 2025, filings; and

WHEREAS, many residents of our rural sprawling county have power supplied to them by New York State Electric and Gas; and

WHEREAS, our hilltops are filled with renewal windmills power and solar panel power that was expected to reduce energy costs; and

WHEREAS, from their filings with the PSC, some of NYSEG’s complaint is that necessary compliance with NYS mandated Climate Leadership and Community Protection Act (CLCPA) which is driven to shift to clean energy deliver. NYSEG is intending to be 70% supplied by renewable energy by 2030 and carbon free by 2040; and

WHEREAS, NYSEG claims to be facing \$19 billion in costs in updating infrastructure; and

WHEREAS, this increase requested by NYSEG greatly outpaces the last three social security (COLA) increases of 2.5% 2024, 3.2% 2023 and 8.7% in 2022.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature strongly opposes the increase rates suggested by NYSEG and ask that the Public Service Commission deny the requested rate increase following their 22% increase over the last three years; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Kathy Hochul, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O’Mara, New York State Senator, 105 East Steuben Street, Bath, NY 14810; Honorable Philip A. Palmesano, New York State Assemblyman, 105 East Steuben Street, Bath, NY 14810, 448 Legislative Office Building, Albany, NY 12248; Honorable Andrea K. Bailey, New York State Assemblywoman, 718 Legislative Office Building, Albany, NY 12248; and Honorable Joseph Sempolinski, New York State Assemblyman, 548 Legislative Office Building, Albany, NY 12248; Rory Christian, Chair and CEO, New York State Public Service Commission, Agency Building 3, Empire State Plaza, Albany, NY 12223-1350; and to Michelle Phillips, Secretary to the Commission, New York State Public Service Commission, Agency Building 3, Empire State Plaza, Albany, NY 12223-1350 with a request to file this resolution with the following Cases: 22-E-0317, 22-G-0318, 22-E-0319, 22-G-0320.

Mr. Tobia commented this is more than a County or State issue; this is a national problem. Some countries in Europe are looking at a 500 percent increase in the cost of their electric and gas. Chair Fitzpatrick stated this is a first step and she would like to consider a memorialization against the electric mandate as the system will not be able to support. Mr. Van Etten commented this has been an issue in the North Country.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers’ Law, Article 7§ 105.1.D. Discussions Regarding Proposed, Pending or Current Litigation made by Mr. Potters, seconded by Mr. Schu and duly carried.

Motion to Adjourn Executive Session and Reconvene in Regular Session made by Mr. Thew, seconded by Mr. Schu and duly carried.

Motion to Adjourn made by Mr. Pelham, seconded by Mr. Thew and duly carried.