

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

DATE APPROVED : 03/27/2023
PERM. NO. : 052-23

INTRO. NO. : 3-1
INTRO. DATE: 03/27/2023

INTRO. BY : G. Swackhamer SECONDED BY : K. Fitzpatrick

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

**TITLE: MATTERS PERTAINING TO COUNTY REAL PROPERTY TAX SALES,
CORRECTIONS OF ASSESSMENTS, PROPERTY TAXES, AND OTHER REAL
PROPERTY ACQUISITIONS AND DISPOSITIONS.**

Pursuant to Section 2.07 of the Steuben County Charter.

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

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

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




SCHEDULE "A"

Resolution No.	Parcel No.	Name	Municipality	Tax Yr(s)	Disposition
A-1	065.00-01-006.100	Whitney, Melissa & Sick, Michael	Dansville	2023	Split
A-2	337.00-02-025.000	Shafer, Kathleen (LU)	Corning Town	2022-23	Correction of Enhanced STAR Exemption.
A-3	203.00-03-011.000	Dickson Environmental Services Inc.	Thurston	2023	Split

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

DATE APPROVED : 03/27/2023 INTRO. NO. : 4-2
PERM. NO. : 053-23 INTRO. DATE: 03/27/2023

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

VOTE:

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

COMMITTEES:

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

TITLE: RECEIVING AND ACCEPTING THE MARCH 27, 2023 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY MANAGER'S OFFICE.

BE IT RESOLVED, that the following communications were received, accepted and filed by the County of Steuben, and referred to the appropriate Standing Committee and/or Department Head for information and/or action, to wit:

February 21, 2023

NYS Board on Electric Generation Siting and the Environment – Re: Ruling establishing procedural schedule and addressing other matters associated with Baron Wind’s amendment petition II and transfer petition issued and effective February 14, 2023 on the Baron Wind LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

NYS Department of Transportation – Re: Notification of the (SFY 2022-2023) processed payment under the Statewide Mass Transportation Operating Assistance (STOA) program. *Referred to: Marie Myers Shearing, Planning Director; Chris Brewer, Deputy County Manager; and Brenda Scotchmer, Clerk of the Legislature.*

February 24, 2023

NYS Department of Environmental Conservation – Re: Public notice on the brownfield cleanup application from Norfolk Southern Railway Company for the site known as the Conrail Hornell Landfill (site #C851002) located at 6324 Ice House Road, (Town of Hornellsville) Hornell, N.Y. *Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.*

February 27, 2023

NYS Board on Electric Generation Siting and the Environment – Re: Ruling granting intervenor funding and party status issued and effective February 23, 2023 on the Baron Wind LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

March 1, 2023

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$45,227, which represents the fourth quarter of 2022 (\$44,214) combined with the December 2022 (\$1,013) surcharge revenues for Steuben County. *Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.*

Western Regional Off-Track Betting Corporation – Re: Check in the amount of \$1,043, which represents the January 2023 surcharge revenues for Steuben County. *Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.*

March 2, 2023

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and NY Arkport Crosssett Road Solar LLC amended tax agreement and amended RP-412-a form for property located at 835 Crosssett Road, Town of Dansville, Steuben County, NY. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Commissioner of Finance; Wendy Jordan, RPTSA Director; and Jennifer Prossick, County Attorney.***

March 6, 2023

Western Regional Off-Track Betting Corporation – Re: (REVISED LETTER) Check in the amount of \$1,043, which represents the January 2023 surcharge revenues for Steuben County. ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Commissioner of Finance.***

March 9, 2023

NYS Homeland Security and Emergency Services – Re: Notification of being awarded \$5,846,500 under the NYS 2022 Statewide Interoperable Communications Targeted Grant Program (2022 SICG Targeted). ***Referred to: Public Safety & Corrections Committee; and Tim Marshall, Public Safety Director.***

March 13, 2023

NYS Executive Chamber – Re: Thank you letter for the hard work on New York’s challenge to the National Broadband map. ***Referred to: A.I.P. Committee; Marie Myers Shearing, Planning Director; and Jack Wheeler, County Manager.***

March 16, 2023

NYS Division of the Budget – Re: Notification of receipt of the SFY 2023 Raise the Age (RTA) tax cap compliance certification from Steuben County. ***Referred to: Human Services/Health & Education Committee; Finance Committee; Public Safety & Corrections Committee; Kathy Muller, Commissioner of Social Services; Cheryl Crocker, Probation Director; Jennifer Prossick; County Attorney; Tammy Hurd-Harvey, Commissioner of Finance; and Jack Wheeler, County Manager.***

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

DATE APPROVED : 03/27/2023 INTRO. NO. : 5-3
PERM. NO. : 054-23 INTRO. DATE: 03/27/2023

INTRO. BY : A. Mullen SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u>X</u>	YES	<u>7391</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>954</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ADOPTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2023, ESTABLISHING A SUSTAINABLE ENERGY LOAN PROGRAM IN STEUBEN COUNTY.

WHEREAS, the County supports the increased use in sustainable and clean energy sources; and

WHEREAS, Article 5-L of New York's General Municipal Law establishes a Municipal Sustainable Energy Loan Program, wherein loans are made available to real property owners for the installation of renewable energy systems and energy efficiency improvements; and

WHEREAS, in order for the County to establish a sustainable energy loan program it must pass a local law pursuant to Article 5-L of the General Municipal Law.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Legislature Local Law Tentatively No. Two for the Year 2023, Establishing a Sustainable Energy Loan Program in Steuben County.

**COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2023**

A Local Law Establishing a Sustainable Energy Loan Program (Open C-Pace) in the County of Steuben.

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

This Local Law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

ARTICLE I

§1. Legislative Findings, Intent and Purpose, Authority.

- A. It is the policy of both the County of Steuben (the “County”) and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the County pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the County and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The County is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

Annual Installment Amount – shall have the meaning assigned in Section 8, paragraph B.

Annual Installment Lien – shall have the meaning assigned in Section 8 paragraph B.

Authority – the New York State Energy Research and Development Authority.

Benefit Assessment Lien – shall have the meaning assigned in Section 3, paragraph A.

Benefited Property – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

Benefited Property Owner – the owner of record of a Benefited Property.

EIC – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the County to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the County as a charge to be levied on the real property.

Eligible Costs – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

Enabling Act – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

Finance Agreement – the finance agreement described in Section 6A of this local law.

Financing Charges – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

Financing Parties – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.

Municipality – the County of Steuben, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.

Municipal Lien – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

Non-Municipal Lien – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

Program – the Energize NY Open C-PACE Financing Program authorized hereby.

Qualified Project – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

Qualified Property – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

Qualified Property Owner – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

RPTL – the Real Property Tax Law of the State, as amended from time to time.

Secured Amount – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

State – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the County, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the County, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the County. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the County.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for Eligibility

- A. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County’s offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 0 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 0 of this local law.

§5. Application Criteria

Upon the submission of an application, EIC, acting on behalf of the County, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;

- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the County, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the County, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and Conditions of Repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the County. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the County, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the County.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the County, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the County. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the County, in the land records for properties in the County. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the County. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the County.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of the County, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the "Annual Installment Lien") and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the County. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the County, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the County, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the County, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the County's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- F. EIC, on behalf of the County, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the County, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the County would have had if the Benefit Assessment

Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

§9. Verification and Report

EIC, on behalf of the County, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

§10. Separability. If any clause, sentence, paragraph, section, or 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 clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

SECTION 2. This local law shall take effect upon filing with the Secretary of State.

AND BE IT FURTHER RESOLVED a Public Hearing on the within Local Law was held on March 27, 2023 at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Two for the Year 2023, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 6-4
PERM. NO. : 055-23 INTRO. DATE: 03/27/2023

INTRO. BY : J. Malter / B. Schu SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ADOPTING LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2023, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 2007, RELATIVE TO PROVIDING AN EXEMPTION FOR REAL PROPERTY OWNED BY AN ENROLLED VOLUNTEER FIREFIGHTER OR AMBULANCE WORKER IN AN AMOUNT OF TEN PERCENT.

WHEREAS, Chapter 670 of the Law of New York, 2022 has amended the County's authority to provide this exemption by Local Law; and

WHEREAS, the County's Local Law No. Two for the Year 2007 had an exemption cap that is no longer valid; and

WHEREAS, the County's Local Law No. Two for the Year 2007 did not address the new availability of the exemption to un-remarried spouses of volunteer fire fighters and ambulance workers who died in the line of duty.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Legislature, Local Law Tentatively No. Three for the Year 2023; amending Local Law No. Two for the Year 2007, providing an exemption for real property owned by an enrolled volunteer firefighter or ambulance worker.

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2023

A **LOCAL LAW** amending Local Law No. Two for 2007, providing an exemption for real property owned by an enrolled volunteer firefighter or ambulance worker.

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

SECTION 1. Legislative Intent. The legislature recognizes the role of the volunteer firefighters and ambulance workers in securing the safety and well-being of our communities. The legislature hereby finds that it is in the best social and economic interests of the County of Steuben to encourage volunteerism for said purposes. To that end, by providing the following exemption it is the intent to so encourage volunteerism for our various fire and ambulance companies. It is the further intent of this Local Law to provide an additional lifetime exemption for volunteers who accrue more than twenty years of service within the County of Steuben. In addition thereto, Resolution No. 004-03 "Establishing the requisite criteria for eligibility shall be superseded by this law and its content incorporated herein, all to the extent as authorized by RPTL §466-a.

SECTION 2. Exemptions for certain volunteer firefighters and ambulance workers.

(a) Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in Steuben County shall be exempt from taxation to the extent of ten percent of the assessed value of such property for county purposes, exclusive of special assessments, [provided, however, that such exemption shall in no event exceed \$3,000 multiplied by the latest state equalization rate for the assessing unit in which such real property is located.]

(b) Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in such county unless:

(i) the applicant resides in the city, town or village which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;

(ii) the property is the primary residence of the applicant;

(iii) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and

(iv) the incorporated volunteer fire company or fire department and incorporated voluntary ambulance service has submitted to the Steuben County Director of [Office of Emergency Services] Public Safety a complete list of enrolled members, with their respective dates of service for such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service. The Steuben County Director of [Office of Emergency Services] Public Safety shall then review all potential candidates and certify those that meet the necessary criteria to be eligible for this exemption; and such member has been a member for at least five years.

(c) In addition thereto, any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service pursuant to Section 2b(iv) of this Local Law, who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within Steuben County.

(d) Un-remarried spouses of enrolled members of an incorporated volunteer fire company or incorporated volunteer ambulance service killed in the line of duty shall be eligible to reinstate or continue this exemption from taxation to the extent of ten percent of the assessed value of real property for county purposes,

exclusive of special assessments, provided that:

(i) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and

(ii) Such deceased volunteer had been an enrolled member for at least five years; and

(iii) Such deceased volunteer had been receiving the exemption prior to his or her death.

[(d)] (e) Application for such exemption shall be filed with the assessor on or before the taxable status date on a form as prescribed by the state board.

[(e)] (f) No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall suffer any diminution of such benefit because of the provisions of this section.

SECTION 3. Effective Date. This act shall take effect immediately and shall apply to real property having a taxable status date on or after the first day of January [2007] 2023 next succeeding the date on which this act shall have become a law.

Old material: []

New material: _____

AND BE IT FURTHER RESOLVEDa Public Hearing on the within Local Law was held on March 27, 2023 at 10:00 A.M. in the Steuben County Legislative Chambers, 3rd Floor of the Annex Building in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature has caused a notice of said Public Hearing to be posted at the Courthouse in the municipality of Bath, Corning City Hall, and the DMV office in Hornell, had said notice published for one insertion in the two official newspapers of the County, and caused such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be 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. Three for the Year 2023, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Public Safety, County Manager and 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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 7-5
PERM. NO. : 056-23 INTRO. DATE: 03/27/2023

INTRO. BY : G. Swackhamer SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>7535</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>810</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: REQUESTING THE ADOPTION OF SENATE BILL NO. S5610 AND ASSEMBLY BILL NO. A4918 EXTENDING THE EXPIRATION DATE OF THE MORTGAGE RECORDING TAX FOR THE COUNTY OF STEUBEN.

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

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

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

WHEREAS, Senate Bill No. S5610 and Assembly Bill No. A4918 request the amendment of Section 3 of Chapter 365 of the Laws of 2005, extending the Steuben County mortgage recording tax expiration date from December 1, 2023, to December 1, 2026; and

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

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby requests the Governor and the New York State Legislature to adopt special Home Rule legislation as presented in Senate Bill No. S5610 and Assembly Bill No. A4918, extending Tax Law Section 253-s; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Kathy Hochul, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Andrea Stewart-Cousins, NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 448 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248; and Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 8-6
PERM. NO. : 057-23 INTRO. DATE: 03/27/2023

INTRO. BY : R. Nichols SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING A SUPPLEMENTAL AGREEMENT WITH BERGMANN ENGINEERS FOR ADDITIONAL DESIGN AND RIGHT OF WAY WORK FOR THE BRIDGE NY (3) TRANSPORTATION PROJECT (PIN 6755.54) FOR THE SMITH HILL ROAD BRIDGE (BIN 2216880) REPLACEMENT OVER THE COHOCTON RIVER, TOWN OF ERWIN.

WHEREAS, the Bridge NY (3) Transportation Project (PIN 6755.54) for the Smith Hill Road Bridge (BIN 2216880) over the Cohocton River, Town of Erwin ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Bridge NY Federal funds and 5% non-Federal funds; and

WHEREAS, the County has previously entered into an agreement with Bergmann Engineers for Design and Right of Way Incidental work for the Project; and

WHEREAS, due to increased NYS Department of Environmental Conservation required environmental analyses and permitting, and soil boring investigations, and NYS State Department of Transportation authorization for Right of Way Acquisition, the County desires to advance the Project by entering into a Supplemental Agreement with Bergmann Engineers for \$61,200.00 for additional Design and Right of Way work for the Project.

NOW THEREFORE, BE IT

RESOLVED, this County Legislature hereby approves the aforementioned Supplemental Agreement; and be it further

RESOLVED, this County Legislature hereby authorizes the County to initially pay 100% of the additional costs of the Supplemental Design and Right of Way work for the Project, with the understanding that qualified costs will be eligible for 95% 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 Supplemental 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 Bergmann Engineers ATTN: Anthony Borrelli, P.E., 280 East Broad Street Suite 200, Rochester, NY 14604.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 9-7
PERM. NO. : 058-23 INTRO. DATE: 03/27/2023

INTRO. BY : R. Nichols SECONDED BY : J. Malter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE IMPLEMENTATION AND INITIAL FUNDING OF 100% OF ADDITIONAL COSTS OF THE BRIDGE NY (3) TRANSPORTATION PROJECT (PIN 6755.54) FOR THE SMITH HILL ROAD BRIDGE (BIN 2216880) REPLACEMENT OVER THE COHOCTON RIVER, TOWN OF ERWIN.

WHEREAS, the Bridge NY (3) Transportation Project (PIN 6755.54) for the Smith Hill Road Bridge (BIN 2216880) over the Cohocton River, Town of Erwin ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Bridge NY Federal funds and 5% non-Federal funds; and

WHEREAS, the County will design, let and construct the Project; and

WHEREAS, the County desires to advance the Project by making an initial commitment of 100% of the costs of the work for the Project or portions thereof.

NOW THEREFORE, BE IT

RESOLVED, this County Legislature, duly convened, hereby approves the Project; and be it further

RESOLVED, this County Legislature hereby authorizes the County to initially pay 100% of the additional costs of Design, Right of Way Incidentals and Acquisition work for the Project or portions thereof, with the understanding that qualified costs will be eligible for reimbursement from Bridge NY funds; and be it further

RESOLVED, the sum of \$578,200 (\$500,000 of which has been previously appropriated) is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and be it further

RESOLVED, this County Legislature hereby agrees that the County shall be responsible for all costs of the Project which exceed the amount of Bridge NY funding awarded to the County; and be it further

RESOLVED, in the event the Project costs not covered by Bridge NY funding exceed the amount appropriated above, the County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, the County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and be it further

RESOLVED, the County Manager be and is hereby authorized to execute on behalf of the County all necessary agreements, certifications or reimbursement requests for Bridge NY funding with the New York State Department of Transportation in connection with the advancement or approval of the Project, and provide for the administration of the Project and County's initial funding of Project costs and permanent funding of the local share of Bridge NY eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, certified copies of this Resolution shall be filed with the Commissioner of Public Works and the New York State Department of Transportation by attaching them to the Supplemental Agreement for Design and ROW in connection with the Project.


STATE OF NEW YORK)


ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023
PERM. NO. : 059-23

INTRO. NO. : 10-8
INTRO. DATE: 03/27/2023

INTRO. BY : R. Nichols / G. Swackhamer SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

**TITLE: AUTHORIZING THE CREATION OF A CAPITAL PROJECT ENTITLED
 “CR129RWALL”.**

WHEREAS, on August 18, 2021, Tropical Storm Fred’s flood waters caused damage to a retaining wall on County Route 129 in Woodhull, NY; and

WHEREAS, the Department of Public Works has applied for and will receive funding from the Federal Emergency Management Association (FEMA) and New York State to reconstruct the damaged retaining wall with the anticipated amount of funding to be \$3,555,800.00; and

WHEREAS, the Public Works Committee and the Finance Committee authorized the Commissioner of Finance to create a Capital Project entitled “CR129RWALL”.

NOW THEREFORE, BE IT

RESOLVED, this Legislature authorizes the Commissioner of Finance to create the Capital Project Account entitled “CR129RWALL”; and be it further

RESOLVED, this Legislature, , does hereby direct the Commissioner of Finance to appropriate \$3,555,800.00 of anticipated federal FEMA funding to said capital project; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 11-9
PERM. NO. : 060-23 INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / G. Swackhamer SECONDED BY : J. Malter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ACCEPTING AND APPROPRIATING THE STRENGTHENING U.S. PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS GRANT.

WHEREAS, Health Research Inc./New York State Department of Health are administering funds relative to the local health department public health infrastructure to strengthen the workforce and foundational capabilities; and

WHEREAS, local health departments are vulnerable to new challenges and future public health emergencies from long-standing weaknesses due to chronic underinvestment; and

WHEREAS, this funding will be used to strengthen the public health workforce through the hiring of public health positions, supporting retention of current staff, making upgrades to the workplace to increase employee satisfaction, provide public health training and provide public health support services to the Public Health Department; and

WHEREAS, Public Health & Nursing Services has been awarded a Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems grant in the amount of \$617,670.00 over a 5 year grant period: December 1, 2022 through November 30, 2027 or \$123,534.00 each of the 5 grant years.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to accept \$617,670.00 as revenue and appropriate \$123,534.00 into the 2023 Public Health & Nursing Services COVID-19 Project Budget, \$123,534.00 into the 2024 Public Health & Nursing Services COVID-19 Project Budget, \$123,534.00 into the 2025 Public Health & Nursing Services COVID-19 Project Budget, \$123,534.00 into the 2026 Public Health & Nursing Services COVID-19 Project Budget, \$123,534.00 into the 2027 Public Health & Nursing Services COVID-19 Project Budget; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Public Health & Nursing Services 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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 12-10
PERM. NO. : 061-23 INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / G. Swackhamer SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ACCEPTING NYS OASAS OPIOID SETTLEMENT FUNDS.

WHEREAS, the New York State Office of Addiction Services and Supports is awarding the Department of Community Services Opioid Settlement funding in the amount of \$585,268; and

WHEREAS, this funding can only be used to support the treatment and prevention of Opioid Use Disorder; and

WHEREAS, Steuben County is not required to provide any local funding to secure the \$585,268.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby authorizes and directs the Commissioner of Finance to accept the New York State Office of Addiction Services and Supports Opioid Settlement funding on behalf of the Department of Community Services; and be it further

RESOLVED, the Department of Community Services attests that said funding will be used solely for treatment and prevention of Opioid Use Disorder; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 13-11
PERM. NO. : 062-23 INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / G. Swackhamer SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u>X</u>	YES	<u>7203</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>1142</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ALLOCATING \$25,000 IN NYS OASAS OPIOID SETTLEMENT FUNDS TO THE STEUBEN COUNTY PREVENTION COALITION'S OPIOID COMMITTEE.

WHEREAS, Steuben County has received \$585,268 in NYS OASAS Opioid Settlement Funds, which are to be used for opioid treatment and prevention efforts; and

WHEREAS, the Steuben County Prevention Coalition's Opioid Committee has submitted a request for funds to enhance program services; and; and

WHEREAS, the Human Services, Health and Education Committee has recommended the allocation of \$25,000 from the NYS OASAS Opioid Settlement Funds to the Steuben County Prevention Coalition's Opioid Committee.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate \$25,000 from the NYS OASAS Opioid Settlement Funds as follows:

\$25,000 to Catholic Charities Steuben/Livingston (Prevention Coalition), 432200 543303

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 14-12
PERM. NO. : 063-23 INTRO. DATE: 03/27/2023

INTRO. BY : J. Malter SECONDED BY : K. Fitzpatrick

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:
Y: N: 0 Y: N: Y: N:

TITLE: ACCEPTING THE HIGH VISIBILITY ENGAGEMENT CAMPAIGN AWARD.

WHEREAS, New York State is awarding Steuben County \$17,500 under the STOP-DWI High Visibility Engagement Campaign, formerly known as the STOP-DWI Crackdown Grant; and

WHEREAS, it has been established that these funds will be used for Road Check STOP-DWI High Visibility Enforcements along with Bath Police Department, Cohocton Police Department, Canisteo Police Department, Hornell Police Department, Hammondsport Police Department, Wayland Police Department and Corning Police Department.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance be and the same hereby is authorized and directed to accept \$17,500 revenue, and appropriate \$2,880 to 331100-519000 DWICRKDWN and \$14,620 to 331100-5443369 DWICRKDWN; and be it further

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

STATE OF NEW YORK)
ss.:
COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 15-13
 PERM. NO. : 064-23 INTRO. DATE: 03/27/2023

INTRO. BY : B. Schu SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

Admin. Y: N: Y: N: Y: N:

TITLE: RATIFYING THE ACTIONS OF THE RISK MANAGER RELATIVE TO THE REDUCTION IN APPORTIONMENT FOR CERTAIN PARTICIPANTS IN THE COUNTY'S 2022 WORKERS' COMPENSATION PLAN.

WHEREAS, on July 26, 2021, pursuant to §67 of the NYS Workers' Compensation Law, the Steuben County Legislature adopted the 2022 Workers' Compensation Table of Apportionment based upon the estimated cost of the 2022 Steuben County Self-Insurance Workers' Compensation Plan Budget; and

WHEREAS, adjustments in experience modification factors and/or reductions in payroll, loss history and other factors which occurred in the Towns of Caton and Wayland, and the Village of Bath, were not taken into account when the 2022 Table of Apportionment was presented to and adopted by the Steuben County Legislature; and

WHEREAS, the Steuben County Risk Manager authorized the Towns of Caton and Wayland and the Village of Bath to pay amounts reflective of those municipalities changes in the above-referenced factors; and

WHEREAS, the amounts authorized by the Risk Manager resulted in \$33,250 less being collected by the Commissioner of Finance from plan participants for the 2022 Workers' Compensation Plan; and

WHEREAS, the Commissioner of Finance, pursuant to §72 of the NYS Workers' Compensation Law, is required to file an annual financial report of the Workers' Compensation Plan with the NYS Comptroller; and

WHEREAS, it is necessary to document the reason for the discrepancy between the approved and filed 2022 Table of Apportionment and the amount collected from the plan participants.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby ratifies the action by the Risk Manager to reduce the apportionment amount paid by the Towns of Caton and Wayland, and the Village of Bath based upon their changes in experience modification factors and/or reductions in payroll, loss history and other factors as follows:

<u>Municipality</u>	<u>2022 Apportionment Amount</u>	<u>2022 Amended Amount (Collected)</u>
Caton Town	\$26,250	\$24,000
Wayland Town	\$20,000	\$15,000
Bath Village	\$168,000	\$142,000

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


STATE OF NEW YORK)

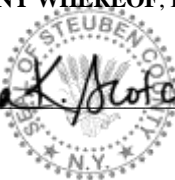
ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 16-14
PERM. NO. : 065-23 INTRO. DATE: 03/27/2023

INTRO. BY : G. Swackhamer SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

Finance Y: N: Y: N: Y: N:

TITLE: AMENDING RESOLUTION 178-22 TO REFLECT THE CORRECT APPROPRIATION OF UNRESTRICTED ARPA FUNDS TO THE CAPITAL PROJECT ENTITLED 'HIGHWAY SHOP CONSTRUCTION – ARPA'.

WHEREAS, the Ad Hoc Office Space Committee authorized the County Manager to solicit bids for the three highway shop construction projects; and

WHEREAS, the bids for the Highway Shop Construction Project have been awarded by the County Legislature with Resolutions 165-22 and 177-22; and

WHEREAS, the County Legislature allocated \$8 million in unrestricted ARPA funds and \$500,000 in restricted ARPA funds for this project, with Resolution 178-22; and

WHEREAS, Resolution 256-21 appropriated \$250,000 of unrestricted ARPA dollars for the engineering and design work related to this project; and

WHEREAS, the Finance Committee has recommended amending Resolution 178-22 to reflect the total amounts allocated to this Capital Project.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby amend Resolution 178-22 to appropriate \$500,000 of restricted ARPA funds and \$8,250,000 of unrestricted ARPA funds to the Highway Shop Construction – ARPA capital project; and be it further

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

STATE OF NEW YORK)

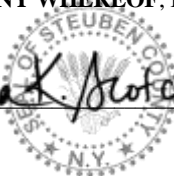
ss.:

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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.


Brenda K. Stotchner



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

DATE APPROVED : 03/27/2023
PERM. NO. : 066-23

INTRO. NO. : 17-15
INTRO. DATE: 03/27/2023

INTRO. BY : R. Nichols SECONDED BY : K. Fitzpatrick

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: WAIVING THE ESTABLISHED TIP FEES FOR ROADSIDE CLEANUP WEEKS FOR LOCAL MUNICIPALITIES.

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

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

WHEREAS, the County recognizes that the Cities, Villages and Towns collect garbage and tires along the streets and roadways in an effort to keep their communities clean; and

WHEREAS, the current tip fees at the landfill are \$44.00/ton for garbage, bulk loads; \$200.00/ton for passenger vehicle tires up to 20" and \$300.00/ton for large truck and tractor tires; and

WHEREAS, the Public Works Committee desires to assist these local municipalities by waiving the posted tip fees for the disposal of 20 tons of garbage and 10 tons of tires for a two (2) week period each year; and

WHEREAS, the waiver is for road side debris that is collected during routine maintenance activities; and

WHEREAS, the Public Works Committee has directed the Commissioner of Public Works to establish guidelines for participation in the Roadside Cleanup Weeks.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby authorize the Commissioner of Public Works to waive posted tip fees for the disposal of garbage, bulk loads and tires and forward the guidelines for the Roadside Cleanup Weeks to all Cities, Villages and Towns; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 18-16
PERM. NO. : 067-23 INTRO. DATE: 03/27/2023

INTRO. BY : R. Nichols SECONDED BY : J. Malter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING A TIRE AMNESTY WEEK AND ESTABLISHING AN EVENT RECYCLE FEE.

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

WHEREAS, the Solid Waste Division (Division) provides an ongoing tire recycling program for the residents and businesses of Steuben County; and

WHEREAS, the established recycle fee for tires is \$3.00 per passenger vehicle tire; and

WHEREAS, residents expressed concerns that there continues to be an abundance of abandoned tires on properties located within Steuben County; and

WHEREAS, a tire amnesty event would assist with the cleanup of abandoned tires; and

WHEREAS, the Public Works Committee recommends that the Division provide one (1) week each year for a tire amnesty event at the landfill, appropriately named "**Tire Dollar Days**"; and

WHEREAS, "**Tire Dollar Days**" is for the recycling of passenger vehicle tires only; normal posted recycle fees apply to large commercial, construction and agricultural tires; and

WHEREAS, the Public Works Committee has established the recycle fee of \$1.00 per tire for passenger vehicle tires delivered to the Bath landfill during "**Tire Dollar Days**".

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby authorize the Commissioner of Public Works to host "**Tire Dollar Days**" for one (1) week each year for the recycling of passenger vehicle tires at the landfill and has established a \$1.00 per tire recycle fee for that one week only; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works.
STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023
PERM. NO. : 068-23

INTRO. NO. : 19-17
INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / G. Swackhamer SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

_____ Y: _____ N: _____ Y: _____ N: _____ Y: _____ N: _____

TITLE: AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A CONTRACT WITH PRACADEMIC PARTNERS.

WHEREAS, Pracademic Partners has the knowledge and expertise to provide recruiting services relative to the Director of the Office of Community Services; and

WHEREAS, the Human Services, Health and Education Committee authorized the County Manager to enter into this contract on March 1st, 2023.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a contract with Pracademic Partners in an amount not to exceed \$15,000; and be it further

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

RESOLVED, certified copies shall be sent to the County Manager, the Personnel Officer, 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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 20-18
PERM. NO. : 069-23 INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / G. Swackhamer SECONDED BY : P. Van Caesele

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

**TITLE: AUTHORIZING A CONTINGENT FUND TRANSFER OF \$15,000 TO THE COUNTY
 MANAGER'S 2023 BUDGET.**

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

WHEREAS, this contract is not to exceed \$15,000; and

WHEREAS, Pracademic Partners will provide recruiting services relative to the Director of the Office of
Community Services; and

WHEREAS, the Finance Committee authorized the Commissioner of Finance to transfer these funds on
March 14th, 2023.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to transfer \$15,000 from the Contingent
Fund (198900-549800) to County Manager-Consultants-Professionals (123000-542300), and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly
adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a
correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 21-19
PERM. NO. : 070-23 INTRO. DATE: 03/27/2023

INTRO. BY : A. Mullen SECONDED BY : P. Van Caeseele

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

AIP Y: 4 N: 0 Y: N: Y: N:

TITLE: AUTHORIZING THE COUNTY MANAGER TO ENTER INTO A PARTNERSHIP AGREEMENT WITH CPACE – EIC.

WHEREAS, EIC has established a sustainable energy financing program pursuant to the Enabling Act through which member municipalities, including Steuben County, may levy charges against Qualified Properties within Steuben County for the purpose of promoting, facilitating and financing clean energy improvements to Qualified Properties, thereby promoting the public good by reducing greenhouse gas emissions, mitigating the effect of global climate change and lessening the burdens of government; and

WHEREAS, Steuben County has adopted Local Law Tentatively No. Two for the Year 2023, authorizing the provision of financing through Open C-PACE to Qualified Properties within its geographical boundaries and has authorized EIC to act on its behalf to effectuate Open C-PACE within Steuben County; and

WHEREAS, the Finance Committee authorized the County Manager to enter into this partnership agreement on March 14th, 2023.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to enter into a partnership agreement with Energy Improvement Corporation (EIC) upon the filing of Local Law Tentatively No. Two for the Year 2023 with the Secretary of State; and be it further

RESOLVED, the partnership agreement is subject to the approval of the County Attorney; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 23-21
PERM. NO. : 072-23 INTRO. DATE: 03/27/2023

INTRO. BY : B. Schu SECONDED BY : J. Kuhl

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE COUNTY MANAGER TO SIGN THE NATIONAL OPIOID SETTLEMENT AGREEMENT FOR CVS, WALGREENS AND WAL-MART.

WHEREAS, the County has recently been made aware that National Opioid settlements for which the County can participate in receiving funding has been had with CVS, Walgreens and Wal-Mart; and

WHEREAS, in order to participate in these settlements the County must have the [attached documents](#) signed by April 18, 2023; and

WHEREAS, it is in the County's best interest to execute these settlements so it can receive additional funding to fight the Opioid Epidemic.

NOW THEREFORE, BE IT

RESOLVED, that the County Manager is hereby authorized to execute these settlement agreements; and be it further

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


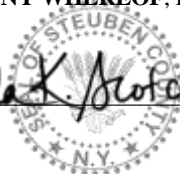
STATE OF NEW YORK)

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COUNTY OF STEUBEN)

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IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.

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

DATE APPROVED : 03/27/2023 INTRO. NO. : 24-22
PERM. NO. : 073-23 INTRO. DATE: 03/27/2023

INTRO. BY : K. Hanna / B. Schu SECONDED BY : R. Nichols

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

HSH&E Y: 3 N: 0 Admin. Y: N: Y: N:

TITLE: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT SENIOR CLERK POSITION, CSEA GRADE D TO ONE SENIOR TYPIST POSITION, CSEA GRADE F, WITHIN PUBLIC HEALTH AND NURSING SERVICES.

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

WHEREAS, this Senior Clerk position in Public Health and Nursing Services is needed to perform Senior Typist position duties; and

WHEREAS, the Senior Typist position will have added leeway permitted in determining the scope of work to be performed, greater scope of freedom and independence of judgment and action allowed in completing assigned duties, as well as other duties related to the trade; and

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

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in Public Health and Nursing Services is hereby reclassified as follows:

One (1) Vacant Senior Clerk Position, Grade D (\$32,414 - \$47,947), to
One (1) Senior Typist Position, Grade F, (\$35,736 - \$52,861).

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

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, the Director of Public Health and Nursing 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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023
PERM. NO. : 074-23

INTRO. NO. : 25-23
INTRO. DATE: 03/27/2023

INTRO. BY : J. Malter / B. Schu SECONDED BY : K. Fitzpatrick

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 8345 </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> 1013 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE RECLASSIFICATION OF TWO CURRENTLY FILLED DEPUTY SHERIFF CORPORAL POSITIONS, GRADE 12 TO TWO DEPUTY SHERIFF SERGEANT POSITIONS, GRADE 13, WITHIN THE SHERIFF'S OFFICE.

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

WHEREAS, these Deputy Sheriff Corporal positions in the Sheriff's Office are needed to perform a Deputy Sheriff Sergeant position duties; and

WHEREAS, the Deputy Sheriff Sergeant positions will have added duties with investigating employee complaints, as well as other duties related to the position; and

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

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following positions in the Sheriff's Office are hereby reclassified as follows:

Two (2) Deputy Sheriff Corporal Positions, Grade 12 (\$64,726), to
Two (2) Deputy Sheriff Sergeant Positions, Grade 13, (\$67,917).

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

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, Sheriff, 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, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 26-24
 PERM. NO. : 075-23 INTRO. DATE: 03/27/2023

INTRO. BY : J. Malter / B. Schu SECONDED BY : K. Fitzpatrick

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: WAIVING RULE 16B AND AUTHORIZING THE CREATION OF AN EMERGENCY MEDICAL SERVICES COORDINATOR IN THE DEPARTMENT OF EMERGENCY SERVICES.

WHEREAS, the County of Steuben is desirous of assisting local agencies with the provision of emergency medical services; and

WHEREAS, the Public Safety and Corrections Committee held a number of meetings with emergency medical services providers and stakeholders to discuss current services, needs and hurdles; and

WHEREAS, the emergency medical services providers and stakeholders indicated that training and recertification for EMT's and Paramedics is often difficult to procure and is cost prohibitive for volunteers; and

WHEREAS, the Public Safety and Corrections Committee directed the Director of Public Safety, in conjunction with the Personnel Officer, to develop job specifications for an individual to, in part, oversee the training and education for volunteer emergency medical services providers; and

WHEREAS, the Director of Public Safety is requesting a 16B waiver to create one (1) Emergency Medical Services Coordinator position, Grade Q; and

WHEREAS, funding is available in the 2023 budget; and

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

NOW THEREFORE, BE IT

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

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

<u>Department/Position</u>	<u>Quantity</u>	<u>Grade</u>	<u>Salary</u>
<u>Office of Emergency Services</u>			
Emergency Medical Services Coordinator, Full-time	1	Q	\$61,120 - \$90,411 (Main Unit)

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 28-26
PERM. NO. : 077-23 INTRO. DATE: 03/27/2023

INTRO. BY : S. Van Etten SECONDED BY : B. Schu

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: APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 12.20 of the Steuben County Charter and Section 225-a of the County Law of the State of New York.

RESOLVED, the following persons are hereby appointed members of the Steuben County Fire Advisory Board for a term of two (2) years, commencing January 1, 2023 and ending December 31, 2024:

LEGISLATIVE MEMBERS

1. Kelly H. Fitzpatrick, 6342 Robie Road, Savona, NY 14879

NON-LEGISLATIVE MEMBERS

2. John Ford, 58 Maple Street, Addison, NY 14801
3. Frank Brzozowski, 108 Broadway, Hornell, NY 14843
4. William Todd, 226 Main Street, Painted Post, NY 14870
5. Joseph Dick, 306 First Street, Hornell, NY 14843
6. David M. Sereno, 4691 Colvin Hill Road, Woodhull, NY 14898
7. Brad Davies, 1 Civic Center Plaza, Corning, NY 14830
8. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
9. Brian McCarthy, 3824 West Hill Road, Painted Post, NY 14870
10. William Waggoner, PO Box 243, Cohocton, NY 14826
11. Evan Brown, DFC, 5 Swan Lane, Painted Post, NY 14870
12. Ken LeCrone, PO Box 87, Troupsburg, NY 14885
13. Larry Day, 9623 County Route 87, Hammondsport, NY 14840
14. Dan Hulbert, 8813 State Route 36, Arkport, NY 14807
15. William Fries, Chief DFC, 7344 Fish Hatchery Road, Bath, NY 14810
16. Donald Fredericy, DFC, 27 East Avenue, Wayland, NY 14572
17. Michael Wilson, DFC, 307 Grand Street, Hornell, NY 14843
18. Timothy Martin, DFC, 6300 CR 100, Addison, NY 14801
19. Glen Miller, 11 South Fowler Street, Bath, NY 14810
20. James Webster, Bath VA, 76 Veterans Avenue, Bath, NY 14810
21. Jeffrey O'Neil, 307 Granger Road, Wayland, NY 14572

EX-OFFICIO MEMBERS

22. Timothy D. Marshall, Director of Public Safety, Bath, NY 14810
23. Kenneth Forenz, Deputy Director, Emergency Services, Bath, NY 14810
24. Ed Fitzpatrick, Fire Service Aide, Emergency Management Office, Bath, NY 14810
25. Tina Goodwin, Deputy Director, E-911, Bath, NY 14810

BE IT FURTHER RESOLVED, members shall serve without compensation except for necessary expenses upon presentation of receipts, related to the fulfillment of their duties on the Fire Advisory Board; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Director of Public Safety.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





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

DATE APPROVED : 03/27/2023 INTRO. NO. : 29-27
PERM. NO. : 078-23 INTRO. DATE: 03/27/2023

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

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: URGING THE GOVERNOR AND NYS PUBLIC SERVICE COMMISSION TO DISMISS THE NYSEG RATE HIKE REQUEST AND TO CORRECT THE BILLING PROBLEMS BEFORE RATE HIKES ARE CONSIDERED.

WHEREAS, Steuben County residents are served by NYSEG; and

WHEREAS, NYSEG has requested a 34.9% rate increase for electric and 14.9% for gas customers which together would result in an annual bill increase of approximately \$240 for the average residential customer; and

WHEREAS, Governor Hochul called NYSEG's rate hike request "outrageous and unacceptable" and urged the Department of Public Service (DPS) to "scrutinize every number and word of this proposal to protect New York families from unjustified and unfair rate increases", and

WHEREAS, DPS staff experts have reviewed the NYSEG rate filings, and as documented in public records, testified to the many deficiencies and errors contained in those filings; and

WHEREAS, DPS staff indicated NYSEG has been vague and non-responsive to their questions; noting that this is the second successive rate filing in which these issues have occurred and similar problems were noted in a 2016 management audit as well; and

WHEREAS, State regulations governing rate proceedings (16 NYCRR §61) require NYSEG to provide competent testimony with detailed financial justification that is neither speculative or conjectural to support their rate requests, but have failed to do so; and

WHEREAS, the NYS Public Service Commission is undertaking an investigation of the billing practices of NYSEG due to the number of consumer complaints, which have skyrocketed to more than 4,700 in 2022, 60% more than the two previous years combined; and

WHEREAS, the billing problems as well as the inadequacies of the rate filings call into question the administrative competence of this monopoly utility and public trust has eroded.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature calls upon the NYS Public Service Commission and Governor Hochul to dismiss the NYSEG rate increase request and to protect the public interest by making sure NYSEG gets their billing straightened out and submit a proper, detailed rate filing before substantive rate hikes are even considered; and further be it

RESOLVED, certified copies of this resolution shall be forwarded to Honorable Kathy Hochul, New York State Governor, New York State Capitol Building, Albany, NY 12224; Honorable Andrea Stewart-Cousins,

NYS Senate Majority Leader, 907 Legislative Office Building, Albany, NY 12247; Honorable Robert G. Ort, NYS Senate Minority Leader, Capitol Building, Room 315, Albany, NY 12247; Honorable Carl E. Heastie, Speaker, New York State Assembly, 932 Legislative Office Building, Albany, NY 12248; Honorable Crystal D. Peoples-Stokes, NYS Assembly Majority Leader, 926 Legislative Office Building, Albany, NY 12248; Honorable William A. Barclay, NYS Assembly Minority Leader, 933 Legislative Office Building, Albany, NY 12248; Honorable Thomas M. O'Mara, New York State Senator, 406 Legislative Office Building, Albany, NY 12247; Honorable Philip A. Palmesano, New York State Assemblyman, 448 Legislative Office Building, Albany, NY 12248; Honorable Joseph M. Giglio, New York State Assemblyman, 525 Legislative Office Building, Albany, NY 12248; and Honorable Marjorie Byrnes, New York State Assemblywoman, 723 Legislative Office Building, Albany, NY 12248; 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.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.




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

DATE APPROVED : 03/27/2023 INTRO. NO. : 30-28
PERM. NO. : 079-23 INTRO. DATE: 03/27/2023

INTRO. BY : B. Schu SECONDED BY : J. Malter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8345</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>1013</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE STEUBEN COUNTY CSEA CORRECTION OFFICERS, DISPATCHERS AND COURT SECURITY OFFICERS UNIT.

WHEREAS, both the County of Steuben and the Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA Correction Officers, Dispatchers and Court Security Officers Unit) desire to memorialize and implement a change to the current CBA; and

WHEREAS, both the County of Steuben and the Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA Correction Officers, Dispatchers and Court Security Officers Unit) believe it is in their best interest to ratify this Memorandum of Agreement; and

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

WHEREAS, the Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA Correction Officers, Dispatchers and Court Security Officers 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 Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA Correction Officers, Dispatchers and Court Security Officers Unit) of the County of Steuben is hereby approved; and be it further

RESOLVED, the above referenced changes are 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; Personnel Officer; Commissioner of Finance; and James Towner, Unit President Steuben County Local #851 of the Civil Service Employees' Association, Inc. (CSEA Correction Officers, Dispatchers and Court Security Officers Unit).

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, March 27, 2023; that it is a correct transcript therefrom and of the whole of said original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the said County Legislature at Bath, New York, March 28, 2023.





MEMORANDUM OF AGREEMENT

By and Between the

***County of Steuben
(hereinafter referred to as “County”)***

And the

***Steuben County Sheriff
(hereinafter referred to as the “Sheriff”)***

And the

***The CSEA, Inc., Local 1000, AFL-CIO,
Steuben Correction Officers, Dispatchers, and Court Security Officers Unit
(hereinafter referred to as “Union”)***

WHEREAS, the County, the Sheriff’s Office (collectively referred to as the “Employer”), and the Union are parties to a Collective Bargaining Agreement (the “Agreement”) for a term which expires on December 31, 2025; and

WHEREAS, the Employer and the Union engaged in collective bargaining, which led to that Agreement; and

WHEREAS, that Agreement was a memorialization of a July 5, 2022 Memorandum of Agreement between the parties regarding the terms and conditions of employment agreed to through collective bargaining.

WHEREAS, following execution of the Agreement, the parties realized that the wording of Article XVIII, Section 4 was different in the Agreement from the July 5, 2022 Memorandum of Agreement; and

WHEREAS, the parties have discussed this issue and agreed to resolve it herein.

NOW THEREFORE, the Employer and the Union agree as follows:

1. **Article XVIII, Section 4**, shall be amended to read as follows:

All employees shall be paid an additional two dollars (\$2.00) per hour for work actually performed outside the dayshift hours. Dayshift hours shall be designated by the Sheriff and Director of Public Safety.

2. **Examples:**

- a. Corrections Officers who work the scheduled dayshift currently designated by the Sheriff as 7am – 3pm (0700-1500 hrs) and Corrections Sergeants who work the scheduled dayshift currently designated by the Sheriff as 6am – 4pm (0600-1600 hrs) are not entitled to the shift differential for work during those hours.

- b. Corrections Officers actually working the 3pm to 11pm or 11pm to 7am shifts as currently designated by the Sheriff are entitled to the shift differential.
 - c. Corrections Sergeants actually working after 4pm or before 6am are entitled to the shift differential.
 - d. A Corrections Officer or Corrections Sergeant regularly scheduled to work the dayshift that actually works overtime outside the dayshift hours shall be entitled to the shift differential for all hours actually worked outside the dayshift hours.
 - e. Corrections Officers and Sergeants are not entitled to the shift differential for non-dayshift hours for leave purposes. For example, a Corrections Officer using his leave accruals for his regularly scheduled non-dayshift, shall not receive shift differential included in their leave pay.
 - f. Court Security employees only work a dayshift, the hours of which are designated by the Sheriff, and are not entitled to a shift differential.
3. There shall be no retroactive pay to either party for payments made or not made following ratification of the Agreement and execution of this MOA.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on the _____ day of _____, 2023

COUNTY OF STEUBEN

CSEA

By: _____

By: _____

By: _____

By: _____

By: _____

By: _____