

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

DATE APPROVED : 05/22/2023 INTRO. NO. : 2-1
 PERM. NO. : 105-23 INTRO. DATE: 05/22/2023

INTRO. BY : G. Swackhamer SECONDED BY : A. Mullen

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</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, as the Steuben County Land Bank Corporation desires to purchase certain foreclosed properties from the County of Steuben for the purposes of strengthening and revitalizing the economy of the County and to foster the development of such property and promote economic growth, pursuant to Not-For-Profit Corporation Law §1608(c); and the Steuben County Commissioner of Finance having confirmed that the consideration offered is sufficient to make the County whole; and due to the foregoing it is determined to be in the best interest of the County to convey the property(ies) listed on Schedule "B" to the Steuben County Land Bank Corporation for the consideration offered and as approved by the Steuben County Finance Committee on May 9, 2023, pursuant to Not-For-Profit Corporation Law §1608(c). The said grantee(s) must accept the parcel(s) contained in Schedule "B" "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be; and be it further

RESOLVED, as it appears to be in the best interest of the County to sell the property(ies) listed on Schedule "C" for the consideration offered, the Steuben County Commissioner of Finance is hereby authorized and directed to execute the necessary documentation to convey the recited parcel(s) to the grantee(s) upon receipt of the consideration indicated, pursuant to Real Property Tax Law §1166, and approved by the Steuben County Finance Committee on May 9, 2023. The said grantee(s) must accept the parcel(s) "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel(s) if need be, and as upon the "Notice to Bidders and Terms of Sale 2023" as applicable; and be it further

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

of the appropriate School District, and the grantee(s); and certified copies of this resolution contained in Schedule "C" shall be forwarded to the Steuben County Commissioner of Finance, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, the Clerk of the Board of Education of the appropriate School District, and the grantee(s).

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, May 22, 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, May 23, 2023.





SCHEDULE "A"

Resolution No.	Parcel No.	Name	Municipality	Tax Yr(s)	Disposition
A-1	021.00-01-009.000	McCormick Big Buck Club LLC	Prattsburgh	2023	Correction of Forestland exemption.
A-2*	337.00-02-025.000	Shafer, Kathleen (LU)	Corning Town	2022-23	Correction of Enhanced STAR Exemption. Should have been only School Tax Cancelled.

*Note: Item A-2 is a correction of item A-2 on Resolution 052-23 dated 3/27/23.

SCHEDULE "B"

Resolution No.	Former Owner	In Rem Index No.	Parcel No.	Municipality	Grantee(s) Name & Address	Consideration
B-1	Rosato Joseph S.	2018-1367CV, Judgment filed 5/08/2023	043.17-02-024.000	Cohocton Village	Steuben County Land Bank, 3 E Pulteney Sq, Bath, NY 14810	\$22,365.76, inclusive of recording fees
B-2	Babcock Leon Sr.	2013-1427CV, Judgment filed 5/08/2023	151.80-01-041.000	Hornell City	Steuben County Land Bank, 3 E Pulteney Sq, Bath, NY 14810	\$1,142.23, inclusive of recording fees
B-3	McNeill Kyle	2019-1533CV, Judgment filed 5/08/2023	003.17-02-033.000	Wayland Village	Steuben County Land Bank, 3 E Pulteney Sq, Bath, NY 14810	\$8,649.11, inclusive of recording fees

SCHEDULE "C"

Resolution No.	Former Owner	In Rem Index No.	Parcel No.	Municipality	Grantee(s) Name & Address	Consideration
C-1	Hees Emmett	2014-1414CV, Judgment filed 5/08/2023	099.19-01-008.000	Avoca Village	Barbara Goodrich; 18 Charlesworth Ave; PO Box 24; Avoca, NY 14809	\$5,000, plus recording fees
C-2 & C-3	Ketch Burton	2018-1367CV, Judgment filed 5/08/2023	158.07-01-036.000 & 158.07-01-038.000	Bath Village	NYS DEC; Bath Flood Protection Project; 7291 Coon Rd; Bath, NY 14810	\$1/each, plus recording fees
C-4	Prehoda Richard	2019-1533CV, Judgment filed 5/08/2023	349.08-02-068.000	Addison Village	NYS DEC; Bath Flood Protection Project; 7291 Coon Rd; Bath, NY 14810	\$1, plus recording fees
C-5	Allington Emline	2020-1004CV, Judgment filed 5/08/2023	363.08-01-040.000	Woodhull	Town of Woodhull; 1585 Academy St.; Woodhull, NY 14898	\$2,398.85, plus recording fees

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

DATE APPROVED : 05/22/2023 INTRO. NO. : 3-2
PERM. NO. : 106-23 INTRO. DATE: 05/22/2023

INTRO. BY : S. Van Etten SECONDED BY : A. Mullen

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 MAY 22, 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:

April 19, 2023

NYS Board on Electric Generation Siting and the Environment – Re: Procedural ruling on briefing and submissions related to the confidentiality of certain information on the Baron Wind LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

April 24, 2023

Young/Sommer LLC – Re: Response to the Notice of Incomplete Application (NOIA) for the Prattsburgh Wind Farm, LLC Wind Energy Project. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

NYS Board on Electric Generation Siting and the Environment – Re: Ruling revising the procedural schedule on the Baron Wind LLC Project (Case#15-F-0122). *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

April 27, 2023

Suit-Kote Corporation – Re: State budget delay. *Referred to: Public Works Committee; and Eric Rose, Commissioner of Public Works.*

NYS Office of Children and Family Services – Re: OCFS Fatality Report #RO-22-037. *Referred to: Scott Van Etten, Legislature Chairman; and Jack Wheeler, County Manager.*

April 28, 2023

NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Prattsburgh Commercial Historic District located on Main Street in Prattsburgh, NY is listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places. *Referred to: A.I.P. Committee; and Emily Simms, Historian.*

May 3, 2023

Parsons – Re: Notification of the Community Availability Session on the Corning, N.Y. Study Area is scheduled for Wednesday, May 10, 2023 from 6:00pm-8:00pm at the Downtown Corning Hilton Garden Inn located at 23 Riverside Drive. *Referred to: AIP Committee; and Marie Myers Shearing, Planning Director.*

May 5, 2023

Steuben County Industrial Development Agency – Re: Notice of public hearing on the NY Bath (6105 Scudder Road), LLC proposed financial assistance is scheduled for Wednesday, May 31, 2023 at 9:00am at the IDA's local office located at 7234 Route 54 North, Bath, New York. ***Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.***

May 8, 2023

TC Energy, Columbia Gas Transmission, LLC – Re: Notification of the filing of application with the Federal Energy Regulatory Commission (FERC) Docket No. CP23-214-000 to abandon its Greenwood and North Greenwood Storage Fields, including all associated facilities and base gas, located in Steuben County, New York. ***Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.***

May 10, 2023

City of Hornell Industrial Development Agency – Re: Listing of the agency's PILOT expiration dates on all active agreements. ***Referred to: A.I.P. Committee; and Marie Myers Shearing, Planning Director.***

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

DATE APPROVED : 05/22/2023 INTRO. NO. : 4-3
PERM. NO. : 107-23 INTRO. DATE: 05/22/2023

INTRO. BY : A. Mullen SECONDED BY : R. Nichols

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: AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN
CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2023 ANNUAL THIRTY-
DAY PERIOD.**

Pursuant to Article 25-AA, Section 303-b, of the Agriculture and Markets Law of the State of New York.

WHEREAS, the Steuben County Legislature established a required annual period from February 15 to March 17 for landowners to submit requests to add agricultural land to certified Agricultural Districts; and

WHEREAS, landowners submitted requests to add land and said requests will be forwarded to the Steuben County Agriculture and Farmland Protection Board for their review; and

WHEREAS, the Steuben County Agriculture and Farmland Protection Board will review the matter and will submit a report to this Legislature.

NOW THEREFORE, BE IT

RESOLVED, in accordance with Section 303-b of the Agriculture and Markets Law of the State of New York, a Public Hearing on this matter shall be held by this County Legislature on the 26th day of June, 2023, at 10:00 a.m.; and be it further

RESOLVED, the Clerk of this Legislature shall cause a Notice of said Public Hearing to be published and mailed in accordance with Section 303-b of the Agriculture and Markets Law; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of the Steuben County Planning Department.

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

DATE APPROVED : 05/22/2023 INTRO. NO. : 5-4
 PERM. NO. : 108-23 INTRO. DATE: 05/22/2023

INTRO. BY : B. Schu / G. Swackhamer SECONDED BY : A. Mullen

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE DISTRIBUTION OF THE SEMI-ANNUAL MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 of the Tax Law of the State of New York:

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of October, 2022 to the 31st day of March 2023, pursuant to provisions of Section 261 of the Tax Law, as made by the County Clerk be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the Commissioner of Finance of this County, is hereby and in all things ratified and confirmed and such statement shall be to the said Commissioner a sufficient Warrant for the payment by her of the various sums as apportioned for the various purposes as designed by Law, and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to the Steuben County Commissioner of Finance, the Steuben County Real Property Tax Service Agency, and the Steuben County Clerk:

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on March 31, 2023, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since October 1, 2022, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of \$895,697.81.

You are therefore commanded to pay the various towns and cities the amount placed opposite the name of said towns and cities and pay over to the various village officers the amount hereinafter stated to be the distributive amounts due said districts for village purposes, as follows:

MORTGAGE TAX DISTRIBUTION - MAY 2023

TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES VILLAGES	VILLAGES AMT DUE	TOTAL AMT DUE
ADDISON	11,559.52	ADDISON	4,425.98	15,985.50
AVOCA	5,236.52	AVOCA	656.53	5,893.05
		BATH (1)	6,327.21	
BATH	25,659.81	SAVONA (2)	691.64	32,678.66
BRADFORD	4,459.10			4,459.10

CAMERON	3,628.68			3,628.68
CAMPBELL	18,663.05			18,663.05
CANISTEO	12,616.82	CANISTEO	3,676.33	16,293.15
CATON	14,474.06			14,474.06
COHOCTON	13,338.33	COHOCTON	1,705.74	15,044.07
CORNING CITY	338,960.10			338,960.10
		RIVERSIDE (1)	3,417.55	
CORNING TOWN	65,098.45	S CORNING (2)	4,837.82	73,353.82
DANSVILLE	5,688.35			5,688.35
ERWIN	87,890.79	PAINTED POST	6,770.47	94,661.26
FREMONT	3,714.32			3,714.32
GREENWOOD	5,019.05			5,019.05
HARTSVILLE	2,932.25			2,932.25
HORNBY	8,787.04			8,787.04
HORNELL CITY	42,759.80			42,759.80
		ALMOND (1)	23.68	
		ARKPORT (2)	1,204.37	
HORNELLSVILLE	13,573.18	V N HORNELL (3)	1,482.72	16,283.95
HOWARD	4,656.08			4,656.08
JASPER	5,222.31			5,222.31
LINDLEY	13,366.70			13,366.70
PRATTSBURGH	8,714.40			8,714.40
PULTENEY	16,715.64			16,715.64
RATHBONE	3,828.01			3,828.01
THURSTON	6,232.55			6,232.55
TROUPSBURG	6,305.39			6,305.39
TUSCARORA	7,027.44			7,027.44
URBANA	32,785.00	HAMMONDSPORT	3,217.73	36,002.73
WAYLAND	15,726.81	WAYLAND	2,856.39	18,583.20
WAYNE	29,056.36			29,056.36
WEST UNION	2,056.30			2,056.30
WHEELER	8,430.41			8,430.41
WOODHULL	10,221.03			10,221.03
TOTAL	854,403.65		41,294.16	895,697.81

Foregoing shall be your sufficient warrant for the payment of said sums as above directed.

DATED at Bath, New York: May ____, 2023

STEUBEN COUNTY LEGISLATURE

By: Scott J. VanEtten, Chairman

I, Brenda K. Scotchmer, Clerk of the County Legislature of Steuben County, DO HEREBY CERTIFY that the foregoing apportionment of Mortgage Tax, pursuant to Law, is correct.

DATED: May ____, 2023

Brenda K. Scotchmer, Clerk of the Legislature

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

DATE APPROVED : 05/22/2023 INTRO. NO. : 6-5
PERM. NO. : 109-23 INTRO. DATE: 05/22/2023

INTRO. BY : J. Malter / G. Swackhamer SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ACCEPTING THE FY22 STATEWIDE INTEROPERABLE COMMUNICATIONS TARGETED GRANT.

WHEREAS, Steuben County has a County-wide Communications System to support emergency response; and

WHEREAS, County emergency responders are dependent on the County-wide Communications System; and

WHEREAS, the County has implemented a County-wide 911 system that makes use of this system for notification and operation of the county responders; and

WHEREAS, the County has identified the need for additional capabilities within the system to address interoperable communications with all response agencies to address operational issues; and

WHEREAS, the County has identified the need for funding to sustain and maintain our communications system for interoperability with all response agencies; and

WHEREAS, the County has agreed to partner with Allegany, Chemung and Schuyler Counties to develop a shared Regional Interoperable Communications System to meet the recommendations of the State Office of Interoperable Communications; and

WHEREAS, the New York State Department of Homeland Security and Emergency Services (DHSES) Office of Interoperable & Emergency Communications (OIEC) is responsible for the administration of the Statewide Interoperable Communications Grants; and

WHEREAS, the New York State DHSES has awarded Steuben County grant funds in the amount of \$5,846,500 to facilitate the development, consolidation, improvement, sustainability and maintenance of public safety communications to support and enhance statewide interoperable communications for first responders.

NOW THEREFORE, BE IT

RESOLVED, the County Manager is hereby authorized to execute such documents or agreements with New York State DHSES to accept funding in the amount of \$5,846,500 for implementation of the FY22 Statewide Interoperable Communications Targeted Grant Program to support improved operations of public safety communications and interoperability; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized to appropriate funding to a capital project entitled "InteropT22" for the grant award amount of \$5,846,500 in the following line items:

6290-	Mach & Equipment -	\$5,756,500
5423000-	Consultants and Professionals-	\$90,000

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the New York State DHSES OIEC, 1220 Washington Avenue, State Office Building 7A, Albany NY 12226; the Commissioner of Finance; 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, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 7-6
PERM. NO. : 110-23 INTRO. DATE: 05/22/2023

INTRO. BY : R. Nichols / G. Swackhamer SECONDED BY : C. Ferratella

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: APPROPRIATING 2023 CHIPS FUNDING.

WHEREAS, New York State's 2023 CHIPS FUNDING revenue was budgeted at \$4,429,818.00 and expenditures at \$3,461,329.00; and

WHEREAS, the Public Works Committee has approved using CHIPS funding for work on the road and bridge projects listed below.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized to make the following transfers from the originally budgeted expenditure line (511200-6999) to:

512000-6413	CR41 over Culter Creek	\$200,000
511200-6005	CR5 Tuscarora	\$180,000
511200-6016	CR16 Bath	\$600,000
511200-6037	CR37 Cohocton	\$180,000
511200-6070	CR70 Avoca	\$650,000
511200-6074	CR74 Pulteney/Prattsburgh	\$600,000
511200-6125	CR125 Campbell	\$600,000
511200-6065	CR65 Hornesllsville	\$240,000
511200-6112	CR112 Tuscarora	\$150,000
511000-544215	Surface Treatment	\$ 61,329

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 8-7
PERM. NO. : 111-23 INTRO. DATE: 05/22/2023

INTRO. BY : R. Nichols / G. Swackhamer SECONDED BY : J. Malter

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: APPROVING A CHANGE ORDER FOR THE BATH LANDFILL CELL 7/8 CAPITAL PROJECT AND AUTHORIZING A TRANSFER FROM THE GAS COLLECTION CAPITAL PROJECT TO PAY THE SAME.

WHEREAS, the Solid Waste Division is expanding the landfill with the additions of Cells 7 and 8; and

WHEREAS, the Bath Landfill Cell Construction encountered unforeseen bedrock which needs to be removed; and

WHEREAS, Marcy Excavation Services is requesting a change order for the removal of said bedrock; and

WHEREAS, the cost to remove the bedrock exceeds the project budget; and

WHEREAS, the Gas Collection Capital Project has \$500,000 available to fund the project; and

WHEREAS, the Public Works Committee and the Finance Committee recommend approval of the change order and the transfer of funds as noted above.

NOW THEREFORE, BE IT

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

- Decrease GASCOLLECT.OZTHERIMPRV by \$500,000
- Increase BATHLFILL.CELL 7/8.CONSTRUCT by \$500,000

AND BE IT FURTHER RESOLVED, the County Manager or his designee is authorized to execute the Marcy Excavation Services change order; and be it further

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


STATE OF NEW YORK)

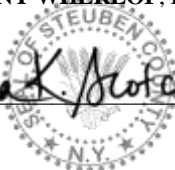
ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023 INTRO. NO. : 9-8
 PERM. NO. : 112-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED IN THE TOWN OF ERWIN, FOR THE PURPOSE OF REPLACING AND MAINTAINING THEREON THE SMITH HILL ROAD BRIDGE OVER THE COHOCTON RIVER.

WHEREAS, the BridgeNY Replacement Project, P.I.N. 6755.54, Smith Hill Road over the Cohocton River, BIN 2216880, Town of Erwin, County of Steuben ("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% Federal funds, and 5% non-federal funds; and

WHEREAS, the County of Steuben ("the County") has entered into an agreement with the New York State Department of Transportation to advance the Project by making an initial commitment of 100% of the federal and non-federal share of the Design and Right-of-Way costs of the Project; and

WHEREAS, in order to construct and maintain the Project, specifically to construct the new southeast wing wall, the County desires to acquire in Fee a parcel of land from William J. & Karen S. Kittner, being a portion of Tax Parcel ID 279.16-01-037.000, located adjacent to the Project; and

WHEREAS, the Fee acquisition contains 0.058± acres of real property as delineated on Steuben County Acquisition Map No. 4, Parcel No. 4 for the Project; and

WHEREAS, the Just Compensation value for this parcel of property has been determined to be three hundred and fifty dollars (\$350.00).

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby approve of acquiring in Fee, for the sum of up to seven hundred and fifty dollars (\$750.00), the aforementioned 0.058± acre parcel of land from William J. & Karen S. Kittner, being a portion of Tax Parcel ID 279.16-01-037.000, located adjacent to the Project; and be it further

RESOLVED, the County Manager is authorized to make and enter into agreements on behalf of the County of Steuben to execute any and all documents associated with the acquisition of the aforementioned property; and be it further

RESOLVED, certified copies of this resolution shall be filed with the County Clerk, Director of the Real Property Tax Service Agency, Commissioner of Public Works, County Attorney, and County Manager.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023 INTRO. NO. : 10-9
PERM. NO. : 113-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE PURCHASE OF A TEMPORARY EASEMENT ON AND OVER CERTAIN REAL PROPERTY LOCATED IN THE TOWN OF ERWIN, FOR THE PURPOSE OF REPLACING THEREON THE SMITH HILL ROAD BRIDGE OVER THE COHOCTON RIVER.

WHEREAS, the BridgeNY Replacement Project, P.I.N. 6755.54, Smith Hill Road over the Cohocton River, BIN 2216880, Town of Erwin, County of Steuben ("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% Federal funds, and 5% non-federal funds; and

WHEREAS, the County of Steuben ("the County") has entered into an agreement with the New York State Department of Transportation to advance the Project by making an initial commitment of 100% of the federal and non-federal share of the Design and Right-of-Way costs of the Project; and

WHEREAS, in order to construct the Project, specifically to gain access to the river to construct the new pier, the County desires to acquire a Temporary Easement on and over property owned by Dalrymple Gravel and Contracting Company, Inc., being a portion of Tax Parcel ID 279.00-01-010.120, located adjacent to the Project; and

WHEREAS, the Temporary Easement contains 0.254± acres of real property as delineated on Steuben County Acquisition Map No. 1, Parcel No. 1 for the Project; and

WHEREAS, the Just Compensation value for this parcel of property has been determined to be two hundred dollars (\$200.00).

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby approve of acquiring a temporary easement, for the sum of two hundred dollars (\$200.00), on and over the aforementioned 0.254± acre parcel of land from Dalrymple Gravel and Contracting Company, Inc., being a portion of Tax Parcel ID 279.00-01-010.120, located adjacent to the Project; and be it further

RESOLVED, the County Manager is authorized to make and enter into agreements on behalf of the County of Steuben to execute any and all documents associated with the acquisition of the aforementioned property; and be it further

RESOLVED, certified copies of this resolution shall be filed with the County Clerk, Director of the Real Property Tax Service Agency, Commissioner of Public Works, County Attorney, and County Manager.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023 INTRO. NO. : 11-10
PERM. NO. : 114-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u>X</u>	YES	<u>7675</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>1683</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN THE STEUBEN COUNTY SHERIFF AND THE SCHUYLER COUNTY SHERIFF.

Pursuant to GML Section 209, GML 119-O and 29 USC Section 207.

WHEREAS, Schuyler County reasonably anticipates regularly-recurring emergency situations throughout the auto racing season due to the crowds, traffic volume and related consequences attributable to the large crowds attracted to race events at Watkins Glen International in the Town of Dix, Schuyler County, New York; and

WHEREAS, the resources of the Schuyler County Sheriff's Office are insufficient to address the situations of this magnitude; and

WHEREAS, the Steuben County Sheriff's Office is desirous of responding to the requests for mutual aid made by Schuyler County during the auto racing season.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Sheriff be, and the same hereby is, authorized to enter into an Inter-Municipal Agreement with the Schuyler County Sheriff to provide special detail deputies on a voluntary basis to perform mutual aid police duties in Schuyler County upon review by the County Attorney; and be it further

RESOLVED, certified copies of this Resolution shall be forwarded to the Sheriff, the Schuyler County Sheriff and the County Auditor.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 12-11
PERM. NO. : 115-23 INTRO. DATE: 05/22/2023

INTRO. BY : C. Ferratella / G. Swackhamer SECONDED BY : H. Lando

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 7833 </u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u> X </u>	NO	<u> 1525 </u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u> 0 </u>	POSTPONED	<u> </u>		<u> </u>
		ABSENT	<u> 0 </u>	REF'D/COM	<u> </u>		<u> </u>

COMMITTEES:

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

TITLE: AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES TO CONTRACT WITH VETERANS ONE-STOP CENTER OF WESTERN NEW YORK TO PROVIDE PEER SERVICES.

WHEREAS, Steuben County has received a \$100,000 grant from the State to provide peer services to local veterans; and

WHEREAS, the County issued an RFP to contract with a vendor to provide peer support services and connectivity to needed resources and treatment to veterans located within Steuben County in conjunction with the County Veterans Services Department; and

WHEREAS, the Department of Community Services received authorization from the Human Services, Health & Education and Finance Committees to utilize \$100,000 of these grant funds to award the RFP and contract with Veterans One-Stop Center of Western New York to offer peer support services to veterans to assist their transition from military to civilian life.

NOW THEREFORE, BE IT

RESOLVED, the Director of Community Services is hereby authorized to execute a contract with Veterans One-Stop Center of Western New York for peer services upon County Attorney approval; and be it further

RESOLVED, certified copies of this resolution shall be sent to the Director of the Department of Community Services, Director of Veteran's 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, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 13-12
PERM. NO. : 116-23 INTRO. DATE: 05/22/2023

INTRO. BY : C. Ferratella / B. Schu SECONDED BY : F. Potter

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: CONFIRMING THE APPOINTMENT OF THE STEUBEN COUNTY DIRECTOR OF COMMUNITY SERVICES.

Pursuant to Section 9.00 of the County Charter.

WHEREAS, Lynn Lewis of Canisteo, New York has been recommended for appointment as the Director of Community Services by the Community Services Board; and

WHEREAS, the County Manager also recommends she be appointed.

NOW THEREFORE, BE IT

RESOLVED, that Lynn Lewis of Canisteo, New York is hereby appointed as the Steuben County Director of Community Services, effective May 22, 2023, at a salary of \$120,308 (Grade K, Step 14) per annum, pending approval of the NYS Office of Mental Health; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named Director, the County Manager, Personnel Officer and the Commissioner of Finance.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 14-13
 PERM. NO. : 117-23 INTRO. DATE: 05/22/2023

INTRO. BY : J. Malter / B. Schu SECONDED BY : S. Maio

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: WAIVING RULE 16B AND AUTHORIZING THE CREATION OF ONE FULL-TIME ASSISTANT PUBLIC DEFENDER POSITION, MANAGEMENT GRADE J AND THE CREATION OF ONE PARALEGAL ASSISTANT POSITION, CSEA GRADE J, WITHIN THE PUBLIC DEFENDER'S OFFICE.

WHEREAS, the Public Defender's Office received funds as part of ILS through the Hurrell-Harring settlement; and

WHEREAS, to maintain compliance with the grant regulations, the Public Defender's Office is requesting a 16B waiver to create one (1) Full-Time Assistant Public Defender position, Management Grade H; and one (1) Full-Time Paralegal Assistant position, CSEA Grade J; and

WHEREAS, the funding for said positions is currently available in the 2023 budget.

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 positions are hereby created and funded for the denoted department:

<u>Department/Position</u>	<u>Quantity</u>	<u>Grade</u>	<u>Salary</u>
<u>Public Defender</u>			
a. Assistant Public Defender, Full-time	1	J (Mgmt.)	\$71,642- \$112,048
b. Paralegal Assistant Position	1	J (CSEA)	\$43,437- \$64,253

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Public Defender, 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, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 15-14
 PERM. NO. : 118-23 INTRO. DATE: 05/22/2023

INTRO. BY : B. Schu SECONDED BY : C. Ferratella

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT ASSESSMENT DATA SUPERVISOR, CSEA GRADE J TO A DEPUTY DIRECTOR OF REAL PROPERTY, MANAGEMENT GRADE G, WITHIN THE REAL PROPERTY TAX SERVICE AGENCY.

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

WHEREAS, a vacant Assessment Data Supervisor position in the Real Property Tax Service Agency exists and a Deputy Director of Real Property is needed; and

WHEREAS, the Director of Real Property Tax Service Agency desires to change the job title of this position from Assessment Data Supervisor to Deputy Director of Real Property; and

WHEREAS, the Deputy Director of Real Property will have added duties of assisting the Director of Real Property Tax Service in the Administration of the County Real Property Tax Service Agency; and

WHEREAS, a Deputy Director of Real Property position more appropriately performs these duties; and

WHEREAS, the Personnel Officer and the Administration Committee have reviewed said position within the Real Property Tax Service Agency 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 the Real Property Tax Service Agency is hereby reclassified as follows:

- One (1) Assessment Data Supervisor Position, CSEA Grade J (\$43,437 - \$64,253), to
- One (1) Deputy Director of Real Property, Mgmt. Grade G (\$53,818 - \$84,196).

AND BE IT FURTHER RESOLVED, that the 2023 County Job Classification and Salary Schedule and the Management Salary Plan are hereby amended to reflect the above-stated change; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Finance, Personnel Officer, and the Director of Real Property Tax Services Agency.

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023
PERM. NO. : 119-23

INTRO. NO. : 16-15
INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: ESTABLISHING THE DATE AND TIME FOR THE 2023 DELINQUENT REAL PROPERTY TAX PUBLIC AUCTION.

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

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

NOW THEREFORE, BE IT

RESOLVED, a Delinquent Real Property Tax Public Auction shall be conducted online between the dates of July 5th and July 12th 2023; and be it further

RESOLVED, should it be necessary to hold an alternative or additional Delinquent Real Property Tax Public Auction, as determined by the Commissioner of Finance, a subsequent auction shall be conducted online between the dates of August 2nd and August 9th 2023; and be it further

RESOLVED, the subsequent auction would be subject to the same Notice to Bidders and Terms of Sale as the July 5th through July 12th auction; and be it further

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

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.




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

DATE APPROVED : 05/22/2023 INTRO. NO. : 17-16
PERM. NO. : 120-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u>X</u>	YES	<u>8831</u>	AMENDED	<u> </u>	LOST	<u> </u>
ADOPTED	<u>X</u>	NO	<u>527</u>	TABLED	<u> </u>	W/DRWN	<u> </u>
ACCLAMATION	<u> </u>	ABSTN'D	<u>0</u>	POSTPONED	<u> </u>		
		ABSENT	<u>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

**TITLE: RATIFYING AND CONFIRMING THE NOTICE TO BIDDERS AND TERMS OF SALE
 2023.**

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

WHEREAS, on May 9, 2023, the Commissioner of Finance was authorized and directed to establish the terms and conditions of the 2023 Delinquent Tax Auction; and

WHEREAS, on May 9, 2023 the Commissioner of Finance did present the *Notice to Bidders and Terms of Sale – 2023* to the Finance Committee of the County Legislature for review and approval; and

WHEREAS, the Uniform Resource Locator (URL) address to the auction website for the 2023 Delinquent Tax Auction is <http://www.steubencountyauction.com/>; and

WHEREAS, on May 9, 2023 the Finance Committee did approve the recited *Notice to Bidders and Terms of Sale – 2023* as modified.

NOW THEREFORE, BE IT

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2023* as attached hereto is hereby ratified and confirmed; and be it further

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2023* as attached hereto shall apply to the Delinquent Real Property Tax Public Auction to be held online between the dates of July 5th and July 12th 2023; and be it further

RESOLVED, the revised *Notice to Bidders and Terms of Sale - 2023* as attached hereto shall apply to the Delinquent Real Property Tax Public Auction to be held online between the dates of August 2nd and August 9th 2023, should the Commissioner of Finance determine a subsequent auction is necessary; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





Notice to Bidders and Terms of Sale – 2023

The 2023 Steuben County Tax Foreclosure Auction will be undertaken using an online bidding service. This Notice to Bidders and Terms of Sale applies to all parcels presented via the online auction service. Pre-registration with the online auction service is subject to approval. The approval process may take more than 24 hours. No bids may be placed on any parcel until such registration and approval has been completed. The online service is accessed via the following URL address:

<http://www.steubencountyauktion.com/>

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

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

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

“deposit” being those sums paid under #19. The purchaser shall not be entitled to any special or consequential damages, attorney fees, reimbursement for any expenses incurred as a result of ownership or improvements of the property, nor for taxes paid during the period of ownership.

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

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

DATE APPROVED : 05/22/2023 INTRO. NO. : NOA
 PERM. NO. : 122-23 INTRO. DATE: 05/22/2023

INTRO. BY : R. Nichols / G. Swackhamer SECONDED BY : C. Ferratella

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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> 0 </u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

TITLE: APPROPRIATING UNEXPENDED 2022-2023 CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS) AND EXTREME WEATHER RECOVERY FUNDING.

WHEREAS, there remains unexpended 2022-2023 New York State CHIPS funding of \$1,250,621.97 and Extreme Weather Recovery funding of \$566,683.14; and

WHEREAS, the Public Works and Finance Committees have approved using this unexpended funding for surface treatments, work on bridge projects and to fund 2022 road machinery equipment purchases.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the balance of the state 2022-2023 revenue to the 2023 budget as follows:

Road Machinery Revenue account DM999900-435010	\$800,000.00
County Road Revenue account D999900-435010	\$1,017,305.11

; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the remainder of the state funding to the following expenditure accounts:

\$450,621.97	511000 – 544215 Surface Treatment
\$275,000.00	CR88 Bridge – 512000- 6415 (B88-01)
\$291,683.14	Dry Run Road Bridge – 512000-6411 (B06-06-17)

; and be it further

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

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

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023 INTRO. NO. : NOA
 PERM. NO. : 123-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u> X </u>	YES	<u> 9358 </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>		<u> </u>
	<u> </u>	ABSENT	<u> 0 </u>	REF'D/COM	<u> </u>		<u> </u>

COMMITTEES:

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

TITLE: ACCEPTING AND APPROPRIATING THE 2023-2024 CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS), EXTREME WEATHER RECOVERY, PAVE NY AND PAVE OUR POTHOLES FUNDING.

WHEREAS, New York State has allocated to Steuben County 2023-2024 CHIPS funding in the amount of \$6,019,654.05. Extreme Weather Recovery funding in the amount of \$988,567.50; PaveNY funding in the amount of \$1,519,508.02 and Pave Our Potholes funding in the amount of \$1,013,055.35; and

WHEREAS, the 2023 original budget reflected revenue funding of \$4,429,818.00 and appropriated expenditures of \$3,461,329.00; and

WHEREAS, the Public Works and Finance Committees have approved using CHIPS funding for work on road and bridge projects and to fund 2023 road machinery equipment purchases.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Finance is hereby authorized and directed to appropriate the balance of the state revenue to the 2023 budget as follows:

Road Machinery Revenue Account DM999900-435010	\$1,000,000.00
County Road Revenue Account D999900-435010	\$4,110,916.92

; and be it further

RESOLVED, the Commissioner of Finance is hereby authorized and directed to create additional road project expenditure appropriations for the remainder of the state funding as follows:

To: 6042- CR42	\$ 490,000
6011- CR11	\$ 600,000
6035- CR35	\$1,250,000
6050- CR50	\$ 350,000
6081- CR81	\$ 150,000
6086- CR86	\$ 400,000
6012- CR12	\$ 520,000
6412- B19-03-1- Five Corner Road Bridge	\$ 220,000
6414- B30-18-1- Cemetery Road Bridge	\$ 180,000
511200-6250 – Capital Project – Gravel	\$ 300,000
511200-6900 – Road Improvements Unassigned	\$ 619,405.92

; and be it further

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

STATE OF NEW YORK)

ss.:

COUNTY OF STEUBEN)

I, the undersigned, Clerk of the Steuben County Legislature, **DO HEREBY CERTIFY**, that the foregoing is a copy of a resolution duly adopted by said County Legislature while in session in the Legislative Chambers in the Village of Bath, New York, May 22, 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, May 23, 2023.





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

DATE APPROVED : 05/22/2023 INTRO. NO. : 21-20
PERM. NO. : 124-23 INTRO. DATE: 05/22/2023

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

VOTE:

ROLL CALL	<u>X</u>	YES	<u>9358</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>0</u>	REF'D/COM	<u> </u>		

COMMITTEES:

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

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

WHEREAS, the County of Steuben maintains a County Self-Insurance Plan as authorized under Article 5 of the Workers' Compensation Law and as established under Local Law No. 2 of 1956; and

WHEREAS, certain claims made under the recited Plan remain open; and

WHEREAS, the Third Party Administrator of the Steuben County Self Insurance Plan has requested authorization to settle a claim with respect to claimant, Sarah Patrick; and

WHEREAS, it is in the best interest of the County to settle the claim.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Seventy Two Thousand Five Hundred and Ninety Nine dollars and Seventy Six cents (\$72,599.76); and be it further

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

RESOLVED, a certified copy of this resolution shall be forwarded to the County Manager, County Attorney, Risk Manager and PERMA/NEAMI, 9 Cornell Road, Latham, New York 12110.

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, May 22, 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, May 23, 2023.