

**RULES OF PROCEDURE
STEUBEN COUNTY
LEGISLATURE**

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STEBEN COUNTY LEGISLATURE

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1. ORGANIZATION OF THE LEGISLATURE

Each even numbered year the Clerk of the Legislature shall take the Chair at the hour to which the members were summoned to meet and organize. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the legislative membership necessary for the election of a chairperson to serve for the period prescribed by law and these Rules of Procedure for two years and for the transaction of business, but a less number may adjourn. The Clerk shall call the meeting to order and open the meeting for the election of one of its members as temporary chairperson by a majority vote of the voting strength. According to the will of such majority, the temporary chairperson, majority or minority leader, shall open the meeting for nominations and elections, or declare an Executive Session or Caucus. After such Caucus or Executive Session, the Legislature shall again meet in open session.

a. The procedure to nominate, vote and declare the result shall be as follows:

(1) Nominations of candidates shall be made from the membership of the Legislature and each nomination shall be seconded.

(2) After nominations have been duly closed, the procedure of voting shall be by roll call vote. The roll will be called for each candidate in alphabetical order. In the event no candidate receives an affirmative vote of the majority of the voting strength of the legislative membership on the first roll call vote and there should be no declared winner after the second roll call vote on the candidates originally voted on then, in such event, the candidate with the fewest votes shall be eliminated after the second roll call vote. If there shall not have been a majority vote for a candidate after the taking of a third roll call vote, the same provision would apply after the fourth roll call vote and any further votes which may be necessary depending upon the number of candidates in nominations, for election of the Chairperson of the Legislature.

If, after any even numbered vote, there is no one candidate with fewer votes, then every candidate shall remain in contention until one person receives fewer votes than all the other candidates. In any event, should there be two (2) Legislators in contention for election as Chairperson, they shall continue to remain in contention until such time as one receives the requisite affirmative vote of the majority of the voting strength of the Legislature.

In the absence of the Clerk of the Legislature, the Deputy Clerk of the Legislature shall perform the duties of the Clerk.

In the event no chairperson is elected, the legislative membership shall have the power by majority vote to name an acting chairperson, who shall preside over meetings until a chairperson is elected by the Legislature. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting. In the event a chairperson is not elected before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the chairperson shall be appointed by the County Clerk.

b. The election of the Vice-Chairperson of the County Legislature shall follow the same procedure as the election of the Chairperson of the County Legislature, provided above. The Vice Chairperson shall be vested with the powers, duties and responsibilities as provided in County Law Section 151, Subdivision 6-a. and in accordance therewith. In the absence of the Chairperson and Vice Chairperson, the Majority Leader shall preside over a meeting of the Legislature. In the absence of the Chairperson, Vice Chairperson and Majority Leader, the Minority Leader shall preside over a meeting of the Legislature. In the event the Vice-Chairman position is not filled on or before February 1 in an organizational year, or if a vacancy shall occur for more than 30 days, the position shall be filled in the same manner as Chairperson of the Legislature.

c. In the absence of the Chairperson, Vice Chairperson, Majority Leader and the Minority Leader, the Legislature by a majority vote may elect a temporary chairperson to preside over meetings during the absence of the Chairperson, Vice Chairperson, Majority Leader and Minority Leader. The temporary chairperson shall be elected in the same manner as the chairperson to serve for that meeting only.

In the event of a vacancy in the office of Chairperson, the Vice-Chairperson, Majority Leader or Minority Leader, as provided above, of the Legislature shall summon the members of the Legislature to a meeting for the purpose of filling the vacancy. The successor shall be elected in the same manner as at the meeting to organize. In the absence of the Vice-Chairperson, Majority Leader or Minority Leader of the Legislature, the summons shall be given by the Clerk of the Legislature and (s)he shall preside. The Legislator receiving the requisite affirmative vote of the weighted voting strength of the membership of the Legislature shall be declared elected and shall serve for the unexpired term of chairperson.

In the event no successor chairperson is elected, the Legislature by majority vote shall have the power to name an acting chairperson, who shall preside over meetings until a chairperson is elected by the Legislature or appointed by the County Clerk. The acting chairperson shall possess no powers nor perform any duties other than to preside over a meeting.

d. The procedure for designation of majority and minority leaders shall be as follows:

Each even numbered year the political parties having the largest and next to largest membership represented on the County Legislature shall elect from among their members a leader. The leader of the political party having the greatest membership on the Legislature shall be known as the "majority leader", and the leader of the political party having the next greatest membership on the Legislature shall be known as the "minority leader". A resolution appointing the Majority Leader shall be presented and approved by the majority of the members of the political party having the greatest membership on the Legislature. A resolution appointing the Minority Leader shall be presented and approved by the majority of the members of the political party having the next greatest membership on the Legislature. Said resolutions shall be adopted by roll call vote. The appointment of the Majority Leader and Minority Leader must be accomplished before February 1 of the year in which the Legislature is organized.

If either or both such leader(s) is/are not elected on or before said February 1, then the Clerk of the Legislature shall solicit nominations for same from the Chairperson of the affected party or parties. That nomination shall be placed before the Legislature at the next regular meeting and shall, upon vote of the membership of the members of that party or parties, be elected to said position by a simple majority vote of the Legislators of that party then in attendance. Such nomination shall be of a member of the party so nominated and a member of the Legislature.

2. TIME OF MEETINGS, AGENDA AND PRESENTATION OF RESOLUTIONS

Regular meetings shall be convened on the fourth Monday of each month at 10:00 A. M., in the Legislative Chambers located in the County Office Building, Village of Bath, New York, unless the Legislature or Chairperson of the Legislature specify another meeting day, time or place in a notice mailed at least one week previous to the meeting. At least four days previous to the meeting, the Clerk shall prepare and post on the County website an agenda containing the titles of all resolutions, legalizing acts and local laws or other business contemplated for consideration at such meeting under general orders for the day. Notification of the posting of said agenda shall be made by email to each Legislator, county department official, media and the Presidents of the three bargaining units representing the employees of Steuben County. There shall be at least one regular meeting per calendar month.

Special meetings may be convened at any time in compliance with Section 152 of the County Law of the State of New York.

In order to place a resolution on the Legislature's agenda, each Legislator may submit the same to be approved by the appropriate Standing Committee. In order for a county officer to place a resolution on the Legislature's agenda, each county officer must review the item with the County Manager prior to submitting the resolution to the appropriate Standing Committee for approval. It is recommended that resolutions be in written form when submitted to Committees for approval. A resolution that involves an additional appropriation or a transfer of funds shall also be presented to and approved by the Finance Committee prior to being placed on the agenda. A resolution that involves the salaries and compensation of county employees shall also be presented to and approved by the Administration Committee prior to being placed on the agenda. When requested by a Legislator, the Clerk of the Legislature shall prepare proposed resolutions. Resolutions shall be written by the Department Head presenting the item in Standing Committee. Any proposed Local Laws shall be written by the County Attorney. All resolutions shall be approved as to form by the County Attorney prior to being presented. All resolutions shall be provided to the County Attorney at least eleven (11) days prior to the regular meeting.

Any resolutions requiring action by the Legislature at such meeting which are not filed as above stated and not on the agenda for such meeting will not be entertained unless of an emergent nature requiring immediate action duly authorized by unanimous, affirmative vote of the Legislators attending such meeting of the Legislature, or the number required pursuant to Rule 18b.

3. CALL TO ORDER OF OPEN MEETINGS

The Chairperson shall take the chair at the hour to which the Legislature shall have adjourned, recessed, or called to convene. The statement by him that "the Legislature will come to order" shall open the meeting. Presence of Legislators sufficient to constitute a majority of the voting strength of the entire Legislature shall constitute a quorum and a majority vote of the membership of the Legislature necessary for the transaction of business. A lesser number may recess or adjourn. The Chairperson shall cause the roll to be called of those present. The Clerk shall enter in the minutes "quorum present", and subsequently record late arrivals.

4. USE OF VIDEOCONFERENCING TO CONDUCT OPEN MEETINGS, UNDER EXTRAORDINARY CIRCUMSTANCES

Pursuant to Local Law No. 2 of 2022, members of the Legislature shall be physically present at Legislative meetings, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances. Extraordinary circumstances shall include but not be limited to: disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. Members shall provide notice of their inability to attend a meeting to the Clerk of the Legislature's Office at least 24 hours prior to the meeting, or as soon as practicable. The Chair of the Legislature shall retain discretion over permitted extraordinary circumstances.

5. ORDER AND DECORUM AT OPEN MEETINGS

The Chairperson shall preserve order and decorum at all times. In the event of demonstrations interfering with the orderly conduct of business, the Legislature may recess, or the Chairperson may call upon the office of the Sheriff to restore order.

6. PRESENCE OF PUBLIC AT OPEN MEETINGS

The meeting shall be open to the public and the Chairperson may designate the places where the public and press may be seated.

Members of the public wishing to address the Legislature must sign in at least 5 minutes prior to the start of the meeting and provide their name, address and the subject matter. The Chairperson of the Legislature shall decide if a member of the public shall be entitled to address the Legislature subject to a majority vote of the Legislature to the contrary. In any event, ten (10) minutes of each regular meeting shall be made available to the public to address the Legislature, however, the Legislative Chair has the authority to extend this time. Members of the public may submit comments in writing to the Clerk of the Legislature's Office via email. Written comments must be submitted prior to 8:00 a.m. the day of the scheduled Legislative Meeting for them to be read into the record of the meeting.

In bringing matters before the Legislature for consideration, the Chairperson shall consider the number desiring to speak and its importance, in order that the number and time may be allotted commensurate with courteous recognition of the privilege of the public to attend and be heard. The Chairperson shall determine the order in which matters shall be presented and those speaking shall confine their remarks to the subject matter and refrain from personal reflections other than to explore an ulterior motive, and shall be of no more than three (3) minutes duration. Subject to a majority vote of the Legislature to the contrary, the speaker shall take the speaker's seat upon request of the Chairperson.

7. PRESENCE OF COUNTY OFFICERS AND EMPLOYEES AT OPEN MEETINGS

Upon request of the Chairperson, or of any Legislator, a designated county officer or employee shall attend the meeting and answer any questions pertinent to the person's office or employment. Any county officer may attend and present upon any matter pertaining to their office under "Reports of County Officers". Subject to a majority vote of the Legislature to the contrary, the Chairperson shall determine the order in which the matters are to be presented. The Clerk shall enter in the minutes the presence of the officer or employee and in brief the subject matter. The County Attorney and County Manager shall be present during all of the meetings, unless excused by the Chairperson. Department Heads need not be in attendance at said meetings unless an item pertaining to their department is contained in the agenda.

8. ORDER OF BUSINESS AT OPEN MEETINGS

Subject to a majority vote of the Legislature to the contrary, the Chairperson shall decide all questions on the order in which business is to be transacted. "I rise to the point of order", or similar statement on the part of a Legislator shall require the Chairperson to decide the question of order and assign the reasons therefore. Upon a Legislator saying he appeals the decision, the Chairperson shall put the question of order to a vote of the Legislature. The result of a majority vote of the Legislature shall be final. The Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be.

Unless otherwise determined, the order of business shall be as follows:

- a. **INVOCATION** shall be offered at the beginning of each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.
- b. **THE PLEDGE OF ALLEGIANCE** to the Flag of the United States of America shall follow the Invocation at each and every open meeting of the Steuben County Legislature on a rotating basis of all Legislators wishing to participate.
- c. **APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING.** The Chairperson shall inquire of the Legislature whether or not there are any errors or omissions in the printed minutes. Correction of any error or omissions shall be made. The Chairperson shall announce that the minutes as printed or as corrected are approved and the Clerk shall enter in the minutes a statement to that effect.
- d. **PRESENTATION OF REPORTS OF STANDING COMMITTEES.** Written reports shall be signed by a majority of the committee membership. In the event of a divided recommendation, the majority and minority reports shall be signed by the respective committee membership. Written reports shall be received and directed to be printed in the annual proceedings of the Legislature unless it contains slanderous or defamatory statements. The Legislature by majority vote may require oral reports to be reduced to writing.
- e. **PRESENTATION OF REPORTS OF SPECIAL COMMITTEES.** The foregoing provision relative to standing committees shall apply to the reports of special committees.
- f. **PRESENTATION OF REPORTS OF COUNTY OFFICERS AND AUTHORIZED AGENCIES.** The foregoing provision relative to reports of standing committees shall apply to the reports of county officers and authorized agencies. Except for the County Manager, all oral reports shall in no event exceed ten (10) minutes duration. However, the Chairman shall have discretion to grant an extension of such time limit, as he deems appropriate. The limitation of ten (10) minutes shall not apply to presentations requested pursuant to subparagraph "g" herein, "GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS".
- g. **GENERAL ORDERS FOR THE DAY AND INTRODUCTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS.** The Chairperson shall call for consideration such matters as are included on the agenda. The Chairperson may call for consideration of any matter included within the Chair's powers and duties as the administrative head of the county government. The Legislature may consider any matter not included on the

agenda, except that any subject matter theretofore laid upon the table shall not be considered under general orders for the day.

h. UNFINISHED BUSINESS. The Chairperson shall call for the reconsideration of any subject matter therefore laid upon the table if in the resolution it was directed to be brought up at the meeting. When, in the previous resolution, no time was specified for its reconsideration, it can be called for reconsideration upon a majority vote of the Legislature.

i. ADJOURNMENT. Adjournments shall be taken to a certain date or to the date of the next regular meeting, except that the last meeting of the year shall be adjourned.

9. PROCEDURE ON ADOPTION OF RESOLUTIONS, LEGALIZING ACTS AND LOCAL LAWS

The reading of the title of a written resolution, legalizing act or local law, together with the name of the sponsoring Legislator shall constitute a motion for its adoption. All motions must be seconded. In proposing an oral resolution, the Legislator shall state the contents of the resolution, together with a statement in substance, "I offer the resolution and move its adoption". In the absence of a motion to withdraw, to amend, to table or to substitute, the Chairperson shall put the resolution to a vote of the legislative membership.

Except as hereinafter provided, the vote shall be by acclamation, with the Chairperson announcing, "you have considered the resolution, all in favor signify by saying aye, opposed no". The Chairperson shall declare the results and the Clerk shall enter the result in the minutes. Upon request of any Legislator, the Clerk shall enter in the minutes the manner in which he voted.

The ayes and nays shall be taken on all resolutions or questions requiring a roll call vote of the Legislature when required by statute, or demanded by any member of the Legislature. In general the vote of the Legislature shall be taken by roll call on all resolutions or on questions involving appropriation or expenditure of money and on all money or financial matters of the county, and the following types of resolutions or questions:

- a. Final Adoption of Local Laws.
- b. Legalizing acts.
- c. Levying taxes on all tax matters.
- d. Making or confirming appointments, except those in the exclusive discretion of the Chairperson the Legislature and for those which no compensation or salary is made.
- e. Pertaining to any and all real and personal property of the county, now owned or acquired in any manner.
- f. Creating any office or commission, by whatever title known, when not required by local law; or creating a standing committee.
- g. Regulations concerning any and all county officers and employees including the Chairperson of the Legislature and Legislators.
- h. Designating official newspapers and depositories.
- i. Amending County Highway system map.
- j. Proposing legislation requested of the State of New York when it relates to Municipal Home Rule Requests for the benefit of the County of Steuben.
- k. Submission of any proposition to the electors of the county.
- l. Relating to public records.

m. Amendments, repeal or superseding of these Rules.

Upon a roll call vote the Chairperson shall announce that the Legislature has considered the resolution, legalizing act or local law, as the case may be, and as each name is called, the Legislator shall answer yes or no. The Clerk shall record the vote of each Legislator. The names of absent Legislators need not be called more than once. Any Legislator may decline to vote and shall state the reason, subject to a majority vote of the Legislature to the contrary. The Clerk shall use a revolving alphabetical order on all roll call votes.

No Legislator may vote upon a resolution in which the Legislator has a personal interest.

Every resolution, legalizing act, local law and proposition for its adoption by the Legislature shall require the affirmative vote of a majority of the voting strength of the entire Legislature. A majority of the voting strength is hereby defined as 4,680 votes of the membership of the Legislature except as otherwise provided by law or these rules. An affirmative vote of 5,615 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fifths vote of the legislative membership; an affirmative vote of 6,232 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a two-thirds vote of the legislative membership; an affirmative vote of 7,019 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a three-fourths vote of the legislative membership; and an affirmative vote of 7,486 votes of the membership shall be necessary to adopt a resolution, legalizing act, local law and proposition by a four-fifths vote of the legislative membership.

The vote shall be counted and the Chairperson shall declare the result. The Clerk shall enter in the minutes and shall cause to be print in the annual proceedings the vote of each Legislator and the declaration of the Chairperson on the result. When the vote is not unanimous the names of those voting in the minority and the names of absentees will be printed.

While a vote is being taken, no Legislators or persons shall leave their seats nor engage in conversation.

A resolution duly moved for adoption and seconded may not be withdrawn by the sponsoring Legislator except in conformity with Robert's Rules of Order permitting the withdrawal of a motion. A motion to lay on the table, postpone to a date certain or to refer to a committee or to recess, or to adjourn, which is duly seconded shall be put to a vote of the legislative membership before any further business is transacted and the result of a majority vote of the legislative membership shall be final.

After a resolution has been duly moved for adoption and seconded and before it is put to a vote of the legislative membership, any Legislator may move to modify the terms of the resolution in one or more particulars. If the sponsoring Legislator(s) accept(s) the amendment, the resolution shall be put to a vote of the legislative membership as if the original resolution had been so amended. If an amendment is not accepted by the sponsoring Legislator and it has been seconded, the Chairperson shall first put an amendment to a vote of the legislative membership. In the event of more than one amendment duly made and seconded, the Chairperson shall put the amendments to a vote of the legislative membership in the reverse order thereof. If the amendments are not voted by the required number of the legislative membership, the Chairperson shall then put to a vote the original resolution without amendment.

Resolutions may be amended, repealed or superseded.

Following presentation of a Local Law to the full Legislature, said Local Law shall be laid upon the desks of members of the Legislature until the next regularly-scheduled meeting where it will be presented for Final Adoption following the holding of a public hearing. If the proposed local law is amended, it shall be rewritten and reproduced in its amended form. Pursuant to Municipal Home Rule §20(4), said local law, as amended, shall be laid upon the desks of members of the Legislature (proposed Local Laws shall be deemed laid upon the desk of a member of the Legislature when it is either: deposited in the Legislator's mail box maintained by the Steuben County Legislature; sent via email; and/or posted on the County website) at least seven calendar days, exclusive of Sunday, before it may be acted upon.

The Chairman of the Legislature shall have authority to certify as to the necessity for a Local Law's immediate passage. Upon the declaration of a message of necessity, the required waiting time can be waived and such Local Law may be passed by the affirmative vote of two-thirds of the total voting weight of the Legislature, following the holding of a public hearing. Simultaneously with the placement and mailing of the proposed Local Law to members of the Legislature, a public hearing

shall be set by the Clerk of the Legislature relative to the adoption of said proposed Local Law for the next scheduled meeting of the Legislature and, in no case, sooner than five calendar days.

10. FORM AND CONTENTS OF RESOLUTIONS

All resolutions required to be voted upon by roll call vote shall be in writing. There shall be a title prefixed concisely stating the contents and a recital of the provision of law authorizing its adoption and whether it amends, repeals, or supersedes a previous resolution.

The contents shall embrace but one subject. A provision therein relative to the manner of financing necessary to make its object effective shall not be deemed another subject.

When a committee resolution sponsored by a Committee Chairperson is introduced to the full Legislature it will include a notation of the vote of each committee to which it has been presented, i.e., 5-0, 4-1, 3-2, 3-0, 3-1, or submitted to the Legislature for their consideration without committee recommendation of any nature.

11. RIGHT OF DEBATE IN OPEN MEETINGS

All motions duly made and seconded are debatable. No debate shall be allowed upon the main question, when the motion is to refer to a committee, go into an executive session or caucus, lay a resolution on the table, postpone a resolution to a date certain, recess, or adjourn. No person other than a Legislator may debate a question without permission of all the Legislators present. The County Attorney shall advise the Legislature on legal questions. No Legislator shall speak more than once on the same question until every member desiring to speak on such question shall have spoken. No Legislator may speak more than twice on any question without permission of a majority vote of the legislative membership. Before speaking, a Legislator must be recognized by the Chairperson and, when two or more Legislators shall rise at the same time, the Chairperson shall determine whom they will recognize. In speaking, the Legislator shall confine remarks to the question and refrain from personal reflections other than to expose an ulterior motive. While speaking, any other Legislator may rise and ask if the speaking Legislator will yield to a question. If the speaking Legislator yields, the question may be asked and answered without prejudice to the Legislator in continuing the Legislator's remarks. While a Legislator is speaking, no other Legislator or other person shall engage in any conversation nor pass between him and the Chair. If a Legislator rises to the point of order, the Chairperson shall decide and may assign the reasons therefore. Upon a Legislator appealing from the decision, the Chairperson shall put the question of a violation to the vote of the Legislature. The majority vote of the legislative membership shall be final and the Clerk shall enter in the minutes that the Chairperson was "sustained" or "reversed", as the case may be. Pending the rising to the point of order, and until the decision or vote is taken and declared, the speaking Legislator shall sit down and refrain from talking.

When the Legislators are ready for the question, the Chairperson shall put the main question to a vote of the legislative membership. When it appears that a question should be divided, a motion may be made dividing the question and such motion shall take precedence.

12. USE OF A GAVEL IN OPEN MEETINGS

The Chairperson shall rap the gavel three times to bring all Legislators to their seats upon the call to order of the Legislature, or to restore order; two raps for the legislative members to stand and one rap to sit down and in the announcement of the result of a vote by the legislative membership.

13. CLOSED MEETINGS IN EXECUTIVE SESSIONS

Any Legislator may move to go into Executive Session for matters authorized under Public Officers Law, Section 105. Each motion to go into executive session shall contain a specific statutory reference for the exemption to Open Meetings Law requirements. If the executive session pertains to more than one topic of discussion, the number of topics and the specific statutory exemptions for each topic shall be made a part of the motion to go into executive session. Once the

executive session has been convened, the first order of business is to confirm that the subject for which the executive session was called is legal and necessary. The County Attorney will make a decision as to the legality of the executive session.

No official action, except as authorized by statute, shall be transacted and no part shall be construed as limiting the exemptions available under Public Officers Law, Section 108, including, but not limited to, deliberations of political committees, conferences and caucuses.

Whenever practicable, motions pertaining to the outcome of topics discussed in executive session shall be made in open session immediately after the executive session has ended.

NO EXECUTIVE SESSION PARTICIPANT IN OPEN SESSION SHALL DISCLOSE WHAT BUSINESS MAY HAVE BEEN TRANSACTED IN SUCH EXECUTIVE SESSION OR THE REMARKS OF ANY EXECUTIVE SESSION PARTICIPANT. Disclosure of Executive Session discussion or materials is a violation of the Steuben County Ethics Local Law Section 2. C. 1.

14. GENERAL FUNCTION OF COMMITTEES

All committees shall aid in the performance of the powers and duties of the Legislature.

a. **HOW CONSTITUTED.** There shall be such standing committees as are authorized by these rules, and special committees as are authorized by the Chairperson of the Legislature. All Legislator members of a committee shall be appointed by the Chairperson of the Legislature and the Legislative Chair shall be an ex-officio member of each. The first named shall be the chairperson of the committee and in the absence of some other designation by majority vote of the committee itself, the second named shall be the vice chairperson thereof. Any vacancy shall be filled by the Chairperson of the Legislature without delay. A standing committee shall consist of members of the Legislature only.

b. **TERM OF OFFICE.** Members of a standing committee shall serve until the end of the calendar year unless the committee is abolished or changed by majority vote of the legislative membership. Members of a special committee shall serve until the committee is discharged.

c. **GENERAL EXERCISE OF JURISDICTION.** Committees shall familiarize themselves with the subject matter over which jurisdiction has been conferred by these Rules of Procedure. Committees having an office or function in charge shall report any neglect of duty, or failure to comply with rules and directions of the Legislature. They shall render advice and counsel on matters deemed helpful in the performance of the duties of the office or function. Although the Legislature shall always be open for county officers and employees upon any matter involving the office or function, the committee and/or County Manager shall represent them before the Legislature and so far as practical, every county officer and employee shall look to the committee and/or the County Manager for that representation. Criticism and recommendations of State departments or other official bodies shall be considered with the department head or officer. Matters referred to a special committee shall be promptly considered and a report made thereon as soon as practicable.

The Chairperson of the Legislature shall have voting power on a committee. Three Legislators shall constitute a majority of a committee of five; four Legislators shall constitute a majority of a committee of seven; and five Legislators shall constitute a majority of a committee of nine. The affirmative vote of a majority of a committee shall be necessary for any official report; however, a minority report of any committee may be given. The individual voting strength of each member of a committee shall be deemed equal for committee purposes only. Except to the extent as provided by these rules, in the event the committee is authorized or delegated to act on behalf of the entire Legislature, the individual voting strength of each member shall be counted.

All requests for additional appropriations shall be referred by the County Manager to the appropriate Standing Committee and, in turn, such committee shall make its recommendation to the Finance Committee or Administration Committee, as the case may be. Nothing herein shall be deemed to deprive the Finance Committee or Administration Committee of making contrary recommendations to the Legislature. All changes in the schedule of compensation shall be referred by the County Manager to the Administration Committee.

The Chairperson of each committee shall have the power:

- (1). to divide the County into districts and assign territory to the members of the committee, when deemed necessary for the better performance of duties;
- (2). to designate one or more members to attend meetings with other committees, boards, or other groups, whenever the matter being considered comes within the jurisdiction of the committee;
- (3). subject to the approval of the Chairperson of the Legislature, to authorize all or any part of the committee to attend a conference or school conducted for the betterment of county government, and
- (4). to require such reports and information from the members of the committee the Chair deems necessary.

d. **MEETINGS OF COMMITTEES GENERALLY.** The Chairperson of the committee may call meetings of the committee at such times and places as deemed convenient. The notice shall be made in compliance with Public Officers Law, Section 104. The Chairperson of the committee shall preside. During the absence or inability of the Chairperson, the Vice Chairperson of the committee may call meetings and preside. Upon request of any member of the committee, the Chairperson of the Legislature, the County Manager and the County Attorney shall attend unless the absence is excusable. Performance of other official duties shall be a valid excuse. Upon request of any member of the committee, any county officer or employee, shall attend and furnish any information pertinent to their office or employment unless the absence is excusable. Remote attendance by department heads is allowable, if the meeting is being conducted via videoconferencing pursuant to Local Law No. 2 of 2022.

Local Law No. 2 of 2022, states standing committee members shall be physically present at the meeting, unless allowed remote attendance at locations that do not allow for in-person physical attendance by the public, under extraordinary circumstances. Extraordinary circumstances shall include, but not be limited to: disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. Members shall provide notice of their inability to attend a meeting to the Clerk of the Legislature's Office at least 24 hours prior to the meeting, or as soon as practicable. The Chairperson of the committee shall retain discretion over permitted extraordinary circumstances.

Whenever the matter under consideration involves the jurisdiction of more than one committee and the Legislature has not designated any particular committee, the Chairmen of all the committees involved shall be notified and the committees may meet in separate or joint meeting. In a joint meeting, the members of the committees shall, by majority vote, determine the presiding officer.

Meetings are open to the public or to county officers and employees. Members of the public wishing to address a Standing Committee shall submit a request to the Committee Chairperson asking to be placed on the Committee agenda. The Chairperson shall determine the order of business, and, taking into consideration the number of persons desiring to speak and the importance of the subject matter, time may be allotted commensurate with the privilege to appear and be heard.

The Clerk of the Legislature's Office is responsible for ensuring minutes are taken at all committee meetings. If necessary, the Clerk of the Legislature shall make a request to any Department Head to utilize one of their employees for this purpose. Minutes shall consist of a list of all those attending and a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. The minutes shall be filed in the office of the Clerk of the Legislature, and shall be available to the public under the provisions of the Public Officers Law of the State of New York.

e. **ADVICE AND COUNSEL OF CITIZENS AND ORGANIZATIONS.** Each committee is empowered to seek the advice and counsel of citizens and organizations in making a study of any subject matter. Such persons or representatives of organizations shall not be members of the committee nor have any voting power. Authority to pay any such person or organization for services must be granted by resolution of the Legislature.

The Chairperson of any committee shall have the authority to create sub-committees from within the committee and assign such duties and studies to be performed as are deemed appropriate.

f. **INVESTIGATION OF CLAIMS.** At the request of the Administration Committee, the County Manager shall have charge of the post-audit of claims and shall have the power to examine a claimant and all other persons on matters relevant to the claim. If a claim requires further action, subpoenas may be issued by the Administration Committee Chairperson and any member may administer the oath. The meeting shall be open to the claimant and the claimant's attorney and they shall have the right to cross-examine witnesses. Where more than one claimant or more persons other than the county is involved in a claim, the committee may allow all to be present with their attorney and to examine and cross-examine witnesses. Any refusal of a claimant or witness to testify on a relevant matter shall be referred to the County Attorney.

g. **INVESTIGATION OF AUTHORIZED AGENCIES.** Each committee in charge of an authorized agency receiving county funds shall have the power to examine the officers of the agency in any matter relevant to the use of such county money. The Chairperson of the committee may issue subpoenas and any member of the committee may administer the oath. Books, records, documents and other papers pertaining to the use of county money may likewise be subpoenaed. Any refusal of the fiscal officer of the agency to testify or produce the books, records, documents and papers shall be referred to the County Attorney.

h. **INVESTIGATION OF MISCONDUCT IN OFFICE.** Whenever a committee shall report to the Legislature on any misconduct of any county officer or employee, the Legislature may authorize, by resolution, an investigation either by the Steuben County Ethics Board, or by empowering the Chairperson of the committee to issue subpoenas and administer the oath to witnesses. The meeting shall be open to the persons involved and their attorney and they shall have the right to examine and cross-examine the witnesses. Any refusal on the part of any witness to testify shall be referred to the District Attorney.

i. **POWERS RELATING TO LEGALIZING ACTS.** The Chairperson of the committee shall have power to issue subpoenas and any member to administer the oath to witnesses. The minutes of all hearings and testimony must be taken and transcribed. All reports and recommendations shall be in writing.

15. EXPENSES OF LEGISLATORS

All Steuben County Legislators will be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

NECESSARY EXPENSES:

Necessary expenses include mileage to and from the Legislator's home or place of business to the appointed place of normal or special Legislative or committee meetings, as well as meetings with towns, villages and cities that fall under the responsibility of the Legislators.

Necessary expenses also include meetings with outside authorities or committees, either on-going or special, assigned by the Legislative Chair. Additional expenses for meals and/or lodging may be charged if the location of the meeting requires it. Legislators are requested to use vehicles from the motor pool when travel is required. Meal expenses occurring other than at a conference will be considered taxable.

OPTIONAL EXPENSES:

Legislators are encouraged to attend conferences or training sessions which Legislators deem desirable or necessary to improve their performance as Legislators. Attendance at conferences should be scheduled through the Clerk of the Legislature. Legislators should work with the Clerk of the Legislature to limit the number of attendees, optimize travel expense and make the trip most effective.

The Legislative Chair may appoint a Legislator to attend and authorize additional conference expense which the Chair deems necessary for effective management of County government.

AUTHORIZATION FOR LEGISLATIVE EXPENSE:

No such expense under all of the above rules shall be reimbursed unless the voucher for same, together with appropriate documentation, has been submitted to the Clerk of the Legislature on or before the 1st day of February of the year next succeeding that year in which the expense was incurred.

The Clerk of the Legislature will submit any such expense vouchers to the Administration Committee for approval if there is a question of authenticity.

The Clerk of the Legislature will keep the Administration and the Finance Committees apprised of ongoing Legislative expenses in relation to the budget.

LEGISLATIVE EXCLUSIONS:

While the above definitions of legal expenses which may be charged should be adequate, the following exclusions are identified, which may not be charged:

Home Office Expenses - Legislators may consult with their accountant as to legitimate deductions for income tax purposes.

Newspaper articles, such as newsletters.

Expenses related to political functions.

Expenses related to retirement dinners.

Payment of dues. (The County covers those within which it desires membership.)

Luncheon or dinner expense for any non-related or not-for-profit function for which the Legislator is not the requested speaker.

16. **REQUEST FOR NEW POSITIONS, UPGRADINGS, OR DOWNGRADINGS OF CREATED POSITIONS**

A. **APPLICABILITY:**

The provisions of this Rule apply to all new positions of employment as an officer or employee, or upgradings or downgradings of existing positions, or reclassifications of existing positions.

B. **DEFINITIONS:**

- (1) **Reclassification:** A reclassification is a change in title resulting from a change in duties. It may or may not result in a change in pay grade.
- (2) **Upgrade or Downgrade:** An upgrade or downgrade is a change in pay grade of a position with no change in title. An upgrade or downgrade of a position affects all positions with the same title.

C. **PROCEDURE:**

- (1) **Reclassifications not resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and approval. Reclassifications may occur at any time during the year as needed.
- (2) **Reclassifications resulting in a higher grade** must be submitted to the Personnel Officer, the County Manager, the proper standing committee, and the Administration Committee for review and

the Legislature for approval. If additional funding is required, the Finance Committee must review and approve prior to submission to the Legislature for approval. Reclassifications may occur at any time during the year as needed.

- (3) **Position upgrades or downgrades** must be submitted to the Personnel Officer for review and to the County Manager for their advice, as upgrades and downgrades of union titles must be negotiated with the corresponding bargaining unit. As the County's Negotiating Team, the Personnel Officer and County Manager shall discuss the palatability of the change with the union leadership. If favorable, the Personnel Officer shall present the recommended upgrade or downgrade to the Administration Committee for review and the Legislature for approval. If additional funding is required, the Finance Committee must review and approve prior to submission to the Legislature for approval. Upgrades and Downgrades may occur at any time during the year as needed.
- (4) The **request for any new position not funded in the budget** must be submitted to the County Personnel Officer for review and to the County Manager for advice. Thereafter it shall be submitted by the Personnel Officer to the appropriate Standing Committee, who must review and act on the request for the position prior to submission to the Administration Committee. If additional funding is required, the Finance Committee must review and approve prior to submission to the Legislature for approval.
- (5) The **request for new positions for inclusion in the tentative annual budget** must be submitted by department heads to the County Personnel Officer and the County Manager prior to the annual budget due date set by the County Manager's Office.
 - (a) The Personnel Officer must review the duties of the requested position to determine the appropriate title and grade for the position prior to October 1st for inclusion in the tentative budget.
 - (b) The Finance Committee shall act on requests during their annual budget workshops held in October. Said committee shall report its recommendations to the County Manager for inclusion in the tentative budget.
 - (c) All position requests filed with the tentative budget shall be presented to the County Legislature in the form of a resolution at the meeting in which the Budget is formally considered for approval.
 - (d) Those positions approved shall be effective January 1st of the next fiscal year, unless prior authorization is received by resolution of the Legislature.

17. **BUDGET ADOPTION PROCESS**

The Budget Officer shall comply with all statutory provisions relative to the presentation of the Tentative Budget and adoption of the Final Budget. In addition, there shall be filed by the Budget Officer an Annual Budget Message with the filing of the Tentative Budget.

The format for the Budget Workshop shall be as follows:

- (1) Presentation of the Budget Message by the Budget Officer.
- (2) Analysis of the budgetary impact of proposed personnel changes including
 - a) Personnel changes pursuant to Rule 16.
 - b) Personnel changes due to non-Rule 16 activities including retirements, consolidations, position eliminations or other facts.
 - c) An estimate of the net impact on numbers of positions.
 - d) An estimate of the net dollar impact of collective bargaining agreements.

- e) Net dollar impact due to proposed management salary increases (including public officers).
 - f) An estimate of the total budgetary impact of all combined personnel changes.
- (3) Impact of funding for Capital Projects and Debt Service.
 - (4) Discussion of other issues of budgetary concern to legislators.

Any salary of a public officer or officers necessitating the presentation of a local law or laws shall be prepared at the direction of the Administration Committee as soon as practicable, but shall be introduced to the full Legislature no later than at the full meeting of the Legislature that is scheduled for the Presentation of the Budget. Said Local Law or Laws shall be published and posted according to Municipal Home Rule Law §20(4). Presentation for final adoption shall be made no later than the full meeting of the Legislature that is scheduled for public hearing and budget approval, following a public hearing on said local law or laws.

Changes to the proposed budget approved in the budget workshop shall be incorporated into the budget prior to the full meeting of the Legislature scheduled subsequently for public hearing and budget approval.

18. **CHANGES IN THE RULES**

A. **AMENDMENT AND REPEAL OF RULES:**

No resolution to amend, repeal or supersede these rules, or any provision thereof, shall be adopted at the same meeting at which it is offered, unless the same follows, by operation of law due to an act of the State Legislature. The Legislature shall postpone action thereon not earlier than the next meeting to which the Legislature shall adjourn.

B. **SUSPENSION OF RULES:**

Suspension of a provision of these Rules, except as prohibited by law.

These Rules may be suspended if so authorized by an affirmative vote of fifteen (15) members of the Legislature or the unanimous affirmative vote of all members if there are less than fifteen (15) members present.

C. **LEGISLATIVE INTENT:**

All rules or procedures heretofore adopted, together with any amendments or renewals thereof, are hereby repealed and suspended by these Rules.

19. **STANDING COMMITTEES**

The Steuben County Charter has designated the County Manager as the Chief Executive Officer for the County, implementing policies and administering daily operations at the direction of the County Legislature. Therefore, all matters requiring action by any Committee should first be approved by the County Manager. As Department Heads are appointed by and responsible to the County Manager, subject to confirmation by the Legislature, they are expected to obtain the approval of the County Manager prior to submitting or presenting any request to the County Legislature or Committee.

The Committee maintains its right to disagree with the County Manager and, if the disagreement is serious enough, it can still be brought before the full Legislature.

The following is a list of the standing committees of this Legislature together with a description of the areas of responsibility with which each is charged. These committees and their responsibilities are subject to change by resolution of this Legislature.

ADMINISTRATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature in all matters relating to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, accounts, records or other matters related to the offices, departments and agencies listed below, including those specifically identified as follows:

- (1) Clerk of the Legislature: Including all matters relating to the duties and powers of the Clerk of the Legislature, as set forth in Section 475 of the County Law.
- (2) County Manager: Including all matters relating to the power and duties of the County Manager as defined in Article III of the County Charter.
- (3) County Clerk: Including all matters pertaining to the constitutional responsibilities of the Clerk as registrar, the duties of the Clerk as agent of the New York State Department of Motor Vehicles, and the Clerk of the Supreme Court and County Court.
- (4) Commissioner of Finance: Including all matters relating to the powers and duties of the Commissioner of Finance as chief fiscal officer, and in any fiduciary capacity, except unpaid taxes and buildings.
- (5) Board of Elections: Including all matters relating to the Election Commissioners and County responsibilities under the Election Law.
- (6) Information Technology: Including all matters relating to the study, organization, promotion, coordination, purchase or lease of EDP equipment or systems, and development of the County's electronic data processing system for all of the County's Departments, agencies, or administrative units.
- (7) Insurance: Including all matters relating to the procurement of all insurance on County-owned personal property, premises, buildings, and all insurance connected with property acquired for public assistance reimbursement, and recommendations to the County Legislature with relation to the amount of official undertakings and the approval thereof, when the amount is fixed by the County Legislature.
- (8) Law Department: Including all matters pertaining to County legal actions, lawsuits, damages, claims, or other legal representation of the County.
- (9) Personnel: Personnel administration and policy, including reviewing requests for new positions, setting salary grades, all upgradings, position reclassifications, labor union negotiations, salary schedule adjustments, fringe benefits administration, and Affirmative Action programs and policy and including all matters pertaining to the County's administration of the New York State Civil Service Law.
- (10) Purchasing: Including all matters relating to the organization, coordination, and implementation of a uniform system of inventory control and purchasing within the County Departments, agencies, boards, commissions, and administrative units.
- (11) Real Property Tax Service Agency: Including all matters relating to the equalization of tax rates for purposes of levying County taxes; representation of the County in all meetings and conferences with local assessors or individuals; and preparation of the assessment and tax rolls.
- (12) Risk Management: Including all matters relating to evaluation of Insurance programs for the County and development and implementation of safety programs.
- (13) Workers' Compensation: Including all matters relating to the Steuben County Self-Insurance Plan, including plan administration, claims, expenses for claimants, apportionment of administrative costs, preparation of reports, and duties of Risk Manager, County Attorney, and Commissioner of Finance.

In addition thereto the responsibilities of said committee shall include:

- (A) Representation of and, as appropriate, recommendation to the County Legislature on all matters pertaining to proposed local, State, or Federal legislation, matters relating to internal affairs of the County, its Offices, Departments, functions, including the Rules of Procedure and conduct at meetings of the County Legislature, general administration of Offices and Departments, and matters dealing with the County's participation with Off-Track Betting.
- (B) Examination, inspection, preservation, storage, maintenance, and representation of the County Legislature in all matters pertaining to the books and records of accounts of County funds, vouchers, orders, warrants, claims and other papers or documents, which the County Legislature or other County officer or employee may have a power or duty to perform.
- (C) Representation, examination and hearings in all matters pertaining to the County's Grievance Procedure for County employees.
- (D) Vehicle deployment and management of vehicles owned by the County of Steuben.

AGRICULTURE, INDUSTRY & PLANNING COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, recommendations to the County Legislature regarding all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or accounts, or other matters related to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

- (1) Agriculture: Including all matters related to the Agriculture and Farmland Protection Board, Agricultural Districts, Cooperative Extension Association and Board of Directors, Fish & Wildlife Management Act Board, Soil & Water Conservation District, Water Resources, and Wildlife and Conservation.
- (2) Buildings & Grounds: Including all matters relating to the maintenance and repair of County buildings and grounds, including the former County farm buildings and grounds, allocation of space, and supervision of the construction, reconstruction or remodeling of County buildings. The planning of any construction or reconstruction of County buildings shall be the responsibility of the Agriculture, Industry and Planning Committee, unless delegated to the Ad Hoc Office Space Committee.
- (3) Planning: Including all matters relating to the promotion of economic and community development, environmental management, efficiency of public service, cooperation with all Town, Village and City Planning Boards or Commissions, in relation to local development and preparation of plans, and assisting other Committees of the County Legislature in gathering data, conducting research, and preparing reports and analyses.
- (4) Public Relations: Including all matters relating to the cooperation and coordination with any Federal, State or local officials and agencies or Boards, Chambers of Commerce, industrial development agencies, tourism agencies and any other group in the promotion of improved public relations, including but not limited to the retention of existing industry, business, agriculture, dairy, vineyards, recreation, housing, product marketing, civic and educational projects and their expansion and improvement for the benefit of County residents; publicizing the County's locational advantages and resources; and the County exhibit at the annual Steuben County Fair.
- (5) County Historian: Including all matters related to the powers and duties of the County Historian and matters relating to the Steuben County Hall of Fame.
- (6) Consumer Affairs/Weights & Measures: Including all matters relating to the duties and powers of the County Sealer, consumer affairs and education.

Representation, oversight, and as appropriate, recommendations to the County Legislature regarding the following Boards, Commissions, agencies or organizations:

Environmental Management Council
Workforce Development Board
Steuben County Conference and Visitors Bureau
Steuben County Industrial Development Agency
Resource Conservation and Development Board
Southern Tier Central Regional Planning & Development Board
Finger Lakes Association, Inc.
Steuben County Agricultural Society
Steuben County Dairy Festival
Soil & Water Conservation
Watershed Protection Districts

FINANCE COMMITTEE - To consist of five (5) members with responsibility for:

- (1) The consideration of office and departmental estimates and recommendation to this County Legislature of a tentative Budget for the ensuing fiscal year, including estimated expenditures and revenues, according to object and purpose.
- (2) Consideration and recommendations to this County Legislature on all applications for additional appropriations, and transfer of funds when authorization is required by the County Legislature.
- (3) Representation of this County Legislature in all matters or meetings relating to unpaid taxes, tax sales, collection, and recommendations regarding the disposition thereof, in which the Commissioner of Finance, or the Clerk of this County Legislature, or this County Legislature, may have a duty or power to perform, with the exception of the refund of erroneous taxes.
- (4) Make recommendations to this County Legislature with relation to redemptions, compromises, sales, leases, repair, fencing, or other disposition of County-owned property by virtue of tax sale.
- (5) Authorization to assign amounts to specific purposes in the assigned fund balance, with the participation of the County Manager and Commissioner of Finance. (Res#181-11)

HUMAN SERVICES, HEALTH & EDUCATION COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

- (1) Social Services: Including all matters relating to the duties, powers, and responsibilities of the County Commissioner of Social Services, as defined in Article VIII of the County Charter, in the administration of public assistance and care, or other matters which relate specifically to the administration of the County's Social Services Programs, excluding the Health Care Facility.
- (2) Veterans' Services: Including all matters relating to the County Veterans' Service Director or officer, Steuben County War Memorial, claims for soldiers' burial and headstones, and representation of the County Legislature in all matters pertaining to veterans or veterans' affairs.
- (3) Youth Bureau: Including all matters relating to the administration of the Steuben County Youth Board and Programs.

(4) Office for the Aging: Including all matters relating to the County-sponsored programs and services for senior citizens, including fiscal and programmatic planning, the Retired Senior Volunteer Program, outreach, information and referral; administration, coordination, and monitoring of contracts for legal, nutrition, home and health care, transportation, senior employment, HEAP, etc; and representation of the County Legislature in all matters pertaining to services for senior citizens provided through the Office for the Aging.

(5) Education: Including the education of handicapped children and requests for educational assistance.

(6) Public Health: Including all matters pertaining to the Steuben County Public Health and Nursing Services, the Special Children's Services Program, the Steuben County Community Services Clinic, the Steuben County Alcohol Abuse Program, and all matters relating to the Developmental Disabilities Programs, and Steuben ARC.

Representation, oversight, and recommendations to the County Legislature on matters pertaining to the following

Pro-Action of Steuben and Yates
STC Steuben Human Services Committee
Family Service Society, Inc.
Community Services Board
Finger Lakes Health Systems Agency
Health Services Advisory Board
Joint Committee on Health Affairs
Southern Tier Sub-Area Council of the Finger Lakes Health Systems Agency
Corning Community College
Southern Tier Association for the Blind, Inc.
Southern Tier Library System

PUBLIC SAFETY & CORRECTIONS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records and accounts, or other matters relating to the offices, departments, agencies or programs listed below, including those specifically identified as follows:

- (1) Emergency Management: Including all matters relating to the management and preparedness for catastrophe, natural disaster and other serious emergencies which would require coordination and mutual response. Such emergencies may require the involvement of multiple townships, County or Counties, the State of New York and/or FEMA. All matters pertaining to the powers and duties of the Energy Coordinator in regards to the coordination of fuel supplies, as well as the allocation of these resources with Steuben County.
- (2) Fire Coordination, Training and Mutual Aid: Including all matters relating to the Steuben County Fire Advisory Board, coordination of all fire departments, guidance and direction for the administration of local fire departments, all fire training schools. All matters pertaining to the establishment, maintenance, and administration of the county fire mutual aid program, response to emergencies involving fire and emergency rescue situation, as well as cause and origin determination of all fires within Steuben County.
- (3) Emergency Medical Services and Mutual Aid: Including all matters relating to the delivery of emergency response to medical situations within Steuben County. To include the coordination of emergency medical response, oversight of emergency medical training, administration of the county mutual aid program, coordination with the Southern Tier Regional Emergency Medical Council (EMSTAR).
- (4) Coroner and Coroner Transport Services: Including all matters relating to the establishment and election of the Coroner's Office, the coordination of services provided between the various county Coroners, the establishment of means for the determination of cause of death, and all matters pertaining to the transportation of the deceased to a center for determination.

- (5) Radio Communications: Including all matters relating to the operation of the County-wide radio system, the interaction and operation of the radio system and the county users, the maintenance of the system, to include contractual agreements and operations for the radio shop. Also to include the planning necessary for improvements to the county-wide radio system.
- (6) Judges, District Attorney and Public Defender: Including all matters relating to the powers, duties and responsibilities or offices of the County Judges, Family Court Judge, Surrogate Judge, District Attorney, and Public Defender.
- (7) Probation and Community Corrections: Including all matters relating to the powers, duties and offices of any and all Probation Officers, and their appointment or removal by a County Judge.
- (8) Sheriff: Including all matters relating to the Sheriff, Undersheriff, Jail Superintendent, Deputies, Correction Officers, Court Security, and all other personnel; matters concerning the Jail, maintenance of prisoners; post audit of court orders, paying jurors, witnesses, and Court Attendants as soon after each term of County Court, Supreme Court or Surrogate's Court with a jury, as is practicable.
- (9) 9-1-1 Department (Enhanced): Organization, implementation and operation of the County's emergency 9-1-1 system.

Representation, oversight and/or recommendations to the County Legislature on matters relating to the following Offices, Boards, Commissions, agencies, individuals or Committees:

Justices and Constables
 Coroners
 Traffic Safety Board
 Fire Advisory Board
 Local Emergency Planning Committee
 E-911 Advisory Board
 Southern Tier Emergency Medical Services Council
 Environmental Emergency Services, Inc.

PUBLIC WORKS COMMITTEE - To consist of five (5) members with responsibility for:

Oversight, representation, and as appropriate, to make recommendations to the County Legislature, with regards to all matters pertaining to the activities, programs, duties, responsibilities, personnel, expenses of offices, purchase of equipment, maintenance of records or other matters relating to the offices, departments, agencies, or programs, listed below, including those specifically identified as follows:

- (1) Public Works: Including inspection, construction, reconstruction, maintenance, and general supervision of the County roads and bridges, including bridges having a span over twenty-five (25) feet on Town roads, as well as all matters pertaining to the duties, powers, and responsibilities of the County Commissioner of Public Works.
- (2) Solid Waste Division: Including all matters relating to the operation, administration, site selection and acquisition, and other related activities of the Solid Waste Division of the County Department of Public Works.
- (3) Parks: Including all matters relating to the supervision and management of all County parks and recreation areas.
- (4) Reforestation: Including all matters relating to reforestation, including purchase, maintenance, fencing, fire line, cutting of and sale of trees, disposition of such lands and all other matters relating thereto, which the County Legislature may have a power or duty to perform, such as representation on the District Forest Practice Board.

20. **ROBERT'S RULES OF ORDER**

Except as otherwise specifically provided within, Roberts Rules of Order shall be applicable to all meetings of the Steuben County Legislature and the Committees thereof.

21. **COUNTY MANAGER**

Consistent with the Steuben County Charter, the County Manager is recognized as the Chief Executive Officer for Steuben County, having direct supervision of all County Departments, Board, etc. All department and agency heads shall be responsible to, and report to and through the County Manager.

All department and agency heads requesting action of a Legislative Committee or the full Legislature shall obtain the approval of the County Manager prior to making such request. An evaluation of such proposed action shall be provided to the Committee or Legislature by the County Manager. As to such request by a department or agency head:

A. Any request by a department or agency head which, under the Administrative Code, requires the County Manager's approval, shall not be placed upon a Committee Agenda prior to receipt of such approval.

B. Any request by a department or agency head, which shall or is likely to result in a motion by the Committee, and/or the full Legislature, shall be reviewed and approved by the County Manager prior to being placed on the agenda unless waived by the County Manager. If a department or agency head misses the deadline for agenda item submission, they must receive the approval of the County Manager to be placed on the agenda.

County Legislators requesting action by a Committee or the full Legislature are encouraged to adhere to the above procedure. Nothing contained herein shall be construed to prohibit or otherwise limit a County Legislator from introducing a resolution or legalizing act to the County Legislature for consideration at a meeting thereof.

Disputes or differences of opinion which arise between department or agency heads shall be referred to the County Manager for resolution. The determination of the County Manager shall be binding unless review of that determination is referred to the Administration Committee. That committee shall have the authority to render a determination, which determination may be reviewed by appropriate action of the full Legislature. Said action of the Legislature shall be final and binding.