

**ORGANIZATIONAL MEETING
JANUARY 6, 2021**

The January 6, 2021 Organizational Meeting of the Schuyler County Legislature was called to order at 9:00 a.m. by Stacy B. Husted, Clerk, acting as Temporary Chairman. The Pledge of Allegiance was led by Legislator Blowers and followed by a Moment of Silence. All Legislators were present. County Administrator Timothy O'Hearn, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

The Acting Chair then opened the floor for nominations for Chairman of the Legislature for the year 2021.

MOTION by Legislator Rondinaro to nominate Legislator Blowers as Chairman, **SECOND** by Legislator Harp.

RESOLUTION NO. 1 Motion by Rondinaro, Second by Gray.

RE: CLOSE NOMINATIONS - 2021 CHAIRPERSON OF THE SCHUYLER COUNTY LEGISLATURE
BE IT RESOLVED, that the nominations for the 2021 Chairperson of the Schuyler County Legislature be closed.

Vote 8-0.

RESOLUTION NO. 2 Motion by Rondinaro, Second by Howell.

RE: APPOINTMENT - CHAIR, SCHUYLER COUNTY LEGISLATURE – 2021
BE IT RESOLVED, that Carl H. Blowers be Chairperson of the Schuyler County Legislature for the year 2021.

Vote 8-0.

RESOLUTION NO. 3 Motion by Rondinaro, Second by Gray.

RE: "CONTINUITY OF LOCAL GOVERNMENT" FOR 2021
BE IT RESOLVED, that the duly authorized vice-chairman successors for "Continuity of Local Government", as prescribed by Schuyler County Local Law No. 1-1972, be adopted for the year 2021, as follows:

Chairman	Carl. H. Blowers
#1 Vice-Chairman	Philip C. Barnes
#2 Vice-Chairman	Van A. Harp
#3 Vice-Chairman	Michael L. Lausell
#4 Vice-Chairman	James W. D. Howell, Jr.
#5 Vice-Chairman	Mark F. Rondinaro
#6 Vice-Chairman	David M. Reed
#7 Vice-Chairman	Gary L. Gray

Vote 8-0.

RESOLUTION NO. 4 Motion by Rondinaro, Second by Gray.

RE: CONFORM TO "RULES OF PROCEDURE" FOR 2021
BE IT RESOLVED, that the "Rules of Procedure", as adopted on January 13, 1992 to be effective January 13, 1992, as amended on October 12, 1999, and as amended by May 10, 2004, as amended on June 12, 2006, as amended on January 1, 2007, and as amended on May 12, 2014, be conformed to.

Vote 8-0.

RESOLUTION NO. 5 Motion by Rondinaro, Second by Gray.

RE: 2021 DESIGNATION OF DEPOSITORIES FOR SCHUYLER COUNTY FUNDS
BE IT RESOLVED, that the 2021 Depositories for Schuyler County funds be the following banks and for the following amounts:

CHEMUNG CANAL TRUST COMPANY
Montour Falls or Watkins Glen Office

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303 W. Main Street
Montour Falls, NY 14865 \$8,000,000.00

TOMPKINS TRUST COMPANY
Main Street
Odessa, NY 14869 \$8,000,000.00

CHASE
1 South Clinton Ave., Suite 700
Rochester, NY 14604 \$8,000,000.00

COMMUNITY BANK, N.A.
Watkins Glen Office
401 N. Franklin Street
Watkins Glen, NY 14891 \$8,000,000.00

DISCUSSION: Legislator Howell said that all of the banks listed are local with the exception of Chase. He asked the County Administrator how the banks are selected. Administrator O'Hearn said that he would have to defer this to our Treasurer, but he thought it was because the banks listed are savings and loan institutions versus others that are not, and therefore may not qualify as a depository. Legislator Rondinaro said that he has asked this question in the past and never had received any report back. He requested the Treasurer be asked to report back to the Legislature. Chairman Blowers said he thought that it may have something to do with the interest rate as well.

Vote 8-0.

RESOLUTION NO. 6 Motion by Rondinaro, Second by Gray.

RE: A RESOLUTION DELEGATING TO THE COUNTY TREASURER OF THE COUNTY OF SCHUYLER, NEW YORK, THE POWER TO AUTHORIZE, ON AN AS NEEDED BASIS DURING FISCAL YEAR 2021, THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,500,000.00 OF TAX ANTICIPATION NOTES AND/OR REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED, OR TO BE LEVIED, IN FISCAL YEAR 2021

BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Schuyler, New York, as follows:

Section 1. The power to authorize, on an as needed basis during fiscal year 2021, the issuance and sale of not exceeding \$2,500,000.00 of tax anticipation notes and/or revenue anticipation notes of the County of Schuyler, New York, including renewals thereof, and any associated necessary costs, in anticipation of the collection of real estate taxes levied, or to be levied, for such fiscal year of said County, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said County Treasurer, pursuant to the Local Finance Law.

Section 2. This resolution shall take effect immediately.

Vote 8-0.

RESOLUTION NO. 7 Motion by Rondinaro, Second by Gray.

RE: DELEGATE TO THE REAL PROPERTY TAX DIRECTOR THE AUTHORITY TO AUTHORIZE CORRECTION OF ERRORS AND PAYMENT OF TAX REFUNDS IN AN AMOUNT NOT TO EXCEED \$2,500 FOR THE YEAR 2021

WHEREAS, the State of New York has, pursuant to Sections 554 and 556 of the Real Property Tax Law (RPTL), authorized correction of errors and payment of tax refunds without prior audit for corrections for refunds not exceeding \$2,500, and

WHEREAS, Schuyler County desires to delegate to the Real Property Tax Services Director (Director)

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the authority as stated under said law.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby delegated to the Director the power to authorize the Schuyler County Treasurer to make payment of any refund or credit of taxes not exceeding the sum of \$2,500 without prior audit, as provided in Sections 554(9) and 556(8) of the RPTL for the calendar year of 2021, with the following provisions:

1. That the Director shall comply with all provisions under RPTL Sections 554 and 556 relative to corrections of errors and the refund or credit of taxes.
2. That on or before the 15th day of each month the Director shall submit to the Legislature a report of the corrections, refunds and credits processed by such official during the month, embodying in that report the information as required under aforesaid statute.
3. That in no case shall the total amount of such refund or credit exceed the amount appropriated by the County Legislature.

Vote 8-0.

RESOLUTION NO. 8 Motion by Rondinaro, Second by Gray.

RE: DESIGNATION OF LEGAL COUNTY NEWSPAPER FOR 2021

BE IT RESOLVED, that the *Review & Express* weekly newspaper within Schuyler County, be designated as the legal County paper to publish resolutions, election notices, official canvass and other notices.

Vote 8-0.

RESOLUTION NO. 9 Motion by Rondinaro, Second by Gray.

RE: ACKNOWLEDGE APPOINTMENT AND SET SALARY OF REPUBLICAN DEPUTY COMMISSIONER, BOARD OF ELECTIONS

BE IT RESOLVED, that this Legislature hereby acknowledge the appointment by Joseph Fazzary, Commissioner, Board of Elections of Kristina A. Vondracek as Deputy Commissioner, Board of Elections effective January 1, 2021, full-time, at an annual salary of \$39,500.

Vote 8-0.

RESOLUTION NO. 10 Motion by Rondinaro., Second by Gray.

RE: ACKNOWLEDGE APPOINTMENT AND SET SALARY OF DEMOCRATIC DEPUTY COMMISSIONER, BOARD OF ELECTIONS

BE IT RESOLVED, that this Legislature hereby acknowledge the appointment by Carolyn C. Elkins, Commissioner, Board of Elections of Kathryn R. Elkins as Deputy Commissioner, Board of Elections effective January 1, 2021, full-time, at an annual salary of \$41,953.

Vote 8-0.

RESOLUTION NO. 11 Motion by Rondinaro, Second by Gray.

RE: APPOINTMENT – COUNTY HISTORIAN FOR 2021

BE IT RESOLVED, that Gary M. Emerson be appointed as County Historian for the year 2021, with a salary of \$3,850.

Vote 8-0.

RESOLUTION NO. 12 Motion by Rondinaro, Second by Gray.

RE: APPROVE AND ADOPT UPDATED PURCHASING POLICIES AND PROCEDURES FOR 2021 - PURCHASING

WHEREAS, Schuyler County Purchasing Policies and Procedures have been updated to reflect procedural changes and recent additions to General Municipal Law (GML) Section 103, and/or other applicable authority.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature approves and adopts the revised Purchasing Policies and Procedures for 2021, on file in the Legislative Office and the Purchasing Department, effective January 1, 2021.

Vote 8-0.

RESOLUTION NO. 13 Motion by Rondinaro, Second by Gray.

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RE: ADOPT SCHEDULE OF SALARIES FOR 2021

BE IT RESOLVED, that the Schedule of Salaries for 2021, be adopted, effective January 1, 2021, and

BE IT FURTHER RESOLVED, that the County Treasurer be authorized and directed to pay the County employees according to the 2021 Salary Schedule.

PUBLIC PARTICIPATION: NONE.

The Meeting adjourned at 9:10 a.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

**REGULAR MEETING
JANUARY 11, 2021**

The January 11, 2021 Regular Meeting of the Schuyler County Legislature was called to order at 6:32 p.m. by Chairman Blowers. The Pledge of Allegiance was led by Legislator Barnes and followed by a Moment of Silence. All Legislators were present. County Administrator Timothy O'Hearn, and County Attorney Steven Getman were also present.

PUBLIC PARTICIPATION: None.

RESOLUTION NO. 14 Motion by Barnes, Second by Harp.

RE: APPROVE MINUTES OF THE DECEMBER 14, 2020 REGULAR MEETING, DECEMBER 28, 2020 YEAR END MEETING AND THE JANUARY 6, 2021 ORGANIZATION MEETING OF THE SCHUYLER COUNTY LEGISLATURE

BE IT RESOLVED, that the minutes of the December 14, 2020 Regular Meeting, December 28, 2020 Year End Meeting, and the January 6, 2021 Organizational Meeting of the Schuyler County Legislature be approved.

Vote 8-0.

RESOLUTION NO. 15 Motion by Barnes, Second by Harp.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2017 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM – EMERGENCY MANAGEMENT

WHEREAS, the Emergency Management Office received a Statewide Interoperable Communications Grant SI17-1044-D05, in the amount of \$381,179.00 in 2017, and

WHEREAS, said grant was extended last year by Resolution No. 259-19 through December 31, 2020, and

WHEREAS, said funds have not been fully utilized, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to sign said grant contract extension through December 31, 2021, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Statewide Interoperable Communications Grant Program grant funds accordingly, in cooperation with the Emergency Management Office.

Vote 8-0.

RESOLUTION NO. 16 Motion by Barnes, Second by Harp.

RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE FISCAL YEAR 2018 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM – EMERGENCY MANAGEMENT

WHEREAS, the Emergency Management Office received a Statewide Interoperable Communications Grant SI18-1018-D01, in the amount of \$382,595.00, and

WHEREAS, said grant was for a period of January 1, 2019 through December 31, 2020, and

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WHEREAS, said funds have not been fully utilized, and the New York State Department of Homeland Security and Emergency Services has authorized a contract extension through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to sign said grant contract extension through December 31, 2021, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the Statewide Interoperable Communications Grant Program grant funds accordingly, in cooperation with the Emergency Management Office.

Vote 8-0.

RESOLUTION NO. 17 Motion by Barnes, Second by Harp.

RE: AUTHORIZE EXTENSION OF THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES GRANT CONTRACT NO. C2ND643 – PUBLIC DEFENDER

WHEREAS, the Public Defender's Office has received the New York State Office of Indigent Legal Services Grant, Contract No. C2ND643 (Second Upstate Quality Improvement and Caseload Reduction), and

WHEREAS, said grant was in the amount of \$239,488, for the period of July 1, 2017 through June 30, 2020, and

WHEREAS, said grant funds have not been fully utilized, and as such, said grant should be extended, and

WHEREAS, the New York State Office of Indigent Legal Services has provided an agreement to extend the contract period through September 30, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign said grant contract extension, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend the New York State Office of Indigent Legal Services Grant, Contract No. C2ND643 accordingly, and in cooperation with the Public Defender's Office.

Vote 8-0.

RESOLUTION NO. 18 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE ADDENDUM TO THE INTER-MUNICIPAL AGREEMENT WITH THE SOUTHERN TIER BROADBAND COALITION/AUTHORIZE USE OF ECONOMIC DEVELOPMENT RESERVE FUNDS FOR A BROADBAND FEASIBILITY STUDY

WHEREAS, Resolution No. 364-19 authorized an Inter-Municipal Agreement (IMA) with Southern Tier Broadband Coalition and other counties to contribute up to \$50,000 towards a Broadband Feasibility Study to be funded by the Economic Development Reserve Fund, and

WHEREAS, an Addendum to the existing IMA was created earlier this year to allow Chemung County to also participate in the IMA, and

WHEREAS, said Addendum lists the actual cost of the Broadband Feasibility Study to be \$392,211.00 to be divided amongst five counties and Southern Tier Network, Inc. (STN), and

WHEREAS, the County is in receipt of an invoice for its contribution in the amount of \$21,807.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature is hereby authorized to sign said Addendum to the existing IMA, to contribute the amount of \$21,807 towards the Broadband Feasibility Study with funding to be used from the Economic Development Reserve account, subject to approval by the Schuyler County Attorney, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby authorized to transfer \$21,807 from the Economic Development Fund Balance account A890 into account no. 6989.0403.

DISCUSSION: Legislator Howell asked the County Administrator if this was the only payment that would be made. He recalled that the Legislature agreed to use fifty thousand dollars from the Economic Development fund for this, and this amount is less. County Administrator O'Hearn explained that the original amount was planned to be the fifty thousand dollars with initially only three counties contributing towards the cost of the study, however then Tioga County joined which lowered the amount of our contribution by about eight thousand dollars. He said that this payment is the only payment that will be made.

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Vote 8-0.

RESOLUTION NO. 19 Motion by Rondinaro, Second by Lausell.

RE: AUTHORIZE ADVERTISEMENT FOR PROPOSALS FOR APPLICATION AND MONITORING EXPENSES FOR THE LAMOKA/WANETA LAKES PROTECTION REHABILITATION DISTRICT (LAMOKA AND WANETA LAKES)

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to solicit request for proposals for the application of ProcellaCOR on Lamoka and Waneta Lakes and the residual monitoring thereof, and

WHEREAS, the Lamoka/Waneta Lakes Protection and Rehabilitation District needs to submit a permit treatment plan update to the New York State Department of Environmental Conservation (DEC) regarding the proposed ProcellaCOR treatment of Waneta and Lamoka Lakes in 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Legislature be hereby authorized to advertise for proposals on or about February 3, 2021 for chemical application and residual monitoring services as set forth above for the Lamoka/Waneta Lakes Protection and Rehabilitation District, and

BE IT FURTHER RESOLVED, that proposals will be due no later than 3:00 p.m. on Friday, February 26, 2021. Acceptance/rejection of the proposals will be done at a Regular Meeting of the Legislature at a later date. The County of Schuyler reserves the right to accept or reject any and all proposals, and

BE IT FURTHER RESOLVED, that the District authorizes Dennis Fagan, and or Glenn Sullivan on its behalf, to submit the required permit treatment plan update to DEC for the ProcellaCOR treatment of Lamoka/Waneta Lakes in 2021.

Vote 8-0.

RESOLUTION NO. 20 Motion by Barnes, Second by Rondinaro.

RE: RESOLUTION TO APPROVE APPLICATION FOR CREDIT OF REAL PROPERTY TAXES – REAL PROPERTY TAX SERVICE

WHEREAS, an application for credit of real property taxes has been made in accordance with Section 556 of the Real Property Tax Law (RPTL) for parcel 65.13-4-1.2 owned by GLT Enterprises LTD in the Town of Dix for the 2019 County/Town tax rolls, and

WHEREAS, the taxes due of \$6,874.13 were based on an assessed value that included the value of a building that was present on another parcel, and

WHEREAS, that building will be paying an omitted tax on a subsequent bill, and

WHEREAS, it is the recommendation of the Real Property Tax Director to approve the application, and

WHEREAS, the amount of the credit exceeds the authority of the Director to approve without resolution pursuant to Resolution 7-20 of the Schuyler County Legislature.

NOW, THEREFORE BE IT RESOLVED, that the application is hereby approved, and

BE IT FURTHER RESOLVED, that the property owner shall receive a credit in the amount of \$6,718.40, and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby directed to make the appropriate chargeback to the Town of Dix.

Vote 8-0.

RESOLUTION NO. 21 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE AMENDING POLICIES AND PROCEDURES MANUAL TO INCLUDE REMOTE TRAINING TO THE EXPENSES POLICY - HUMAN RESOURCES

WHEREAS, Schuyler County currently has an “Expenses” policy in place addressing travel requests/central garage/and expense reimbursement, and

WHEREAS, amendments to this policy need to be made to include remote training expenses.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes amending the Policies and Procedures Manual to adopt the aforesaid Policy Statement and Plan to be made available to all employees, effective immediately.

8. EXPENSES

8.1 Travel and Training Requests/Central Garage (Resolution No. 344-03)/Expense Reimbursement

All Schuyler County employees must submit a travel request form for permission for all travel on county business, including out of state travel, whether reimbursement is requested or not. Employees participating in remote training that has a cost associated with it must submit a travel request form for permission even though no travel is involved. A copy of the documentation describing the travel and/or training, as well as any costs involved, shall be attached to the request form. Travel requests forms are provided and approved by the County Administrator's Office.

Vote 8-0.

RESOLUTION NO. 22 Motion by Barnes, Second by Rondinaro.

RE: ONE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2021 through December 31, 2021, to wit:

AUDITING COMMITTEE

Philip C. Barnes
James W.D. Howell, Jr.
Michael L. Lausell
Mark F. Rondinaro

CHAMBER OF COMMERCE

Carl H. Blowers, Legislator

EMERGENCY MEDICAL & HIGHWAY SAFETY COMMITTEE

Carl H. Blowers, Chairman of the Legislature
Van A. Harp, Public Safety & Criminal Justice Committee Member

FISH & WILDLIFE MANAGEMENT BOARD

James W.D. Howell, Jr., Legislator Alternate

FIRE SAFETY ADVISORY BOARD

Philip C. Barnes, Legislator
Jason Kelly, Burdett Fire Department
Kent Thurston, Beaver Dams Fire Department
Mike Hicks, Hector Fire Department
Brian Gunning, Mecklenburg Fire Department
Melvin Horton, Jr., Monterey Fire Department
Matthew Burns, Montour Falls Fire Department
John Jeliff, Odessa Fire Department
Judson Smith, Watkins Glen Fire Department
William Meehan, Tyrone Fire Department
William Kennedy, County Fire Coordinator

INTER-COUNTY ASSOCIATION

James. W.D. Howell, Jr.
Mark F. Rondinaro
Gary L. Gray

LOCAL EMERGENCY PLANNING

Carl H. Blowers, Chairman of the Legislature

OFFICE FOR THE AGING ADVISORY COUNCIL

Carl H. Blowers, Chairman of the Legislature
Van A. Harp, Legislator

PUBLIC HEALTH PROFESSIONAL ADVISORY COMMITTEE

Catie Kunecki, Common Ground

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JoAnn Kingsley, SUNY, Empire State College
Kristin VanHorn, Schuyler County Planning Director
Sarah Wunderlich, RN

Tamre Waite, Director, Office for the Aging
Deborah Bailey, RN, Schuyler Hospital

Kylie Rodriquez, HIICAP Coordinator, OFA

QUEEN CATHARINE STEERING COMMITTEE

David M. Reed, Legislator

RURAL TRANSPORTATION COMMITTEE

James W.D. Howell, Jr, Public Works Chairman

SAY RURAL HEALTH NETWORK BOARD OF DIRECTORS

Michael L. Lausell, Legislator

SCHUYLER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (SCIDA)

Carl H. Blowers, Chairman of the Legislature

SCHUYLER COUNTY PARTNERSHIP FOR ECONOMIC DEVELOPMENT (SCOPED)

Carl H. Blowers, Chairman of the Legislature

SCHUYLER COUNTY PLANNING COMMISSION

Anne Mace, Town of Cayuta

SOIL & WATER CONSERVATION BOARD

James W. D. Howell, Jr, Legislator

Gary L. Gray, Legislator

SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD

Carl H. Blowers, Chairman of the Legislature

Philip C. Barnes, Legislator

YOUTH BOARD

Aiden Thurston, Youth Representative

Madilyn Williams. Youth Representative

Vote 8-0.

RESOLUTION NO. 23 Motion by Barnes, Second by Rondinaro.

RE: TWO-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2021 through December 31, 2022, to wit:

FISH & WILDLIFE MANAGEMENT BOARD

Barlow Rhodes, Landowner

OFFICE FOR THE AGING ADVISORY COUNCIL

David Moore, ARC Chemung and Schuyler

Patrick Ryan, Schuyler Hospital, Seneca View

Ashley Kerrick, Catholic Charities

Kathleen LaMoreaux, Hector

David LaMoreaux, Hector

Dr. Carol Mikoda, Town of Hector (Valois)

Dr. Margaret Ohlinger, Town of Hector (Burdett area)

Dennis Mann, Town of Catharine

Barbara Ketchum, Town of Orange

Beverly Mello, Town of Reading

Donna Hill, Montour Falls

Sharon Young, Village of Watkins Glen

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SCHUYLER COUNTY PLANNING COMMISSION

Harriet Ferrell, Industrial Representative
Paul Bartow, Business Representative
Mike Bergen, Agricultural
Mayank Sharma, Medical Representative
Alice Learn, Town of Catharine
Justin Boyette, Town of Hector
Sarah Agan, Town of Montour
Jan Arcangeli, Village of Burdett
Alicia Janke, Village of Odessa

SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD

Judy McKinney-Cherry, CEED, Member at Large

Vote 8-0.

RESOLUTION NO. 24 Motion by Barnes, Second by Rondinaro.

RE: THREE-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2021 through December 31, 2023, to wit:

AGRICULTURE & FARMLAND PROTECTION BOARD

Johnathan Wasson, Agriculture Business Representative

EMERGENCY MEDICAL & HIGHWAY SAFETY COMMITTEE

Bill Kennedy, Fire Bureau/ Civil Defense

Richard Churches, Driver Education

YOUTH BOARD

Christy Williams, Community Services Board

Andrew Yessman, Sheriff's Department

Gretchen Silliman, District IV

Mary Wilson, Member at Large

Vote 8-0.

RESOLUTION NO. 25 Motion by Barnes, Second by Rondinaro.

RE: FOUR-YEAR APPOINTMENTS

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, for the term January 1, 2021 through December 31, 2024, to wit:

AGRICULTURE & FARMLAND PROTECTION BOARD

Daniel Teed, Farm Bureau

ALCOHOLISM AND SUBSTANCE ABUSE

Gretchen Silliman, Community Representative

Breck Spaulding, Sheriff's Department

Chris Rosno, Probation Department

COMMUNITY SERVICES BOARD

Edward Lovell, Community Representative

MENTAL HEALTH SUBCOMMITTEES

Cheryl Pruett, PhD, Community Representative

PEOPLE WITH DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

Renee Gay

Nancy St. Julien

Larry Jaynes

Vote 8-0.

RESOLUTION NO. 26 Motion by Barnes, Second by Rondinaro.

RE: APPOINTMENT TO BOARDS/COMMITTEES WITH NO TERM

BE IT RESOLVED, the Schuyler County Legislature hereby approves the appointment of the following individuals to the below boards, committees, agencies, with no term.

LOCAL EMERGENCY PLANNING COMMITTEE

Mark Cicora, Deputy Emergency Manager

Dan DeLano, Watkins Glen Central School

YOUTH BOARD

Jennifer Mims, State Representative

Vote 8-0.

RESOLUTION NO. 27 Motion by Barnes, Second by Rondinaro.

RE: APPOINTMENT TO BOARDS/COMMITTEES TO FILL UNEXPIRED TERMS

WHEREAS, two members of the below board have retired that has created a vacancy of two seats on the Emergency Medical & Highway Safety Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby approves the appointment of the below individuals to fill the unexpired term effective January 1, 2021 through December 31, 2021.

EMERGENCY MEDICAL & HIGHWAY SAFETY COMMITTEE

Keith Caslin, Justice Court

Ethan Mosher, Village of Watkins Glen Police Department

Vote 8-0.

RESOLUTION NO. 28 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH CLINICAL ASSOCIATES OF THE SOUTHERN TIER, PLLC FOR AN EMPLOYEE ASSISTANCE PROGRAM (EAP) – HUMAN RESOURCES

WHEREAS, the County offers an Employee Assistance Program (EAP) to all full-time County employees and their dependents, and

WHEREAS, the Personnel Officer solicited quotes for this service, and recommends that the Clinical Associates of the Southern Tier, PLLC be the provider of this program for 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to execute a contract with Clinical Associates of the Southern Tier, PLLC for the Human Resources Department for an Employee Assistance Program (EAP) for the term January 1, 2021 through December 31, 2021, at a cost of \$22.00 per employee per year, based on employment of 230 full time employees, at an annual rate of \$5,060, funding available in account no. 1430.0435, contract approved by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 29 Motion by Howell, Second by Rondinaro.

RE: MOTION TO BRING THREE (3) RESOLUTIONS TO THE FLOOR

BE IT RESOLVED, that three (3) Resolutions be brought to the floor.

Vote 8-0.

RESOLUTION NO. 30 Motion by Barnes, Second by Rondinaro.

RE: AUTHORIZE CONTRACT WITH HARRIS BEACH, PLLC FOR BOND COUNSEL SERVICES - TREASURER

WHEREAS, the County Administrator is recommending that the County refinance its outstanding Public Improvement (Serial) Bonds, and

WHEREAS, Harris Beach PLLC has submitted a proposal to provide Bond Counsel Services for a not to exceed amount of \$12,000.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to

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execute a contract with Harris Beach, PLLC for Bond Counsel Services, effective immediately, at a cost not to exceed \$12,000, funding available in account no. 1325.0435-Professional Fees and Services; contract approved by the Schuyler County Attorney.

Vote 8-0.

RESOLUTION NO. 31 Motion by Barnes, Second by Rondinaro.

RE: REFUNDING BOND RESOLUTION OF THE COUNTY OF SCHUYLER, NEW YORK, ADOPTED JANUARY 11, 2021, AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$1,165,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$1,165,000 REFUNDING BONDS OF SAID COUNTY, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN DETERMINATIONS ALL RELATIVE THERETO – TREASURER’S DEPARTMENT

WHEREAS, the County of Schuyler, New York (herein called “the County”), has heretofore issued on January 21, 2010, its \$1,500,000 Public Improvement (Serial) Bonds, 2010 (herein called the “2010 Bonds”), currently outstanding in the principal amount of \$1,020,000 (the “2010 Outstanding Bonds”); such bonds bearing interest at the rates and on the dates, and being subject to prior redemption as set forth in each such respective bond, and

WHEREAS, the County has the power and authority to issue refunding bonds of the County for the purpose of refunding and thereby refinancing all or a portion of the 2010 Outstanding Bonds, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Sections 90.00 and/or 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”).

NOW, THEREFORE, BE IT RESOLVED, that the County Legislature of the County of Schuyler, New York (the "County") hereby resolves (by the favorable vote of not less than two-thirds of the voting strength of said County Legislature) as follows:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- a. “Bond To Be Refunded” or “Bonds To Be Refunded” means all or a portion of the 2010 Outstanding Bonds of the County.
- b. “Bond Certificate” means the certificate of determination that (i) was executed by the County Treasurer, in accordance with the delegations of authority contained in the bond resolution for the object or purpose financed by the Bonds To Be Refunded, and (ii) provided for the issuance of such Bonds To Be Refunded.
- c. “Escrow Contract” means the contract to be entered into by and between the County and the Escrow Holder pursuant to Section 9 hereof.
- d. “Escrow Holder” means the bank or trust company designated as such pursuant to Section 9 hereof.
- e. “Present Value Savings” means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually), necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the bona fide initial public offering price including estimated accrued interest, or, if there is no public offering, to the price bid including estimated accrued interest.
- f. “Redemption Date” means April 19, 2021 or any date thereafter with respect to the Bonds to be Refunded.
- g. “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$1,165,000 bonds

of the County authorized pursuant to Section 2 hereof.

- h. “Refunding Bond Amount Limitation” means an amount of Refunding Bonds sufficient to pay the sum of (i) the principal amount of Bonds To Be Refunded, (ii) the aggregate amount of unmatured interest payable on each Bonds To Be Refunded to and including the applicable Redemption Date, (iii) redemption premiums payable on such Bonds To Be Refunded as of such applicable Redemption Date, as hereinabove referred to in the Recitals hereof, and (iv) costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 9 hereof.

Section 2. The County Legislature of the County (herein called “County Legislature”), hereby authorizes the refunding of the Bonds To Be Refunded of the County, more particularly described and referred to in the Recitals hereof, and appropriates an amount not to exceed \$1,165,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$1,165,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the County to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the County in the maximum principal amount of \$1,165,000, are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as Exhibit A (the “refunding financial plan”) prepared for the County by Robert W. Baird & Co. Incorporated and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 9 hereof, the payment of all costs incurred by the County in connection with said refunding from such proceeds, and the investment of a portion of such proceeds by the Escrow Holder in certain obligations, the principal of and interest, together with the balance of such proceeds to be held uninvested, shall be sufficient to pay (1) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to the Redemption Date and (2) the principal of and premium on the Bonds To Be Refunded to be called for redemption prior to maturity on the Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the unmatured aggregate outstanding balance of the 2010 Outstanding Bonds which were originally issued pursuant to the bond resolution of the County referenced in the Bond Certificate for such series of bonds for the purpose of providing original funding for the project as set forth therein. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount not to exceed \$1,165,000 shall mature in amounts and at dates to be determined. The Treasurer, the chief fiscal officer of the County, is hereby authorized to approve all details of the final refunding financial plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The maximum period of probable usefulness (“PPU”) of each issue comprising the Bonds to be Refunded is as specified in the Bond Certificate for the 2010 Bonds which is incorporated herein by reference.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed refunding financial plan attached hereto as Exhibit A.

Section 6. The Refunding Bonds shall be sold at private sale and the Treasurer, as the chief fiscal officer of the County, is hereby authorized to execute a purchase contract on behalf of the County for the sale of said Refunding Bonds, provided that unless the Refunding Bonds are sold in a private sale pursuant to Section 63.00 of the Local Finance Law and are issued in compliance with Section 90.00 of the Local Finance Law, the Treasurer shall file a certificate setting forth the present value of the total debt service savings, as required by Section 90.10(g) of the Local Finance Law, for approval by the State Comptroller.

(b) If the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the Treasurer is hereby authorized and direct to prepare or have prepared a Notice of Sale, which shall be published at least once in “THE BOND BUYER,” published in the City of New York, not less than five (5) nor more than thirty (30) days prior to the date of said sale.

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(c) Prior to the issuance of the Refunding Bonds, the Treasurer shall have filed with the County Legislature a certificate approved by the State Comptroller setting forth the Present Value Savings to the County resulting from the issuance of the Refunding Bonds.

(d) In connection with such sale, the County Legislature hereby authorizes the preparation of an Official Statement and approves its use in connection with such sale, and, further, consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is executed and available for distribution.

(e) The Treasurer is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered the County in connection with said refunding including the preparation of the refunding financial plan referred to in Section 2.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the County payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the County for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.00, 90.10 and 168.00 of the Law, the powers and duties of the County Legislature relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing a tax certificate relative thereto, and as to executing the Escrow Contract described in Section 10, the Official Statement referred to in Section 6 and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, and as to any determinations relating to the investment of the proceeds of the Refunding Bonds, are hereby delegated to the Treasurer, the chief fiscal officer of the County.

Section 9. Prior to the issuance of the Refunding Bonds the County shall contract with a bank or trust company located and authorized to do business in New York State for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. The Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the refunding financial plan, including provisions for the Escrow Holder without further authorization or direction from the County, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the County the notices of redemption authorized to be given pursuant to Section 12 hereof, and (d) to invest the moneys held by it consistent with the provisions of the final refunding financial plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 10. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the County with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in

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accordance with the refunding financial plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the County and shall be applied by the County only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 11. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the refunding financial plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. The pledge and lien provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and lien, need be filed or recorded.

Section 12. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the County Legislature hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Treasurer in accordance with Section 8 hereof. The sum to be paid therefor on the Redemption Date shall be the par value thereof, the accrued interest to the Redemption Date and the redemption premium, if any. The Escrow Holder is hereby authorized and directed to cause notice(s) of such call for redemption to be given in the name of the County by mailing such notice(s) to the registered holders of the Bonds To Be Refunded which are subject to prior redemption at least thirty days prior to such Redemption Date. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded subject to prior redemption on the Redemption Date and the direction to the Escrow Holder to cause notice thereof to be given as provided in this section shall become irrevocable and the provisions of this section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this section may be amended from time to time as may be necessary to comply with the requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 13. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 14. The Clerk of the County Legislature is hereby directed to publish the foregoing refunding bond resolution, in summary, in “the Review and Express” a newspaper having general circulation in the County and hereby designated the official newspaper of said County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 15. This resolution shall take effect immediately.

Exhibit A

Proposed Refunding Financial Plan [Click Here](#)

Vote 8-0.

RESOLUTION NO. 32 Motion by Barnes, Second by Rondinaro.

RE: RESOLUTION TO APPROVE APPLICATION FOR CORRECTED TAX ROLL – REAL PROPERTY TAX SERVICE WHEREAS, an application for corrected tax roll has been made in accordance with Section 554 of the Real Property Tax Law (RPTL) for parcel 44.05-1-3, owned by

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Redding in the Town of Hector for the 2020 County/Town tax roll, and

WHEREAS, the taxes due of \$7,517.77 include the relevy of a previously paid school tax which should not have been returned to the County Treasurer as unpaid, and therefore constitutes a clerical error as defined in RPTL S.550(2)(h), and

WHEREAS, it is the recommendation of the Real Property Tax Director to approve the application, and

WHEREAS, the amount of the credit exceeds the authority of the Director to approve without resolution pursuant to Resolution 7-21 of the Schuyler County Legislature.

NOW, THEREFORE BE IT RESOLVED, that the application is hereby approved, and

BE IT FURTHER RESOLVED, that the property owner shall receive a corrected tax bill in the amount of \$3,844.50, and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby directed to make the appropriate chargeback to the Watkins Glen Central School District.

Vote 8-0.

NEW BUSINESS: None.

UNFINISHED BUSINESS:

Legislator Barnes asked the County Administrator if any applications had been received for the Deputy County Administrator position. Administrator O'Hearn said that he had received one application that met the qualifications. He explained that applications are being accepted through the end of January. Legislator Barnes asked if the search could be expanded to include other associations. Administrator O'Hearn said that the position could be listed on the New York Job Bank. He said that it is listed on the School portal's, colleges like Cornell, Ithaca, Syracuse and Hobart. It has been circulated on numerous lists serves and that New York State Association of Counties (NYSAC) has it posted on their webpage. He will ask the Personnel Officer to send the job posting to other organizations.

REPORT ON STANDING COMMITTEES:

Legislator Barnes said that he wanted to applaud our Public Health for the COVID-19 updates as well as the availability for the vaccine.

Legislator Rondinaro reminded the Legislators that the Public Hearing for the Community input for the Police Reform virtual meeting is scheduled for Tuesday, January 12th at 6:00 p.m. The link and how to participate is available on the County web page.

Legislator Howell reported that the Town of Montour had two resignations at the end of last year of two councilmen, and that Tiffany Zinger and Breana Yessman have been appointed to fill those unexpired terms. The Town of Montour Supervisor position will be up for election this fall as well. He also reported that the Catharine Valley Trail walking bridge project that had been started by the past Village of Montour Falls Mayor is now complete and waiting delivery and for coordination with Welliver and their crane for placement. He then reported that the Village of Montour Falls had issued one hundred permits valued at one million dollars to the tax base in Montour Falls. He attended a very impressive presentation by Johanna Anderson who is the Executive Director of Ithaca Neighborhood Housing. They have purchased the old Shepard Niles site for future development. The plan is to complete this in stages and the project will consist of a multi-site use rental, floor level will be retail space and there will be community space and several townhouses with a large green space. He said that phase one will consist of twenty-four one-bedroom units along with the townhouses. He said that Johanna Anderson is also involved with the housing project near Jefferson Village in the Village of Watkins Glen.

COUNTY ADMINISTRATOR'S REPORT:

Administrator O'Hearn said to make the Legislators aware, there was a community meeting held last Thursday to update the community on the COVID vaccine. He said that our Public Health Department provided an up to the minute update on their efforts. At that time, we had more vaccines than we did patients. We have partnered with Schuyler Hospital and the group 1A population started receiving the vaccine last week and will be complete by the end of this week. The Governor had expanded the pool this past Friday to include

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1B population. The 1B is a larger group and will include people seventy-five years and older, teachers, other first responders and the list goes on. He said that now we have more demand and not enough vaccine and we have clinics scheduled that are full. We are pushing to get more vaccine. He wanted to thank the Village of Watkins Glen as we will be using the Community Center as a distribution site once we receive the vaccine. He said that we have increased our request from one hundred to one thousand doses per week. All other hospitals and counties are doing the same thing. He said he feels we have all of the other pieces in place and could vaccinate our entire County within a month's time if we could get the vaccine. He has a call scheduled with the Council of Governments members this Tuesday, and another community call on Thursday this week. He feels that we are in good shape compared to some Counties. He also reiterated Legislator Rondinaro's update with the Public Hearing for the community input on the Police Reform plan. He explained the original plan's timeline and that the committee has decided that handing it off to the Legislature in February for review prior to adoption in March would still meet the required timeline. He acknowledged the efforts of all staff involved including Public Health. He said they are overwhelmed as it is, but everyone involved has done an outstanding job on this project. Legislator Lausell asked about the testing for COVID. Administrator O'Hearn said that Schuyler Hospital is not overwhelmed at all and that Cayuga Medical in Ithaca is doing the bulk of the testing.

PUBLIC PARTICIPATION: None.

The Meeting adjourned at 7:03 p.m.

Stacy B. Husted, Clerk

Jamee L. Mack, Deputy Clerk

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