ORGANIZATIONAL MEETING
Morning Session
Monday, January 4, 2010
Legislative Chambers, Bath, New York

Pursuant to Section 151 of the County Law and the *Rules of Procedure* of the County Legislature adopted August 23, 1993, the Legislators from the several districts comprising the towns and cities of Steuben County convened in the Legislative Chambers, Bath, New York, on Monday, the 4th day of January, 2010, at 10:00 a.m. for the purpose of organizing the County Legislature of Steuben County for the years 2010 and 2011 and for the transaction of such other business as would properly and lawfully come before the meeting.

The meeting was called to order by the Clerk of the Legislature, Christine Kane.

The Deputy Clerk called the Roll and all members were present.

Mr. Nichols offered the Invocation and the Pledge of Allegiance was led by Mr. Donnelly.

The Honorable Joseph Latham, County and Family Court Justice, administered the Oath of Office to all newly-elected members of the Legislature.

The Clerk called for nominations for a Temporary Chairman. Mr. Farrand nominated Mr. Creath for Temporary Chairman, seconded by Mr. Donnelly. There being no further nominations the nominations were closed and Mr. Creath was duly elected Temporary Chairman.

Temporary Chairman Creath welcomed everybody and congratulated the newly-elected and re-elected members of the Legislature.

Temporary Chairman Creath called for a Republican caucus and invited the lone Democrat to attend the caucus.

Motion to adjourn into a Republican caucus made by Mr. Farrand, seconded by Mr. Ryan and duly carried.

Temporary Chairman Creath reconvened the Organizational Meeting of the Legislature.

Temporary Chairman Creath called for nominations for Chairman of the Steuben County Legislature for 2010 and 2011. ***Mr. Farrand nominated Patrick Donnelly, seconded by Mr. McAllister.***

Motion to close the nominations for Chairman of the Steuben County Legislature and waive the casting of written ballots made by Mr. Ryan, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 001-10

Introduced by D. Farrand. Seconded by P. McAllister.

APPOINTING THE CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2010 AND 2011.

Pursuant to Sections 151 and 450 of the County Law of the State of New York and Local Law No. Four of the Year 1981 for the County of Steuben.

WHEREAS, this Steuben County Legislature has on this 4th day of January, 2010, been duly organized and has in accordance with Section 151 of the County Law, duly selected County Legislator **Patrick F. Donnelly** of Bath, New York, as Chairman of the Legislature for a two-year term commencing January 1, 2010.

NOW THEREFORE, BE IT

RESOLVED, **Patrick F. Donnelly** of Bath, New York, be and the same hereby is appointed Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2010, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, the County Treasurer, and the Personnel Officer.

Vote: Roll Call – Adopted.

Mr. Creath asked Legislator Swackhamer and Legislator Weaver to escort Chairman Donnelly to his chair.

The Honorable Judge Joseph Latham administered the Oath of Office to Mr. Donnelly for the position of Chairman of the Legislature.

Mr. Donnelly thanked his wife and his family; without their love and support, I wouldn't be able to do anything. He also thanked former Legislators Beth Clark, Lola Tears, Ron Nielsen and Fran Gehl for all of their support and help when I first ran for the County Legislature. He thanked predecessors Phil Roche and Doc Baker for their guidance. He thanked the Department Heads, management and staff, the Clerk of the Legislature's Office and the Administrator's Office for their assistance throughout the years. With the issues we are facing in the coming year, we will need to become proactive and develop a plan on how to handle the loss of Federal Stimulus funding and reductions in State funding. That is the main thing we need to work on this year. I plan on waiting until January 15th to release the list of committee assignments. I invite you all to meet with me to express your wishes on assignments. Thank you.

Chairman Donnelly opened the floor for nominations for Vice Chair. ***Mr. Farrand nominated Patrick McAllister for Vice Chairman, seconded by Mr. Hauryski.***

Motion to close the nominations for Vice Chair made by Mr. Ryan, seconded by Mr. Van Etten and duly carried.

RESOLUTION NO. 002-10

Introduced by D. Farrand. Seconded by J. Hauryski.

APPOINTING THE VICE-CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE FOR A TWO-YEAR TERM OF 2010 AND 2011.

Pursuant to Section 151, Subdivision 3, of the County Law of the State of New York.

WHEREAS, this Steuben County Legislature has on this 4th day of January, 2010, been duly organized and has in accordance with Section 151, Subdivision 3 of the County Law, duly selected County Legislator **Patrick F. McAllister** of Wayland, New York, as Vice-Chairman of the Legislature for a two-year term commencing January 1, 2010.

NOW THEREFORE, BE IT

RESOLVED, **Patrick F. McAllister** of Wayland, New York be and the same hereby is appointed Vice-Chairman of the Legislature of Steuben County for a two-year term commencing January 1, 2010, and within twenty days (s)he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Vice-Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Clerk, to the above-named appointee, County Treasurer, and the Personnel Officer.

Vote: Roll Call – Adopted.

County Clerk Judith Hunter administered the Oath of Office to Mr. McAllister for the position of Vice Chairman of the Legislature.

RESOLUTION NO. 003-10

Introduced by P. Donnelly. Seconded by P. McAllister.

RECEIVING AND FILING THE DESIGNATION OF THE MAJORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, Legislator **Donald B. Creath** be and the same hereby is designated Majority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **Donald B. Creath** of Corning, New York, be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2010; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 004-10

Introduced by P. Donnelly. Seconded by All Legislators.

RECEIVING AND FILING THE DESIGNATION OF THE MINORITY LEADER OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, Legislator **Randolph J. Weaver** be and the same hereby is designated Minority Leader of the Steuben County Legislature; and be it further

RESOLVED, the aforesaid designation of **Randolph J. Weaver** of Hornell, New York be and the same hereby is accepted for filing, said designation to be for a two-year term commencing January 1, 2010; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above designee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 005-10

Introduced by P. Donnelly. Seconded by D. Creath.

RECOGNIZING THE AUTHORITY OF THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF STEUBEN TO APPOINT STANDING AND SPECIAL COMMITTEES FOR THE YEARS 2010 AND 2011.

In accordance with Section 154 of the County Law of the State of New York and the Rules of Procedure of the Steuben County Legislature.

RESOLVED, this Legislature does hereby recognize the authority of the Chairman of the Legislature of Steuben County to appoint such designated members of this Legislature as he shall select to the various standing and special committee positions for the years 2010 and 2011, which have heretofore been established and set up by the Steuben County Legislature and said committees shall each consist of the same number of members as prescribed in the "Rules of Procedure" of the Steuben County Legislature until such committee is abolished or changed by a majority vote of the Legislature membership pursuant to the "Rules of Procedure"; and be it further

RESOLVED, members of a special committee shall serve for the period specified in the resolution or until the committee is discharged and in no event for a longer period than the term for which the members were elected as legislators; and be it further

RESOLVED, the Chairman of this Legislature, within thirty (30) days of his election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the committees' roster appointed for the years 2010 and 2011; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said committees' roster.

Vote: Roll Call – Adopted.

RESOLUTION NO. 006-10

Introduced by P. Donnelly. Seconded by R. Weaver.

REGULATING THE PUBLICATION OF CERTAIN OFFICIAL MATTERS UNDER THE PROVISIONS OF SECTION 214, SUBDIVISION 2, OF THE COUNTY LAW OF THE STATE OF NEW YORK FOR THE YEARS 2010 AND 2011.

WHEREAS, *The Leader* of Corning, New York, and *The Evening Tribune* of Hornell, New York, have a circulation covering the entire County, but there are occasions when publications are limited to one newspaper in a given area.

NOW THEREFORE, BE IT

RESOLVED, whenever this Legislature does not designate the particular newspaper or newspapers for the publication of a certain matter in a specific resolution, this resolution shall govern the officer or officers having the publication in charge for the years 2010 and 2011;

1. Where the matter is of county-wide interest as hereinafter enumerated, the same shall be published in *The Leader* of Corning, New York, and *The Evening Tribune* of Hornell, New York, and such other newspaper as may be deemed advisable:

   a. Notice of hearing on a proposed local law;
   b. Local Law as finally adopted;
   c. Notice of submission to bid for purchase of supplies or equipment;
   d. Notice of submission to bid for public works and services;
   e. Notice of hearing on proposed amendments to civil service rules;
   f. Notice of civil service examinations; and
   g. Such other notice or statement of countywide interest required by law to be published.

2. Where the matter is of local effect as hereinafter enumerated, the same shall be published in either *The Leader* of Corning, New York, or *The Evening Tribune* of Hornell, New York, and such other newspaper published in the area as may be deemed advisable:

   a. Notice of submission to bid on parcels of land offered for sale, as tax title and welfare owned;
   b. Notice of closing of any county highway;
   c. Proclamation of a term of court with a grand jury;
   d. Legalizing act of the Legislature; and
   e. Such other notices or statements of similar nature required by law to be published in a limited area.

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to all county offices and departments and each of the above-named newspapers.

Vote: Roll Call – Adopted.

RESOLUTION NO. 007-10

Introduced by D. Creath. Seconded by S. Van Etten.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE REPUBLICAN MEMBERS OF THE LEGISLATURE OF STEUBEN COUNTY TO PUBLISH CONCURRENT RESOLUTIONS, TAX SALE NOTICES, TAX REDEMPTION NOTICES, ELECTION NOTICES AND THE OFFICIAL CANVAS, DULY EXECUTED JANUARY 4, 2010.

In pursuance of Section 214, Subdivision 1 of the County Law, we, the Republican members of the Steuben County Legislature, hereby designate the following official newspaper for the years 2010 and 2011:

Concurrent resolutions, tax sale notices and tax redemption notices - *The Leader* of Corning, New York.
Election notices - *The Leader* of Corning, New York.
Official election canvas - *The Leader* of Corning, New York.

The above-named designations are filed with the Clerk of this Legislature this 4th day of January, 2010; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Steuben County Treasurer; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 4, 2010

/s/ Donald B. Creath	/s/Robert V. Nichols
/s/ Lawrence P. Crossett	/s/ Philip A. Palmesano
/s/ Patrick F. Donnelly	/s/ Gary B. Roush
/s/ Dan C. Farrand	/s/ Thomas J. Ryan
/s/ Carol A. Ferratella	/s/ Brian C. Schu, Esq.
/s/ Michael Hanna	/s/ Gary D. Swackhamer
/s/ Joseph J. Hauryski	/s/ Scott J. VanEtten
/s/ Patrick F. McAllister, Esq.	/s/ John Walsh

Vote: Roll Call – Adopted.

RESOLUTION NO. 008-10

Introduced by R. Weaver. Seconded by D. Creath.

DESIGNATION OF OFFICIAL NEWSPAPER BY THE DEMOCRATIC MEMBER OF THE LEGISLATURE OF STEUBEN COUNTY TO PUBLISH CONCURRENT RESOLUTIONS, TAX SALE NOTICES, TAX REDEMPTION NOTICES, ELECTION NOTICES AND THE OFFICIAL CANVAS, DULY EXECUTED JANUARY 4, 2010.

In pursuance of Section 214, Subdivision 1 of the County Law, I, the Democratic member of the Steuben County Legislature, hereby designate the following official newspaper for the years 2010 and 2011:

Concurrent resolutions, tax sale notices and tax redemption notices - *The Evening Tribune* of Hornell, New York.
Election notices - *The Evening Tribune* of Hornell, New York.
Official election canvas - *The Evening Tribune* of Hornell, New York.

The above-named designations are filed with the Clerk of this Legislature this 4th day of January, 2010; and the Clerk is directed to forward certified copies to the Secretary of State at Albany, New York; the Steuben County Clerk; the Steuben County Treasurer; the Steuben County Board of Elections; and the above-named newspaper.

Dated: January 4, 2010

/s/ Randolph Weaver

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Van Etten, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Morning Session
Monday, January 25, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of January, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present except Legislator Swackhamer.

Mr. Nichols provided the Invocation and the Pledge of Allegiance was led by Mr. McAllister.

Chairman Donnelly asked Janette Kenyon to come forward. Ms. Kenyon is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

The Clerk of the Legislature asked Tina Goodwin and Marcy Beyor to come forward. Ms. Beyor nominated Ms. Goodwin for Employee of the Month for the Month of February.

Ms. Beyor read the following nomination: Tina Goodwin joined the 911 Department in 2005 as a Supervising Dispatcher. She worked diligently to be the best Supervisor she could be. Tina and the rest of the group of Dispatchers and Supervising Dispatchers were a vital part of the 911 center becoming operational in May of 2005. Besides spending several weeks in training, which involved a tremendous amount of learning and role playing, this group also worked on various forms including the Policies and Procedures for the department. In January of 2008, Tina was promoted to Deputy Director. As is her nature, she worked diligently to give her best. She was actually doing double duty. While striving to learn her new duties and responsibilities, she filled in as Dispatcher and Supervising Dispatcher when needed, which was quite often during that transition. The Director resigned in August 2008 and Tina put on another "hat" and took on the duties of the Director, along with her duties as Deputy Director and filling in for Supervising Dispatchers. During this time, because of the huge responsibilities that seemed to keep piling up on her, she was unable to take any time off, including a yearly family vacation. She gave up untold hours of family time to keep the 911 Center running efficiently. Some relief came for her in December 2008 when David Hopkins returned to 911 as the Director. Tina continues to work diligently and faithfully for the 911 Center. She has done so from Day 1. While you are considering this request, ask yourself a few questions. If Tina was not so dedicated and jumped off the ship in August of 2008 when the responsibilities and duties became overwhelming, who would have stepped in? Who would the Supervising Dispatchers have called at all hours of the night for various problems? Who would have come into the center at 4am to work on the primary ops floor because there wasn't enough staff? Who would have come in at 8am and stayed until midnight? Who would have sacrificed untold hours of family time to keep the 911 Center running as smoothly as possible? Tina Goodwin is a diligent, dedicated employee who deserves to be recognized for her outstanding commitment to the 911 Center as well as the residents of Steuben County.

Ms. Goodwin stated it is a privilege to work for 911. We have a wonderful team there and I'm very proud to serve as Deputy Director of that department. Thank you all very much. ***CONGRATULATIONS TINA!***

Chairman Donnelly opened the floor for comments by members of the public. There being none, he declared the public comment portion of the meeting closed.

Motion approving the minutes of the previous meetings made by Mr. Farrand, seconded by Mr. McAllister and duly carried.

Mr. Ryan thanked Dan McRae for providing him with a list of men and women of Steuben County actively serving in the military. As such, I would like read into the record the names of those individuals, ten at a time, at each monthly meeting.

Megan Swift	Tim Didas	Robert Kubiak, Jr.	T.J. Murray
Michael Caruso	Pete Lehman	Scott Samilinich	Jessica Fahl
Steve Merring	Ann Flonsburg	Zach Smith*	

*Zach Smith was killed in action yesterday (January 24th, 2010)

RESOLUTION NO. 009-10

Introduced by L. Crossett. Seconded by D. Creath.

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

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

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

RESOLVED, the Steuben County Treasurer is further authorized and directed to make the necessary cancellations, charges, deductions, and adjustments with respect to the parcels contained in Schedule "B"; and be it further

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

SCHEDULE "A"

Resolution No.	A-1
Name	Helen H Taylor
Parcel No.	332.17-01-042.000
Municipality	Addison Village
Disposition	Correction (per Small Claims Assessment Review)

Resolution No.	A-2
Name	Rachel Nielsen
Parcel No.	337.04-01-088.000
Municipality	Corning Town
Disposition	Correction (per Small Claims Assessment Review)

Resolution No.	A-3
Name	Town of Campbell
Parcel No.	171 Parcels – Water District 301
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-4
Name	Ted R & Janet L Rounds
Parcel No.	144.03-03-010.000
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-5
Name	Kenneth & Katie McKerrow
Parcel No.	175.00-01-023.221
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-6
Name	Marie Stankwiewicz
Parcel No.	242.08-02-009.000
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-7
Name	Hidden Forest Homes, Inc
Parcel No.	244.01-01-016.000/021
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-8
Name	Domenica & Carmela Lattanzio
Parcel No.	407.00-03-002.110
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-9
Name	Canandaigua Power Partners LLC
Parcel No.	042.00-01-017.113
Municipality	Cohocton Town
Disposition	Correction & Refund

Resolution No.	A-10
Name	Raymond Johnson Trust
Parcel No.	335.02-01-021.112
Municipality	Corning Town
Disposition	Correction

Resolution No.	A-11
Name	Ann T Hochreiter
Parcel No.	159.05-02-016.000
Municipality	Bath Village
Disposition	Correction

Resolution No.	A-12
Name	New York State
Parcel No.	351.00-01-013.000
Municipality	Erwin Town
Disposition	Correction

Resolution No.	A-13
Name	Matthew Stoddard
Parcel No.	123.00-01-019.200
Municipality	Fremont Town
Disposition	Correction (parcel split)

Resolution No.	A-14
Name	Dennis L Kenny
Parcel No.	250.00-01-037.000
Municipality	Hartsville Town
Disposition	Correction

Resolution No.	A-15
Name	Robert II & Penny Kephart
Parcel No.	229.00-01-003.120
Municipality	Hornby Town
Disposition	Correction (parcel split)

Resolution No.	A-16
Name	David & Lois Jimerson
Parcel No.	151.15-01-058.000
Municipality	Hornell City
Disposition	Correction (parcel split)

Resolution No.	A-17
Name	Geraldine Vanskiver
Parcel No.	166.06-03-067.000
Municipality	Hornell City
Disposition	Correction

Resolution No.	A-18
Name	Clayton M & Christine A Cole
Parcel No.	140.19-01-036.000
Municipality	Howard Town
Disposition	Correction

Resolution No.	A-19
Name	Robert G Milo
Parcel No.	141.00-03-003.000
Municipality	Howard Town
Disposition	Correction (parcel split)

Resolution No.	A-20
Name	Nick & Erin Jensen
Parcel No.	020.00-01-002.112
Municipality	Prattsburgh Town
Disposition	Correction

Resolution No.	A-21
Name	Gerald & Anne Siconolfi
Parcel No.	061.00-01-011.121
Municipality	Prattsburgh Town
Disposition	Correction

Resolution No.	A-22
Name	Martha T Olmstead
Parcel No.	037.00-02-027.000
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-23
Name	William A Haight Jr
Parcel No.	037.00-02-044.000
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-24
Name	Ronald Strait
Parcel No.	037.19-01-076.000
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-25
Name	Sabin Hoad
Parcel No.	049.00-01-041.000
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-26
Name	Ivan P Szathmary
Parcel No.	050.00-02-033.000
Municipality	Pulteney Town
Disposition	Correction

Resolution No.	A-27
Name	John & Lavina Troyer
Parcel No.	362.00-01-019.120
Municipality	Troupsburg Town
Disposition	Correction (parcel split)

Resolution No.	A-28
Name	Vernon & Cheryl Farrand
Parcel No.	398.00-01-001.000
Municipality	Troupsburg Town
Disposition	Correction (parcel split)

Resolution No.	A-29
Name	Mansel O'Dell & Kimberly Robbins
Parcel No.	404.00-01-012.400
Municipality	Tuscarora Town
Disposition	Correction

Resolution No.	A-30
Name	State of NY Mortgage Agency
Parcel No.	116.07-01-008.000
Municipality	Wheeler Town
Disposition	Refund

Resolution No.	A-31
Name	Cynthia E Norton
Parcel No.	169.00-01-008.000
Municipality	Howard Town
Disposition	Correction

Resolution No.	A-32
Name	Wyckoff Gas Storage
Parcel No.	324.00-01-004.200
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-33
Name	Wyckoff Gas Storage
Parcel No.	324.00-01-021.100
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-34
Name	Wyckoff Gas Storage
Parcel No.	324.00-01-022.210
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-35
Name	Wyckoff Gas Storage
Parcel No.	564.00-06-002.000
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-36
Name	Wyckoff Gas Storage
Parcel No.	564.00-06-003.000
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-37
Name	Jeremy & Caprice Geyer
Parcel No.	259.00-01-028.870
Municipality	Thurston Town
Disposition	Correction

Resolution No.	A-38
Name	Gerald Brody
Parcel No.	330.00-01-023.200
Municipality	Rathbone Town
Disposition	Correction

Resolution No.	A-39
Name	Gale S Haines
Parcel No.	332.13-01-026.000
Municipality	Addison Town
Disposition	Correction (parcel split)

Resolution No.	A-40
Name	James R Burns
Parcel No.	071.00-01-010.000
Municipality	Avoca Town
Disposition	Correction

Resolution No.	A-41
Name	Leonard & Barbara Sutton
Parcel No.	242.00-01-067.000
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-42
Name	Earl F Roe Estate
Parcel No.	372.00-01-027.200
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-43
Name	Marie D Collier
Parcel No.	099.20-01-033.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-44
Name	Roger & Rena Ruest
Parcel No.	113.07-01-024.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-45
Name	Louise Cagle
Parcel No.	113.07-01-026.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-46
Name	Donald W Cooper
Parcel No.	113.07-01-050.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-47
Name	Assembly of God
Parcel No.	113.08-01-017.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-48
Name	Karen McDonald
Parcel No.	113.08-01-042.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-49
Name	James G & Mary Carol Wall
Parcel No.	113.08-01-060.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-50
Name	Karl & Keri Hadley
Parcel No.	113.08-02-017.000
Municipality	Avoca Village
Disposition	Correction

Resolution No.	A-51
Name	Albert & Marcia Burns
Parcel No.	157.00-01-034.110
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-52
Name	Millennium Pipeline Co LLC
Parcel No.	533.00-05-024.000
Municipality	Corning Town
Disposition	Correction

Resolution No.	A-53
Name	Dennis Prutsman
Parcel No.	325.12-01-058.000
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-54
Name	Keelan & Lucinda Croston
Parcel No.	325.12-01-059.000
Municipality	Jasper Town
Disposition	Correction

Resolution No.	A-55
Name	Dale Salisbury
Parcel No.	387.00-01-014.000
Municipality	Lindley Town
Disposition	Correction

Resolution No.	A-56
Name	Gary & Mary Forshee
Parcel No.	215.00-01-001.200
Municipality	Canisteo Town
Disposition	Correction

Resolution No.	A-57
Name	John H Empson
Parcel No.	419.00-01-023.200
Municipality	Woodhull Town
Disposition	Correction (parcel split)

Resolution No.	A-58
Name	Ralph Woody
Parcel No.	242.00-01-074.100
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-59
Name	Peter L Krog
Parcel No.	091.09-01-002.100, 091.09-01-002.200, 091.09-01-003.200
Municipality	Urbana Town
Disposition	Correction & Refund (per Court Order)

SCHEDULE "B"

Resolution No.	B-1
Name	Rex O & Donna L Depew (formerly Vera M Lewis)
Parcel #	151.19-03-029.000
Municipality	Hornell City
Disposition	Modification of Resolution No. C-37 of August 26, 2008. Consideration of $7,750.00 to be distributed: $2,029.24 to County of Steuben; $5,720.76 to St. James Mercy Health System in respect of a prior judgment lien against the parcel subject to sale.

Vote: Roll Call – Adopted.

RESOLUTION NO. 010-10

Introduced by P. Donnelly. Seconded by D. Farrand.

RECEIVING AND ACCEPTING THE JANUARY 25, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

December 11, 2009
NYS Department of Health – Re: Notification of Plan of Correction reviewed and determined to be acceptable from the alleged compliance on 12/08/2009 (Steuben County Infirmary, Medicare Provider #335309). ***Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.***

Pro Act, Inc. – Re: Performance report on Steuben County's Prescription Drug Discount Card Program. ***Referred to: Jack Wheeler, Assistant County Administrator.***

December 14, 2009
Office of Community Renewal – Re: The Annual Performance Report for the NYS Community Development Block Grant Project #1115HR22-08 is due no later than January 15, 2010. ***Referred to: Greg Heffner, Planning Director.***

Office of Community Renewal – Re: The Annual Performance Report for the NYS Community Development Block Grant Project #1115HR4-09 is due no later than January 15, 2010. ***Referred to: Greg Heffner, Planning Director.***

December 17, 2009
Community Housing Innovations, Inc. – Re: A regional nonprofit organization operating contracts with counties to provide housing and services including job skills training and job placement. ***Referred to: Greg Heffner, Planning Director.***

December 18, 2009
NYS Governor's Traffic Safety Committee Department of Motor Vehicles – Re: 2010 STOP-DWI Plan Approval. ***Referred to: Public Safety & Corrections Committee; and Sheriff Ordway.***

December 21, 2009
NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of approval for the 2009-2010 application for snowmobile trail development and maintenance assistance. ***Referred to: Greg Heffner, Planning Director.***

December 28, 2009
NYS Sheriffs' Association, Inc. – Re: Once the County's contract expires with AT&T (now Global Tel*Link) which provides inmate telephone usage and the contract with GPS (now Star Governmental which offers credit card bail payment programs to county jails throughout the state, the County is free to discontinue using or continue to participate in the programs negotiated by the Sheriffs' Association. ***Referred to: Public Safety & Correction Committee; Sheriff Ordway; and Fred Ahrens, County Attorney.***

State of New York - Re: Reminder in order to maintain the American Recovery and Reinvestment Act of 2009 (ARRA) funding eligibility, it's imperative to provide the required data on the established schedules for the Transit Capital Assistance Program. ***Referred to: Greg Heffner, Planning Director.***

January 4, 2010
NYSERDA (New York State Energy Research and Development Authority) – Re: Fully executed State Energy Program Grant ($28,575.00 energy grant) for Steuben County. ***Referred to: Jack Wheeler, Assistant County Administrator.***

January 5, 2010
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,920 which represents the November 2009 retained surcharge revenue for Steuben County. ***Referred to: Finance & Rules Committees; and Carol Whitehead, County Treasurer.***

January 6, 2010
NYS Department of Transportation – Re: Upstate Statewide Mass Transportation Operating Assistant (STOA) 4th quarter SFY 2009-2010 payment. ***Referred to: Greg Heffner, Planning Director.***

NYS Department of State – Re: Notification of the 2009 Wireless Program allocation has been reduced by $6,701.00. The new allocation is $46,929.00. ***Referred to: Public Safety & Corrections Committee; and Dave Hopkins, 911 Director.***

January 7, 2010
NYS Department of Health – Re: Results of the 2008-2009 State Fiscal Year Medicaid Local Share Cap Reconciliation. ***Referred to: Human Services, Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, County Treasurer.***

January 12, 2010
Government Finance Officers Association – Re: Notification of Comprehensive Annual Financial Report for the fiscal year ending December 31, 2008 qualifies for a certificate of achievement for Excellence in Financial Reporting. ***Referred to: Administration Committee; and Carol Whitehead, Treasurer.***

January 14, 2010
Nixon Peabody, Attorneys at Law – Re: Filing of joint petition for approval of amendment to and transfer of certificate of environmental compatibility and public need on behalf of Fortuna Energy Inc. & Corning Natural Gas Corporation. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 011-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

RATIFYING THE ACTS TAKEN FROM JANUARY 1, 2010 THROUGH JANUARY 25, 2010, INCLUSIVE, BY THE STANDING COMMITTEES THAT HELD MEETINGS.

Pursuant to Section 154 of the County Law of the State of New York.

WHEREAS, prior to the assignments of members of the Legislature to the various standing committees of the County of Steuben by the Chairman of the Legislature it was necessary and desirable for several standing committees, as previously composed, to conduct certain business as reflected by the minutes of their meetings held on the 1st day of January, 2010, through and including January 25, 2010.

NOW THEREFORE, BE IT

RESOLVED, the acts of the standing committees as composed and sitting on January 1, 2010 through January 25, 2010, inclusive, and as reflected by the aforesaid minutes be, and the same hereby are, ratified.

Vote: Roll Call – Adopted.

RESOLUTION NO. 012-10

Introduced by J. Hauryski and L. Crossett. Seconded by G. Roush.

AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $50,000 FROM THE CAP BATH LANDFILL CAPITAL PROJECT TO THE LANDFILL GAS SYSTEM UPGRADE CAPITAL PROJECT.

WHEREAS, the Solid Waste Division is upgrading the Bath Landfill Gas Collection System and the Bath Landfill Cap; and

WHEREAS, the upgrades are part of the same construction contract; and

WHEREAS, funding is done separately for grant purposes; and

WHEREAS, there is sufficient funding in the combined funds to pay for both upgrades; and

WHEREAS, the Solid Waste Division Landfill Gas System Upgrade Capital Project requires an additional $50,000; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from the Cap Bath Landfill Capital Project to the LFG System Upgrade Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized and directed to make the following transfers:

- Decrease HL/EL6205.5250000 Cap Bath Landfill by $50,000
- Decrease HL/EL6205.43989400 Cap Bath Landfill State Aid by $25,000
- Decrease HL/EL6205.45031900 Cap Bath Landfill Interfund by $25,000
- Increase HL/EL6208.5250000 LFG System Upgrade by $50,000
- Increase HL/EL6208.43989450 LFG System Upgrade State Aid by $25,000
- Increase HL/EL6208.45031900 LFG System Upgrade Interfund by $25,000

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 013-10

Introduced by J. Hauryski. Seconded by D. Farrand.

AUTHORIZING AN AMENDMENT OF THE MASTER AGREEMENT BETWEEN COUNTY OF STEUBEN AND STEUBEN RURAL ELECTRIC COOPERATIVE, INC. TO CONSENT TO CONVEYANCE OF THE LEASEHOLD INTEREST IN THE PROPERTY FOR THE GAS TO ENERGY PROJECT TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, by Resolution No. 086-08 duly adopted April 28, 2008 Local Law No. Four for the Year 2008 authorizing the lease of a portion of the Steuben County Landfill together with gas assignments and other requisite documentation for such purposes to implement a Gas to Energy Project at said Landfill was enacted; and

WHEREAS, by Resolution No. 161-08 duly adopted September 22, 2008 Steuben Rural Electric Cooperative, Inc. (hereinafter "SREC") was designated as the preferred developer pursuant to Local Law No. Four for the Year 2008 authorizing the lease of a portion of the Steuben County Landfill together with gas assignments and other requisite documentation for purposes of implementing a Gas to Energy Project (hereinafter "the Project") at said Landfill; and

WHEREAS, following negotiations of SREC the parties entered into an agreement for purposes of implementing the Project, hereinafter referred to as "the Master Agreement" and a lease for the purposes of conveying the appropriate and necessary interests in real property upon which the project will be constructed, and hereinafter referred to as "the Master Lease Agreement"; and

WHEREAS, Article XII of the Master Agreement together with Article C Section 8 of the Master Lease Agreement require that the County approve and consent to any sublease or conveyance of the Project; and

WHEREAS, SREC has made application to the Steuben County Industrial Development Agency (hereinafter "SCIDA") for an inducement resolution authorizing the Steuben County Industrial Development Agency to (i) take title to or a leasehold interest in approximately two acres of land located at the existing Steuben County Landfill on Turnpike Road, in the Town of Bath, Steuben County, New York (the "Land"); (ii) appoint Steuben Rural Electric Cooperative, Inc. as its agent to undertake a certain project; (iii) hold a Public Hearing with respect to the Project; (iv) negotiate and execute an agent agreement, lease agreement, leaseback agreement, payment-in-lieu-of-tax agreement and related documents; (v) provide financial assistance to the company in the form of (A) a partial real property tax abatement through the Pilot Agreement, (B) if necessary, a sales tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Project, and (C) if necessary, a mortgage recording tax exemption for the financing related to the Project; and (vi) execute related documents; and

WHEREAS, the conveyance of such title or leasehold interest necessitates the County's consent pursuant to the Master Agreement and Master Lease Agreement.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben does hereby consent to the aforementioned conveyance of title or leasehold interest to SCIDA subject to review of the Amendment to the Master Agreement by the Steuben County Law Department with advice and consent of the Public Works Committee and the execution of same by the County Administrator as the designated representative of the County of Steuben; and be it further

RESOLVED, nothing contained herein or the documentation implementing such consent shall diminish or alter any and all obligations under the Master Agreement between SREC and the County of Steuben; and be it further

RESOLVED, SREC shall continue to hold harmless the County of Steuben pursuant to the Master Agreement; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Richard A. Moyle, Consultant, Steuben Rural Electric Cooperative, Inc., 9 Wilson Avenue, Bath, New York 14810-1633; James P. Sherron, Executive Director,

Steuben County Industrial Development Agency, 7234 Route 54 North, Bath, New York 14810; and the Commissioner of Public Works.

Mr. Alger stated the agreement we have with SREC requires them to ask permission to enter into a sublease or agreement. Under this proposal SREC is requesting to place the third engine in the facility earlier. Part of the process would require them to work with SCIDA to do that. SCIDA will take leasehold ownership of the property to enter into a PILOT agreement for property taxes and then it will be leased back to them. It allows us to receive additional revenue from the engine being installed earlier. We are just allowing SREC to sublease the facility to SCIDA.

Mr. Van Etten asked when will the facility be put into operation? Mr. Alger stated we are looking at sometime this summer. Mr. Spagnoletti stated the end of July.

Vote: Roll Call – Adopted. (Nichols abstained)

Motion to approve the appointment resolutions cumulatively with one vote made by Mr. McAllister, seconded by Mr. Van Etten and duly carried.

RESOLUTION NO. 014-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.

Pursuant to Article 19-A of the Executive Law of the State of New York.

WHEREAS, by resolution of the Steuben County Board of Supervisors duly adopted on the 21st day of March, 1977, a Steuben County Youth Board was established.

NOW THEREFORE, BE IT

RESOLVED, the following individuals are hereby appointed and designated as members of the Steuben County Youth Board for a term commencing on January 1, 2010 through December 31, 2010.

1. Mark R. Alger, Steuben County Administrator, 3 E. Pulteney Sq., Bath, NY 14810
2. Peter Bradstreet, Family Court Judge, 3 E. Pulteney Sq., Bath, NY 14810
3. Amy L. Christensen, Southern Tier Legal Services, 104 E. Steuben St., Bath, NY 14810
4. Robert Deuel, 6580 Mossy Bank Pk. Rd., Bath, NY 14810
5. Kathryn A. Muller, Steuben County DSS Commissioner, 3 E Pulteney Sq., Bath, NY 14810
6. Kris Pashley, Director, Corning Parks & Recreation, 8 Civic Cent. Plz., Corning, NY 14830
7. Patrick Rogers, Director, Institute for Human Services, 6666 County Rd. 11, Bath, NY 14810
8. Cora Saxton, 310 E. Naples St., Wayland, NY 14572
9. Domenic Seidel, 7263 County Route 75, Prattsburgh, NY 14873 (youth)
10. Rhonda Sweet, Five Star Bank, 44 Liberty St., Bath, NY 14810
11. Milt VonHagn, 4 Mountainview Rd., Bath, NY 14810

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

RESOLVED, a certified copy of this resolution shall be forwarded to the above named designees; Lydia Dzus, NYS Office of Children & Family Services, Youth Development, 259 Monroe Ave., Room 309, Rochester, NY 14607; the Steuben County Auditor; and the Steuben County Youth Bureau Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 15-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD.

WHEREAS, the terms of office of certain members of the Agricultural and Farmland Protection Board have expired; and

WHEREAS, Article 25AA of the Agriculture and Markets Law requires staggered four-year terms.

NOW THEREFORE, BE IT

RESOLVED, that the following persons are appointed with terms commencing January 1, 2010 and ending December 31, 2013:

Kenneth Ward, MJ Ward and Son, Inc., PO Box 747, Bath NY 14810
Andrew Merry, 8507 Canaseraga Rd., Arkport NY 14807

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the appointed members, the Planning Department and the Chairman of the Agriculture and Farmland Protection Board, William Brown, 2930 W. Waneta Lake Road, Hammondsport, NY 14840.

Vote: Acclamation – Adopted.

RESOLUTION NO. 16-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY CONFERENCE AND VISITORS' BUREAU BOARD OF DIRECTORS.

WHEREAS, the Steuben County Legislature adopted Resolution No. 156-93 on October 25, 1993 authorizing and directing the creation of the Steuben County Conference and Visitors' Bureau and establishing the appointment of voting members on the Board of Directors as staggered three (3) year terms; and

WHEREAS, the term for some Board members expired December 31, 2009.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed as members of the Steuben County Conference and Visitors' Bureau Board of Directors for the terms as indicated and shall hold office until reappointed or a successor is appointed and has qualified to wit:

VOTING MEMBERS

Attractions	**TERMS**
Mary Shupp, Pinnacle State Park	01/01/08 – 12/31/10
Heather Hughes, Group Sales Manager, Corning Museum of Glass	01/01/09 – 12/31/11
Beth Manwaring, Marketing & Communications Specialist, Rockwell Museum	01/01/10 – 12/31/12
Joe Serphillips, Dr. Konstantin Frank Vinifera Wine Cellars	01/01/09 – 12/31/11

Accommodations

Jan Ebeling, General Manager, Radisson Hotel Corning	01/01/08 – 12/31/10
Jim Heil, Vinehurst Inn, Hammondsport	01/01/09 – 12/31/11
Yvonne Sloan, Halycon Place Bed and Breakfast	01/01/08 – 12/31/10

Restaurants

Linda Spencer, Spencer's Restaurant	01/01/10 – 12/31/12

Professional Services Representative

Jeffrey A. James, Five Star Bank	01/01/09 – 12/31/11

Travel Services Representative

Kirk House , Travel Writer & Step-On Guide	01/01/09 – 12/31/11

(***Filling unexpired term of Terry Lewis)***

Campground

Randy Lehman, Hickory Hill Camping Resort	01/01/10 – 12/31/12

Community-at-Large

Allen Fusco	01/01/09 – 12/31/11

Chambers of Commerce Representative

Denise Ackley, President, Corning Area Chamber of Commerce	01/01/10 – 12/31/10

County Legislators

Donald B. Creath, District 2	01/01/09 – 12/31/11
Michael Hanna, District 5	01/01/10 – 12/31/12

County Administrator Designee

Greg Heffner, Planning Director/Deputy County Administrator	01/01/10 – 12/31/12

BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation other than necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Conference and Visitors' Bureau Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and Peggy Coleman, Executive Director, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Baron Steuben Building, Suite 301, Corning, New York, 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 17-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

Pursuant to Chapter 1030 of the Laws of 1969 of the State of New York.

WHEREAS, the by-laws of the Steuben County Industrial Development Agency authorize as many as seven (7) members to serve on the Steuben County Industrial Development Agency; and

WHEREAS, the Board members are appointed to serve three (3) year staggered terms, excepting the Legislative appointee who shall serve a term of two (2) years; and

WHEREAS, the term has expired for various Board members.

NOW THEREFORE, BE IT

RESOLVED, the following persons, as recommended by the Chairman of the Legislature, are hereby appointed (reappointed) as members of the Steuben County Industrial Development Agency for the terms as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2010 through December 31, 2012
Philip J. Roche, Esq., Yorio & Roche Attorneys at Law, 145 W. High Street, Painted Post, NY 14870
John Siranni, 10770 Hidden Meadow Trail, Corning, NY 14830.

January 1, 2010 through December 31, 2011
Patrick F. Donnelly, Chairman, Steuben County Legislature, 301 Maple Heights, Bath, NY 14810

January 1, 2009 through December 31, 2011
Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831
Michael J. Doyle, 54 Lake Street, Hammondsport, NY 14840

January 1, 2008 through December 31, 2010
George Connors, Connors Mercantile, 16 East Market Street, Corning, NY 14830.
Michael L. Nisbet, 20 Bennett Street, Canisteo, NY 14823

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Industrial Development Agency; and be it further

RESOLVED, certificates of appointment, as required by law, shall be filed with the Secretary of the State of New York by Attorney John F. Leyden, Counsel to the Steuben County Industrial Development Agency; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each of the appointees; the Steuben County Planning Director; James Sherron, Executive Director, Steuben County Industrial Development Agency, 7234 Route 54N, P.O. Box 393, Bath, NY; Marcia Weber, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 310, NY 14830; John F. Leyden, Esq., Counsel to said Agency, 110 N. Main Street, Wayland, NY 14572; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 18-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD.

Pursuant to the provisions of Article 12-B of the General Municipal Law of the State of New York.

RESOLVED, the recommended appointments made by the Chairman of the Steuben County Legislature for membership on the Southern Tier Central Regional Planning and Development Board and set forth below are hereby approved, ratified and confirmed for two (2) year terms commencing January 1, 2010, ending December 31, 2011.

LEGISLATOR MEMBERS
1. Scott J. VanEtten, 11310 Hendy Hollow Road, Corning, NY
2. Donald B. Creath, 86 Cintra Lane East, Corning, NY
3. Patrick F. Donnelly, 301 Maple Heights, Bath, NY

REPRESENTATIVE OF STEUBEN COUNTY PLANNING BOARD
1. Gregory Heffner, Director, Steuben County Planning Department

MUNICIPAL OFFICIALS
1. Mark Ryckman, Manager, City of Corning
2. Honorable Shawn Hogan, Mayor, City of Hornell

REGIONAL COMMERCE - BUSINESS REPRESENTATIVE
1. James W. Griffin, 40 Main St., Hornell, NY

REGIONAL AGRICULTURAL REPRESENTATIVE
1. Robert V. Nichols, 743 Thompson Rd., Addison, NY

AT-LARGE REPRESENTATIVE
1. Mark R. Alger, Steuben County Administrator

EX-OFFICIO MEMBERS
1. Steuben County Commissioner of Public Works
2. Steuben County Treasurer
3. Steuben County Agricultural Program Leader
4. Steuben County Attorney

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Central Regional Planning and Development Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the New York State Division of Community Affairs, 162 Washington Ave., Albany, NY, 12231; the County Auditor and to Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY.

Vote: Acclamation – Adopted.

RESOLUTION NO. 19-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

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

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Traffic Safety Board for terms as indicated:

JANUARY 1, 2010 TO DECEMBER 31, 2012

Ted Murray	Hornell City Police Chief or designee
Kenneth Isaman	Steuben County Risk Manager or designee
David Rouse	Bath Village Police Chief or designee
Timothy Marshall	Deputy Director of Emergency Management
John Tunney	Steuben County District Attorney or designee
Dan Farrand	Steuben County Legislator, 6360 CR21, Addison, NY 14801
Cathy Rouse-Nicholson	Steuben County Magistrate's Association Designee

JANUARY 1, 2009 TO DECEMBER 31, 2011

Vincent Spagnoletti	Commissioner of Public Works or designee
Joel Ordway	Steuben County Sheriff or designee
Gregory P. Heffner	Planning Director or designee
Sal Trentanelli	Corning City Police Chief
Beverly Butts	Public Health and Nursing Services ***(Filling unexpired term of Lorellie Evans)***

EX-OFFICIO MEMBER SERVING JANUARY 1, 2010 TO DECEMBER 31, 2012

New York State Police designee

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 20-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE STEUBEN COUNTY COOPERATIVE EXTENSION BOARD OF DIRECTORS.

Pursuant to Section 224 of the County Law and upon the request of the said Association.

BE IT RESOLVED, the appointments of John Walsh, Legislator, District 7, and Robert V. Nichols, Legislator, District 11, by the Chairman of the Steuben County Legislature as Legislator representatives on the Board of Directors of the Cooperative Extension Association of Steuben County, for terms of two (2) years each beginning January 1, 2010, and ending December 31, 2011, be, and the same hereby are approved; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Cooperative Extension Association Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Cooperative Extension Association of Steuben County, 3 East Pulteney Square, Bath, New York, 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 21-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING MEMBERS TO THE E911 ADVISORY BOARD.

WHEREAS, the Steuben County Legislature adopted Resolution No. 058-02 on February 25, 2002, appointing the members of the E911 Advisory Board, and

WHEREAS, the Board members were appointed to serve three-year rotating terms; and

WHEREAS, the term of some board members expired December 31, 2009.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Chair of the Steuben County Legislature, the following individuals are hereby appointed (reappointed) to the E 911 Advisory Board for a three year term as indicated:

E 911 ADVISORY BOARD

MEMBERS	**TERM**
Fire Service Representatives (1 paid city; 3 volunteer)	
James Orme, Bath	01/01/08 – 12/31/10
Joseph F. Dick, North Hornell	01/01/09 – 12/31/11
Brian McCarthy, Painted Post	01/01/09 – 12/31/11
Dan Smith, Hornell City Fire Chief	01/01/10 – 12/31/12
Volunteer Ambulance Representatives	
Rick Andrews (Woodhull)	01/01/10 – 12/31/12
Gregg Learned (Hammondsport)	01/01/08 – 12/31/10
Paid Ambulance Representative	
Alan Lewis, Rural Metro	01/01/08 – 12/31/10
Local Police Representative	
David Rouse, Bath Village Police Chief	01/01/08 – 12/31/10
State Police Representative	
Bath Zone Commander	01/01/08 – 12/31/10
Sheriff Representative	
Joel R. Ordway, Sheriff ***(Filling unexpired term of Richard Tweddell)***	01/01/08 – 12/31/10
City Police Representative	
Salvatore Trentanelli, Corning City Police Chief	01/01/10 – 12/31/12
City At-Large Representatives	
Shawn Hogan, Hornell City Mayor	01/01/10 – 12/31/12
Mark L. Ryckman, Corning City Manager	01/01/10 – 12/31/12
County Government Representative	
Mark R. Alger, County Administrator	01/01/10 – 12/31/12
Alternate: Gregory P. Heffner Planning Director/Deputy Administrator	
County Legislature Representatives	
Thomas J. Ryan, District 9	01/01/10 – 12/31/12
Brian C. Schu, District 6	01/01/09 – 12/31/11
Patrick F. Donnelly, Legislative Chair ***(Filling unexpired term of Philip Roche)***	01/01/08 – 12/31/10

Ex-Officio Members (Non-voting)
David Hopkins, E911 Director
Michael Sprague, EMO Director

AND BE IT FURTHER RESOLVED, the Chair of the Steuben County Legislature hereby appoints Mark R. Alger to serve as the Chair of the Advisory Board and Chief Sal Trentanelli to serve as the Vice Chair of the Advisory Board; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the E911 Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 22-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING THE LEGISLATIVE REPRESENTATIVE TO THE DISTRICT FOREST PRACTICE BOARD, REGION 8.

Pursuant to Sections 0-0705 and 9-0705 of the Environmental Conservation Law of the State of New York.

WHEREAS, the term of office of the Legislative representative of the District Forest Practice Board, Region 8, expired December 31, 2009; and

WHEREAS, the New York State Department of Environmental Conservation has requested that Steuben County appoint one (1) Legislative representative for a term of two (2) years.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of this Legislature hereby appoints Randolph J. Weaver, Legislator, District 1, as Legislator member of the District Forest Practice Board, Region 8, for a term of two (2) years commencing January 1, 2010 through December 31, 2011, and not beyond his term of office as County Legislator; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the District Forest Practice Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; the County Auditor and to the Forestry Division of the NYS Department of Environmental Conservation, 7291 Coon Road, Bath, NY, 14810-7923.

Vote: Acclamation – Adopted.

RESOLUTION NO. 23-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING A REPRESENTATIVE TO THE FINGER LAKES HEALTH SYSTEMS AGENCY BOARD OF DIRECTORS AND THE SOUTHERN TIER SUBAREA COUNCIL.

BE IT RESOLVED, David McCarroll be, and he hereby is, appointed by this Steuben County Legislature as the Steuben County Consumer Representative on the Finger Lakes Health Systems Agency Board of Directors and the Southern Tier Subarea Council for a term of two (2) years commencing January 1, 2010 and ending December 31, 2011; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Finger Lakes Health Systems Agency Board of Directors; and be it further

RESOLVED, a certified copy of this resolution be forwarded to the above-named appointee, the County Auditor and to the Finger Lakes Health Systems Agency, 1150 University Avenue, Rochester, New York 14607.

Vote: Acclamation – Adopted.

RESOLUTION NO. 24-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING REPRESENTATIVES TO THE INTERCOUNTY ASSOCIATION OF WESTERN NEW YORK.

BE IT RESOLVED, from January 1, 2010 through December 31, 2011, this Steuben County Legislature does hereby designate the following as representatives of this Legislature to the InterCounty Association of Western New York:

1. **LAWRENCE P. CROSSETT**, voting representative
2. **THOMAS J. RYAN**, voting representative
3. **CHRISTINE KANE**, voting representative
4. **CAROL A. FERRATELLA**, alternate voting representative
5. **PHILIP A. PALMESANO**, alternate voting representative
5. **MARK R. ALGER,** alternate voting representative

AND BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the InterCounty Association of Western New York; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named representatives, the County Auditor, and the President of the InterCounty Association of Western New York.

Vote: Acclamation – Adopted.

RESOLUTION NO. 25-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING A REPRESENTATIVE TO THE STEUBEN COUNTY JURY BOARD.

Pursuant to Section 503 of the Judiciary Law of the State of New York.

WHEREAS, Resolution No. 188-88, adopted by the Steuben County Legislature on May 23, 1988, appointed a Legislative Representative to the Steuben County Jury Board; and

WHEREAS, the term of the Legislative Representative to said Jury Board has expired.

NOW THEREFORE, BE IT

RESOLVED, Brian C. Schu, Esq., Steuben County Legislator representing District 6, is hereby appointed as the Legislative Representative to the Steuben County Jury Board for a two-year term commencing January 1, 2010 and expiring December 31, 2011; and be it further

RESOLVED, said representative shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Steuben County Jury Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; the Administrative Justice of the Seventh Judicial District of the State of New York, Supreme Court Chambers, Hall of Justice, 99 Exchange Blvd., Rochester, NY 14614; the Commissioner of Jurors; the County Clerk; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 26-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING REPRESENTATIVES TO THE RESOURCE, CONSERVATION AND DEVELOPMENT PROJECT BOARD.

RESOLVED, that Gregory P. Heffner, Planning Director, be and hereby is appointed as Steuben County's Representative on the Resource, Conservation and Development Project Board for a term of two (2) years, commencing January 1, 2010, and ending December 31, 2011; and be it further

RESOLVED, that Amy Dlugos, Senior Planner, be and hereby is appointed as the Alternate Steuben County Representative; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Resource, Conservation and Development Project Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Richard Winnett, Executive Director, Finger Lakes Resource Conservation & Development Council, Inc., 415 W. Morris Street, Bath, NY; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 27-10

Introduced by P. Donnelly. Seconded by D. Farrand.

APPOINTING A MEMBER TO THE SOUTHERN TIER EXTENSION RAILROAD AUTHORITY.

Pursuant to Article 8, Title 28-AA of the Public Authorities Law.

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

WHEREAS, Section 2642-C of the Act requires the establishment of the Southern Tier Extension Railroad Authority; and

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

WHEREAS, one member's term has expired.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby reappoint the following individual to serve as members of the Southern Tier Extension Railroad Authority for the term as indicated:

Seth M. Corwin
48 Hillside Place
Hornell, NY 14843
Term: September 1, 2009 through August 31, 2012

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

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 028-10

Introduced by D. Creath. Seconded by R. Weaver.

MEMORIALIZING THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO COMPENSATE LOCAL SOIL AND WATER CONSERVATION DISTRICTS FOR THEIR PART IN NATURAL GAS EXPLORATION MONITORING.

WHEREAS, the Southern Tier region of New York State will begin experiencing a natural gas exploration boom of unprecedented proportion once the draft SGEIS is completed by the New York State Department of Environmental Conservation; and

WHEREAS, there will be a need for monitoring and mitigation expertise at the local level to respond to citizen complaints; and

WHEREAS, the local Soil and Water Conservation Districts historically have been that contact locally for landowners and commercial agricultural producers; and

WHEREAS, the local Soil and Water Conservation Districts have the necessary knowledge and expertise to monitor and inspect potential environmental issues in regards to Natural Gas exploration, including well pad development and associated pipeline activities; and

WHEREAS, the local Soil and Water Conservation Districts have already in the past been involved in the field with pipeline complaints and mediation as well as erosion and sediment control review and have been compensated for their time from New York State and the New York State Department of Environmental Conservation.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature supports the New York State Association of Conservation Districts and the New York State Employees' Association in pursuing talks and begin negotiating with New York State Agriculture and Markets and NYSDEC to compensate the local Soil and Water Conservation District from permit fees associated with Marcellus drilling and responding locally to this new environmental and economic potential in New York State; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Jeffery Parker, Executive Director, Soil and Water Conservation District, 415 W. Morris Street, Bath, NY 14810; the Commissioner of the New York State

Department of Agriculture and Markets, One Winners Circle, Albany, NY 12235; the Commissioner of the New York State Department of Environmental Conservation, 50 Wolf Road, Albany, NY 12233-1010; Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Richard Calabrese, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, 20 Ontario Street, Canandaigua, NY 14424.

Vote: Acclamation – Adopted.

Jeff Parker stated he would like to recognize Walter Freeman, who recently passed away. Walter Freeman was a board member of the Steuben County Soil and Water Conservation District. He served a total of 22 years with 15 of those years as the Chairman. Walt was the Pomona Grange representative and truly believed in the conservation of the land and the mission of the Steuben County Soil and Water Conservation District. He was the first individual who received the Cooperator of the Year award in 1963 before he became a member of the Soil and Water Conservation District Board. It was during his tenure that the District excelled in both the agricultural and non-agricultural arena delivering programs that protected Steuben County's natural resources. Under Walt's direction, the District has excelled in rural storm water activities as well as maintaining the traditional agricultural related programs offered federally and statewide. The District has grown tremendously under his direction. He proved that on his own farm, living and breathing conservation every day. His farm in Jasper can be seen from the nearby hillsides showing conservation at its best; practices from diversion ditches, strip cropping and ponds. His legacy is certainly seen in the landscape as conservation. At its best, protection of soils from agricultural erosion was his greatest love and for that we are thankful. While serving in a voluntary position to enhance agricultural and non-agricultural conservation programs, Walt's attitude of service and protection for natural resources for Steuben County will never be forgotten and he will be missed greatly.

Motion to adjourn Regular Session and reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant To Article Fourteen Of The Civil Service Law made by Mr. Van Etten, seconded by Mr. Nichols and duly carried.

Motion to adjourn Executive Session and reconvene in Regular Session made by Mr. McAllister, seconded by Mr. Crossett and duly carried.

Motion to adjourn made by Mr. McAllister, seconded by Mr. Crossett and duly carried.

REGULAR MEETING
Morning Session
Monday, February 22, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 22nd day of February, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mr. Farrand.

Chairman Donnelly asked Cynthia Jenkins to come forward. Ms. Jenkins is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly asked Shelly Bentley to come forward. Ms. Bentley is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly opened the floor for comments by members of the public.

Dennis Carlson, Wayne, stated I'm a Wayne Town Councilperson, Keuka Lake Association member, and Keuka Lake Association Board member. This morning I am speaking in representation of myself, although I know many area residents that feel similar to me on this particular issue. I wish to express concern regarding the proposed Waste Water Disposal Site in Pulteney that, until recently, was being pursued by Chesapeake/Appalachia. This concern stems from the fact that the area for this proposal is located in one of the most precious locations in New York State. Precious in the fact that it is in the heart of the wine country, a center for tourism and a location that is the basis for the economy in the area. The proposal for the site was less than one mile from Keuka Lake that is classified as a AA lake, making it the source of drinking water for 20,000 people. It would have been located in a watershed that not only feeds this lake but represents an additional source of household and agricultural moisture. There have been too many reports from other areas such as DISH, Texas and Harrisburg, PA, where a "story" was presented as to the safety of such activity only to be surprised after the fact. I ask that the Steuben County Legislature and appropriate County resources remain involved in this matter and like matters as they would relate to public health and safety, public works and the impact on roads, bridges and the negative economic impact this and like projects could have in regard to the Keuka Watershed. In 2009, Keuka Lake was ranked in the top five most desirable lakes in the country. We want to keep it that way. I am sure that everyone in this room is aware of the value that the three Steuben County towns that border Keuka contribute in the way of property taxes to Steuben County (16+% of the total County tax levy). It would be devastating to the remaining towns within Steuben County if this level of contribution was lost. It is only a matter of time before other like requests come to the table and we need to be prepared. I ask that you take steps now that will not allow proposals of this nature to move forward. Thank you.

Chairman Donnelly thanked Mr. Carlson for his comments. There being no further comments, he declared the public comment portion of the meeting closed.

The minutes of the previous month's meetings were approved upon the motion of Mr. Van Etten, seconded by Mr. Mcallister and duly carried.

Mr. Ryan thanked the following active military service people: David Hunt, James Garafolo, Craig Boccia, Bill Kays, Daniel McAllister, Daniel Guthrie, Jonathon Van Durme, Joshua Steinhilber, Mathew Randazzo, Timothy Brownell and Kirk McManus.

RESOLUTION NO. 029-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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

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

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

SCHEDULE "A"

Resolution No.	A-1
Name	Bertha Phillips ETAL
Parcel No.	260.00-01-009.210
Municipality	Campbell Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	Cynthia Bigelow
Parcel No.	197.12-01-032.100
Municipality	Canisteo Village
Disposition	Correction

Resolution No.	A-3
Name	Dana Gridley
Parcel No.	372.00-01-025.000
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-4
Name	George & Lenora Applebee
Parcel No.	034.20-02-007.000
Municipality	Prattsburgh Town
Disposition	Correction

Resolution No.	A-5
Name	Phillip & Barbara Miller
Parcel No.	361.00-01-019.212
Municipality	Troupsburg Town
Disposition	Correction

Resolution No.	A-6
Name	Edward & Velma Graczyk
Parcel No.	397.00-01-009.112
Municipality	Troupsburg Town
Disposition	Correction

Resolution No.	A-7
Name	Randy D & Brenda S Yeoman
Parcel No.	017.15-02-008.100
Municipality	Cohocton Town
Disposition	Correction

Resolution No.	A-8
Name	Nila Grosjean, A Kevin & Peggy Sears
Parcel No.	297.00-01-012.100
Municipality	Erwin Town
Disposition	Correction (parcel split)

Resolution No.	A-9
Name	David S Peck
Parcel No.	058.00-01-011.100
Municipality	Prattsburgh Town
Disposition	Refund

Resolution No.	A-10
Name	Warren Pierce
Parcel No.	217.00-01-039.110
Municipality	Canisteo Town
Disposition	Correction & Refund

Resolution No.	A-11
Name	James R Burns
Parcel No.	071.00-01-010.000
Municipality	Avoca Town
Disposition	Correction

Resolution No.	A-12
Name	James R Burns
Parcel No.	071.00-01-012.000
Municipality	Avoca Town
Disposition	Corrections

Resolution No.	A-13
Name	Jacqueline Kanaval
Parcel No.	042.00-01-008.110
Municipality	Cohocton Town
Disposition	Correction (parcel split)

Resolution No.	A-14
Name	John & Marilyn Warriner
Parcel No.	269.00-01-004.000
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-15
Name	Thomas & Rachel Coates
Parcel No.	286.00-01-020.000
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-16
Name	Ronald & Lori Bulson
Parcel No.	286.00-01-043.000
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-17
Name	Seymour D Heckman
Parcel No.	304.11-01-006.000
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-18
Name	Harley & Eleanor Lamphier
Parcel No.	305.00-01-005.000
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-19
Name	John & Shirley Sistarelli
Parcel No.	305.00-01-018.100
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-20
Name	James & Louise Ahearn
Parcel No.	322.00-01-024.140
Municipality	Greenwood Town
Disposition	Correction

Resolution No.	A-21
Name	Michael Marton Jr
Parcel No.	384.00-01-045.140
Municipality	Tuscarora Town
Disposition	Correction & Refund

Resolution No.	A-22
Name	Keith & Bonnie Gustin
Parcel No.	104.15-01-020.000
Municipality	Urbana Town
Disposition	Correction (parcel split)

Resolution No.	A-23
Name	Carl Myers Enterprises Inc
Parcel No.	014.00-02-021.000
Municipality	Wayland Town
Disposition	Correction

Resolution No.	A-24
Name	Joy E Goodsell
Parcel No.	042.20-01-032.000
Municipality	Cohocton Village
Disposition	Correction

Resolution No.	A-25
Name	Curtis & Clifford Kent Jr
Parcel No.	170.00-01-026.200
Municipality	Howard Town
Disposition	Correction (parcel split)

Vote: Roll Call – Adopted.

RESOLUTION NO. 030-10

Introduced by P. Donnelly. Seconded by D. Creath.

RECEIVING AND ACCEPTING THE FEBRUARY 22, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

January 15, 2010

NYS Office of Parks, Recreation & Historic Preservation – Re: Notification of the Presbyterian Church of Atlanta located at 2 Main Street, Atlanta, NY 14808 was approved and is now listed on the New York State Register of historic places. The Board will now forward the nomination to the Keeper of the National Register in Washington D.C. and if approved by the Keeper, the property will be listed on the National Register. ***Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Twila O'Dell, Historian.***

January 20, 2010

Nixon Peabody, Attorneys at Law – Re: Joint Petition of Fortuna Energy Inc. and Corning Natural Gas Corporation for the filing of protection from public disclosure of (a) Amendment No. 1 to the Negotiated Transportation Service Agreement between Corning Natural Gas Corporation and Fortuna Energy Inc. dated January 1, 2010; and (b) the Negotiated 311 Transportation Service Agreement by and between Corning Natural Gas Corporation and Fortuna Energy Inc. dated January 11, 2010. ***Referred to: A.I.P Committee; and Greg Heffner, Planning Director.***

January 21, 2010

Harris Beach PLLC, Attorneys at Law – Re: Application for Real Property Tax Exemption for Sorge Property Development, LLC (located at 66-68 West Market Street, Corning, NY), along with a payment in lieu of tax agreement. ***Referred to: A.I.P. Committee; Finance Committee; Administration Committee; Greg Heffner, Planning Director; Fred Ahrens, County Attorney; Donna Hatch, RPTSA Director; and Carol Whitehead, County Treasurer.***

Finger Lakes Veterans Advocacy Council Charter – Re: Invitation to become a member of the Finger Lakes Veterans Advocacy Council Charter to represent Veterans in Steuben County. ***Referred to: Human Services/Health & Education Committee; and Dan McRae, Veteran's Service Agency Director.***

January 22, 2010

New York State Department of Environmental Conservation – Re: Notification of water withdrawal reporting if a person who withdraws or is operating any system or method of withdrawal that has the capacity to withdraw more than 100,000 gallons of water or surface water per day shall file a report with the Department. The first annual report must be filed on or before February 1, 2010. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

January 25, 2010

New York State Department of Labor -– Re: The revisions to the Local Plan Modification for the period of July 1, 2009 to June 30, 2010 submitted by the Chemung-Schuyler-Steuben Workforce of New York is approved. ***Referred to: Mark Alger, County Administrator.***

United States Environmental Protection Agency – Re: EPA's Municipality Environmental Compliance Initiative. ***Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Amy Dlugos, Steuben County Environmental Management Council.***

January 29, 2010

Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: Fourth Quarter Report for 2009. ***Referred to: Human Services/Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.***

Office of the State Comptroller – Re: Notification of the Indigent Legal Services Fund (ILSF) 2009 Annual Report Form must be submitted by March 1, 2010. ***Referred: Public Safety & Corrections Committee; Byrum Cooper, Public Defender; and Carol Whitehead, County Treasurer.***

NYS Department of State – Re: Funding approval for the Regional E-911 Planning Project in the amount of $45,000. ***Referred to: Public Safety & Correction Committee; David Hopkins, 911 Director; and Jack Wheeler, Assistant County Administrator.***

United Sates Department of Commerce, U.S. Census Bureau – Re: Final Boundary Validation Program (BVP). The Completed (BVP) form needs to be completed within 10 days of receipt if the information is correct. ***Referred to: Tom Sears, GIS Coordinator.***

New York State Department of Taxation and Finance – Re: Notification of new procedures in notifying the New York State Tax Department of tax lien foreclosures. ***Referred to: Administration Committee; Donna Hatch, RPTSA Director; and Carol Whitehead, County Treasurer.***

February 1, 2010

New York State Emergency Management Office – Re: Notification of grant approval for Steuben County FFY08 Citizen Corps Grant Program. Quarterly reports are due throughout the performance period, 30 days after the end of each quarter. ***Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.***

The Bonadio Group – Re: Status of Steuben County's Medicaid Compliance Program. ***Referred to: Human Services/Health & Education Committee; David McCarroll, HCF Administrator; Dr. Anderson, Director of Community Services; Vicki Fuerst, Director of PHN; and Carol Whitehead, County Treasurer.***

February 3, 2010

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $3,900, which represents the December 2009 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Carol Whitehead, County Treasurer.***

February 5, 2010

NYS Board of Elections – Re: Annual Training Conference for County Election Commissioners and officials will be held on Monday, April 26th through Wednesday, April 28, 2010 at the Holiday Inn on Wolf Road, Albany, New York. ***Referred to: Administration Committee; Veronica Olin, Republican Elections Commissioner; and Democratic Elections Office.***

United States Senate – Re: Grant Guides and information on ways to secure federal funding for important projects in the community. ***Referred to: Jack Wheeler, Assistant County Administrator.***

February 11, 2010

Harris Beach PLLC, Attorneys at Law – Re: Steuben Tobacco Asset Securitization Corporation Annual Meeting and Accountability Materials. ***Referred to: Administration Committee; Fred Ahrens, County Attorney; Greg Heffner, Planning Director; and Carol Whitehead, County Treasurer.***

NYS Department of Motor Vehicles – Re: Reminder on the filing of the Biennial Report for Handicapped Parking Education Programs needs to be submitted on or before 4/1/10 to the Commissioner of the NYS Department of Motor Vehicles. ***Referred to: Sheriff Ordway.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-10

Introduced by L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE TREASURER OF THE COUNTY OF STEUBEN TO PLEDGE THE COUNTY'S FULL FAITH AND CREDIT FOR THE ISSUANCE OF BONDS NOT TO EXCEED $125,000 FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Sections 21 and 63 of the Local Finance Law of the State of New York.

WHEREAS, the Upper Five Mile Creek Watershed Protection District is in need of replacing and/or repairing piping and culverts, trenching and hookups, cisterns and associated labor installing same amounting to an estimated project total of $201,066; and

WHEREAS, it is anticipated that said capital improvements are in need of immediate repair, reconstruction and dredging, funding for which may be accomplished by borrowing of a bond or bonds in an aggregate sum not to exceed $125,000; and

WHEREAS, the Upper Five Mile Creek Watershed Protection District is responsible for the repayment of said borrowing, together with interest; the County, however, being required to pledge the County's full faith and credit in support of said borrowing.

NOW THEREFORE, BE IT

RESOLVED, the County Treasurer be, and the same hereby is, authorized and directed to issue a Bond or Bonds on behalf of the Upper Five Mile Creek Watershed Protection District and pledge the County's full faith and credit in accordance with the terms and conditions of the Local Finance Law, in total amounts not to exceed $125,000, for a period of probable usefulness under Local Finance Law not to exceed five (5) years, said sums to be appropriated to a Capital Project "Upper Five Mile Creek Watershed Protection District Capital Expenditures" or such other Capital Project as the Treasurer shall so designate for the purposes above mentioned; and be it further

RESOLVED, said notes shall be redeemed by providing for sums in the 2011 Budget of the Upper Five Mile Creek Watershed Protection District and the balance in the subsequent Budgets of the Upper Five Mile Creek Watershed Protection District, together with any and all interest payments; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Upper Five Mile Creek Watershed Protection District, Attention: Gregory Squires, PO Box 176, Prattsburgh, NY 14873; and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 032-10

Introduced by J. Hauryski and L. Crossett. Seconded by R. Nichols.

AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO CLOSE VARIOUS SOLID WASTE DIVISION CAPITAL PROJECTS AND TRANSFER PROCEEDS TO LINDLEY-REBUILD ROAD AND ERWIN REMEDIATION CAPITAL PROJECTS.

WHEREAS, the Solid Waste Division needs to close various capital projects totaling $202,072.30; and

WHEREAS, the proceeds from closing these projects are hereby transferred to Lindley-Rebuild Road and Erwin Remediation Capital Projects; and

WHEREAS, there are sufficient funds to balance the capital projects; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from Various Solid Waste Division Capital Projects to Lindley-Rebuild Road and Erwin Remediation Capital Projects.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized and directed to close the following projects and transfer the proceeds:

- Close Project HL6207 – Bath Landfill Equipment Shop
- Close Project HL6403 – Lindley Closure
- Close Project HL6903 – Relocate Erwin Transfer Station

- Transfer $152,178.92 to Project HL6404 – Lindley-Rebuild Road
- Transfer $49,893.38 to Project HL6901 – Erwin Remediation -

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and to the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 033-10

Introduced by J. Hauryski. Seconded by R. Nichols.

AUTHORIZING AND DIRECTING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE COUNTY HIGHWAY MAP TO INCLUDE APPROXIMATELY .40 MILES OF MORGAN CREEK ROAD IN THE TOWN OF LINDLEY AS PART OF COUNTY ROUTE 73.

WHEREAS, as part of the new alignment of that route commonly known and designated as U.S. and New York State Route 15 in the Town of Lindley it is necessary and desirable for the County to take ownership of a section of the Town Road designated as the Morgan Creek Road; and

WHEREAS, said road is described as follows: commencing at the west end of concrete approach slab of the Bridge and ends 660 feet west, this section is 30 feet wide with 11 foot lanes and 4 foot paved shoulders; thence at a point 660 feet west of the bridge and ends at Route 15, and is 1490 feet long and is 24 feet wide with 12 foot asphalt lanes and gravel/grass shoulders, for a total of 2150 feet; and

WHEREAS, by resolution of the Public Works Committee on December 1, 2009 it was recommended that the County of Steuben assume ownership and responsibility for said road and to amend the County map to include same; and

WHEREAS, by resolution duly adopted by the Lindley Town Board on December 30, 2009 and certified on January 19, 2010, a copy of which is filed with the Steuben County Clerk of the Legislature, the Town of Lindley has requested the County to assume ownership and responsibility for said road.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to amend the County Highway Map to include approximately .40 miles of Morgan Creek Road, as above described, and the County does hereby assume ownership of and responsibility for said road; and be it further

RESOLVED, a certified of this resolution shall be forwarded to Megan Thistle, Lindley Town Clerk, Lindley Town Hall, 637 US 15, PO Box 62, Lindley, NY 14858; Peter White, Regional Director, NYS Department of Transportation, 107 Broadway, Hornell, NY 14843; and the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 034-10

Introduced by P. McAllister and L. Crossett. Seconded by S. Van Etten.

AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO INVOICE $350,000 FOR THE WORKERS' COMPENSATION FUND AND TO DISTRIBUTE PAYMENT OF SAME AS INCLUSION IN THE 2011 WORKERS' COMPENSATION BUDGETS PRO-RATA FOR EACH OF THE PARTICIPATING MEMBERS UTILIZING THE 2009 WORKERS' COMPENSATION BUDGET FOR THE PARTICIPATING MEMBERS AND ALSO AUTHORIZE APPROPRIATION OF THE FUND BALANCES.

WHEREAS, the Steuben County Self-Insurance Plan has a projected 2009 operating loss of approximately $600,000 and the operating costs of the Plan are apportioned among the plan participants; and

WHEREAS, the balance in the Steuben County Self-Insurance Plan Insurance Reserve is $200,000; and

WHEREAS, the balance in the Steuben County Self-Insurance Plan Unreserved Fund Balance is $42,655.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is authorized to invoice $350,000 to the 2009 Steuben County Self-Insurance Plan participants and apportion this amount to the participants based on the 2009 apportionment percentages. These amounts will be included in the 2011 apportionment to the plan participants; and be it further

RESOLVED, that the Steuben County Treasurer is authorized to appropriate the $350,000 as follows:

Revenue:	172006-42222000 Participants Share
Expenditure:	172006-5410400 Awards and Benefits

AND BE IT FURTHER RESOLVED, that the Steuben County Treasurer is authorized to appropriate the Steuben County Self-Insurance Plan Insurance Reserve (MS-38630000) of $200,000 and Unreserved Fund Balance of $42,655 (MS-39110000) as follows:

$ 65,353	172006-5410400 Awards and Benefits (IBNR)
$100,000	171006-5410336 Workers Comp Board 15-8
$ 77,302	172006-5410300 Medical Benefits

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Risk Manager, County Treasurer and all member Towns and Villages.

Vote: Roll Call – Adopted.

RESOLUTION NO. 035-10

Introduced by J. Hauryski and L. Crossett. Seconded by D. Creath.

AUTHORIZING ACCEPTANCE OF THE WIRELESS 911 EXPEDITED DEPLOYMENT GRANT.

WHEREAS, the New York State Department of State has awarded $184,719 to the Steuben County E911 Department which was not budgeted in the E911 Project; and

WHEREAS, the purpose of said funding is to offset expenses for the E911 Phase II Wireless call processing.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County E911 Department is hereby authorized to accept said grant funding for the purpose of offsetting previously incurred expenses for the E911 System; and be it further

RESOLVED, the Steuben County Treasurer is hereby authorized to appropriate the amount of $184,719 to the Steuben County E911 Startup Project 3020H3-5250000; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the E911 Director and County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 036-10

Introduced by T. Ryan, P. McAllister and L. Crossett. Seconded by S. Van Etten.

ACTIVATING AND FUNDING ONE (1) FULL TIME ZERO-BASED POSITION IN THE STEUBEN COUNTY HEALTH CARE FACILITY.

WHEREAS, the Health Care Facility has requested activating and funding one (1) zero-based full time Outpatient Receptionist position; and

WHEREAS, the revenues in Outpatient Services have increased sufficiently to fund said position;

WHEREAS, it is necessary for the Legislature to anticipate the revenues and authorize the appropriation of $29,537.00 to fund the position;

NOW THEREFORE, BE IT

RESOLVED, the position is hereby activated and funded; and be it further

RESOLVED, the Steuben County Treasurer is hereby authorized to anticipate $29,537.00 in outpatient service revenue and to appropriate same to the personal services line within the Health Care Facility Budget, and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Health Care Facility, Treasurer, and the Personnel Officer.

Mr. Farrand asked why we are considering this position given the state of the economy. Mr. Alger stated this position is for the outpatient rehabilitation services. It will be the contact point for people who need these services. It is being done to generate additional revenue for the facility.

Vote: Roll Call – Adopted.

RESOLUTION NO. 037-10

Introduced by R. Weaver. Seconded by D. Farrand.

APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN.

Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Shawn Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Joseph Welch residing in Corning, New York, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, that Joseph Welch residing in Corning, New York, Steuben County, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term commencing March 1, 2010 and terminating December 31, 2010, with an annual salary of $45,000 prorated for the balance of 2010; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee; Shawn Hogan, P.O. Box 627, 82 Main St., Hornell, NY 14843; Steuben County Clerk; Personnel Officer, and the Board of Elections.

Vote: Roll Call – Adopted.

Chairman Donnelly introduced Joseph Welch. Mr. Welch thanked everyone for their vote. I'm looking forward to working with the Legislature.

Motion to approve the appointment resolutions with one vote made by Mr. Swackhamer, seconded by Mr. McAllister and duly carried.

Motion amending resolution No. 042-10 to include Sheriff Joel Ordway as a member of the Fire Advisory Board made by Mr. Swackhamer, seconded by Mr. McAllister and duly carried.

Motion waiving the reading of the titles of the appointment resolutions made by Mr. Van Etten, seconded by Mr. Nichols and duly carried.

RESOLUTION NO. 038-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING REPRESENTATIVES TO THE SOUTHERN TIER REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL.

Pursuant to the Federal Emergency Medical Services Act of 1973 and Article 30 of the New York State Public Health Law.

WHEREAS, by resolution of the Steuben County Board of Supervisors of December 16, 1974, it was authorized that the County of Steuben be a participant in the Emergency Medical Services Program in the Southern Tier Ten-County Region of the State of New York.

NOW THEREFORE, BE IT

RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, **Michael Sprague**, Director, Office of Emergency Services, and **Tina Goodwin**, Deputy Director, 911 Enhanced Department, be and the same hereby are, duly designated and appointed as Steuben County's representatives on the Southern Tier Regional Emergency Medical Services Council to serve at the pleasure of this Legislature for a term of two years commencing January 1, 2010, through December 31, 2011; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Southern Tier Regional Emergency Medical Services Council; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Southern Tier Regional Emergency Medical Services Council, 315 West Water St., Elmira, NY 14901.

Vote: Acclamation – Adopted.

RESOLUTION NO. 039-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE STEUBEN COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL.

Pursuant to Article 47 of the Environmental Conservation Law of the State of New York and the County of Steuben Local Law No. Two of the Year 1971.

WHEREAS, Local Law No. Two of the Year 1971, created a County Environmental Management Council for the County of Steuben; and

WHEREAS, the Chairman of the Steuben County Legislature recommends appointment of members to the Environmental Management Council.

NOW THEREFORE, BE IT

RESOLVED, that the following appointments are hereby made to the Environmental Management Council:

MEMBERS

Lee Hersh, 5362 Duvall Rd, PO Box 449, Painted Post, NY 14870
Robert Popejoy, 8839 Oak Hill Rd., PO Box 754, Savona NY 14879
Iva Putman, 4641 Stony Ridge Road, Campbell, NY 14821
Gene Stolfi, 2930 Gorton Rd., Corning NY 14830-9104
Janet Thigpen, 4557 Dyke Road, Corning, NY 14830
Rachel Treichler, 7988 Van Amburg Rd., Hammondsport NY 14840
Bonnie Vance, 71 East Third Street, Corning, NY 14830
Miles Vance, 71 East Third Street, Corning, NY 14830

MEMBERS EX-OFFICIO

A Member of the Agriculture, Industry, and Planning Committee
Commissioner of Public Works
County Attorney
Soil and Water Conservation District Chairman or designee
Cornell Cooperative Extension Association President or designee
County Planning Director

BE IT FURTHER RESOLVED, that all said appointees shall serve at the pleasure of the Steuben County Legislature for a term of two (2) years, effective January 1, 2010 through December 31, 2011; and be it further

RESOLVED, that certified copies of this Resolution shall be forwarded to the above appointees; to Linda Vera, NYS Department of Environmental Conservation, 6274 East Avon-Lima Rd, Avon, NY, 14414; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 040-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE STEUBEN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC).

Pursuant to Title III of the Superfund Amendments and Reauthorization Act of 1986.

WHEREAS, on October 17, 1986, the Superfund Amendments and Reauthorization Act of 1986 (SARA) was enacted into law; and

WHEREAS, one part of the new SARA provisions is Title III: the Emergency Planning and Community Right-to-Know Act of 1986; and

WHEREAS, Title III establishes requirements for Federal, State and local governments and industry regarding emergency planning and community right-to-know reporting on hazardous and toxic chemicals; and

WHEREAS, this legislation builds upon Environmental Protection Agency's Chemical Emergency Preparedness Program (CEPP) and numerous State and local programs aimed at helping communities to better meet their responsibilities in regard to potential chemical emergencies; and

WHEREAS, Title III required each State to establish an Emergency Response Commission, and required that the State Commission designate local emergency planning districts and appoint local emergency planning committees to develop local emergency response plans.

NOW THEREFORE, BE IT

RESOLVED, the following members are hereby endorsed to the Steuben County Local Emergency Planning Committee by the Chairman of the Steuben County Legislature, to be appointed by the New York State Emergency Response Commissioner (SERC), as follows:

MEMBERS

LOCAL & STATE GOVERNMENT REPRESENTATIVES

Honorable Patrick F. Donnelly, Chair
Steuben County Legislature
3 East Pulteney Square
Bath, New York 14810

Honorable Brian C. Schu, Esq.
Steuben County Legislator
Public Safety & Corrections Committee Liaison
3 East Pulteney Square
Bath, New York 14810

Mark R. Alger
Steuben County Administrator
3 east Pulteney Square
Bath, New York 14810

Honorable George Winner or designee
New York State Senator
105 E. Steuben Street
Bath, New York 14810

Honorable James Bacalles or designee
New York State Assemblyman
105 E. Steuben Street
Bath, New York 14810

LAW ENFORCEMENT REPRESENTATIVES

Joel Ordway
Steuben County Sheriff
P.O. Box 271 - Public Safety Building
Bath, New York 14810

Raymond Dell
Steuben County Undersheriff
P. O. Box 271 - Public Safety Building
Bath, New York 14810

EMERGENCY SERVICES REPRESENTATIVES

Michael A. Sprague, Director
Emergency Management Office
3 East Pulteney Square
Bath, New York 14810

Timothy D. Marshall, Deputy Director
Emergency Management Office/LEPC Chairman
3 East Pulteney Square
Bath, New York 14810

David Hopkins, Director
9-1-1 Enhanced Department
3 East Pulteney Square
Bath, New York 14810

Tina Goodwin, Deputy Director (Alternate)
9-1-1 Enhanced Department
3 East Pulteney Square
Bath, New York 14810

CITIZEN REPRESENTATIVES

Sharon Burke
1657 Dachshund Drive
Corning, New York 14830

David Herrington
328 Victory Drive
Painted Post, New York 14870

FIRE SERVICE REPRESENTATIVES

Dan Smith, Chief
Hornell City Fire Department
110 Broadway
Hornell, New York 14843

Stephen Monroe, Chief
Corning City Fire Department
1 Corning Boulevard
Corning, New York 14830

HEALTH SERVICE REPRESENTATIVES

Tom Klaseus
NYS Department of Health
107 Broadway
Hornell, New York 14843

Victoria Fuerst, Director
Public Health and Nursing Services
3 East Pulteney Square
Bath, New York 14810

HOSPITAL REPRESENTATIVES

Dona Rickard
Ira Davenport Hospital
Box 305, NYS Route 54
Bath, New York 14810

Peg Webb
St. James Mercy Health
411 Canisteo Street
Hornell, New York 14843

Lawrence Day, Jr.
Veterans Administration
Medical Center
Bath, New York 14810

INDUSTRIAL REPRESENTATIVES

James Orme
Corning Inc.
SP-TG01-01
Corning, New York 14831

Brian Polmanteer
T & R Towing
7774 Industrial Park Dr.
Hornell, New York 14843

Leon E. Tuttle
Dresser Rand Company
Painted Post, New York 14870

Robert Smith
ALSTOM Transportation
One Transit Drive
Hornell, New York 14843

Roger Cole
Philips Lighting Company
State Route 54
Bath, New York 14810

John Istler
Kraft Foods
Main Street
Campbell, New York 14821

ENVIRONMENTAL REPRESENTATIVES

Chad Kehoe
NYS Department of Environmental Conservation
276 Sing Sing Road
Horseheads, New York 14845

Paul Lindenfelser
NYS Department of Environmental Conservation
7291 Coon Road
Bath, New York 14810

NEW YORK STATE POLICE LIAISON

Sgt. Jim McCormack
NYS Police, Troop E
1569 Rochester Road
Canandaigua, New York 14424

Sgt. Mark Cleveland
NYS Police, Substation
7237 Route 415
Bath, New York 14810

BE IT FURTHER RESOLVED, that said members shall serve at the pleasure of the Steuben County Legislature and shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Local Emergency Planning Committee; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 041-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS OF THE AFFIRMATIVE ACTION COMMITTEE, AN ADVISORY COUNCIL TO THE COMMITTEE, AN AFFIRMATIVE ACTION OFFICER AND AN EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR.

Pursuant to the Federal Equal Employment Opportunity Act, Civil Rights Act, as amended, the New York State Human Rights Law and the rules, regulations and acts of the Federal and State Governments pertaining thereto.

WHEREAS, the County of Steuben represents that it reaffirms its policy of non-discrimination in provisions of all services provided to members of the public by all departments and agencies of the County; and

WHEREAS, the County of Steuben commits itself to a continuing program to assure that unlawful discrimination does not occur in the services it renders to the public and that those sectors of the public most affected by this policy be kept informed of its contents; and

WHEREAS, the Affirmative Action Plan was adopted by the Steuben County Board of Supervisors by resolution dated September 20, 1976 and that plan provided for the appointment of a nine member Affirmative Action Committee, an Affirmative Action Officer, an Advisory Council and an Equal Employment Opportunity Counselor; and

WHEREAS, vacancies now exist and upon the recommendation of the Chairman of the Steuben County Legislature said vacancies must now be filled.

NOW THEREFORE, BE IT

RESOLVED, as recommended by the Chairman of the Steuben County Legislature the following persons are hereby appointed to the

AFFIRMATIVE ACTION COMMITTEE

Term Commencing January 1, 2009 through December 31, 2011
1. Chris Myers, President CSEA ***(filling unexpired term of Michael Stone)***
2. Oscar Ardon, Deputy Sheriff, Steuben County Sheriff's Department
3. April Cook, Employee, Department of Social Services

Term Commencing January 1, 2010 through December 31, 2012
1. Robert McDaniels, President, Steuben County Deputy Sheriffs' Association
2. Victoria Fuerst, Director, Public Health and Nursing Services
3. David McCarroll, Administrator, Health Care Facility

Term Commencing January 1, 2008 through December 31, 2010
1. Nancy Steiniger, President, Steuben County Correction Officers, Dispatchers and Court Security Officers Unit
2. Scott J. Van Etten, Legislator
3. Brian C. Schu, Legislator

AND BE IT FURTHER RESOLVED, members of the Affirmative Action Committee shall serve staggered three-year terms upon reappointment; and be it further

RESOLVED, upon the recommendation of the Chairman of this Legislature, the following appointments are made to serve at the pleasure of this Legislature in an advisory capacity and without voting privileges on the Committee:

ADVISORY COUNCIL TO THE AFFIRMATIVE ACTION COMMITTEE

1. Robert F. Biehl, Personnel Officer
2. Kathryn Muller, Commissioner of Social Services
3. Nancy B. Smith, Affirmative Action Officer/Equal Employment Opportunity Counselor
4. Patrick F. Donnelly, Chairman, Steuben County Legislature

AND BE IT FURTHER RESOLVED, as recommended by the Chairman of this Legislature, the following person is hereby appointed to serve at the pleasure of this Legislature:

AFFIRMATIVE ACTION OFFICER /EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR
Nancy B. Smith

AND BE IT FURTHER RESOLVED, the above-named appointees shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Affirmative Action Committee; and be it further

RESOLVED, the names, titles and addresses of the above-stated appointees shall be on file in the Office of the Personnel Director; and be it further

RESOLVED, the duties involving the above-named appointees in their capacities set forth herein shall be those described in the Steuben County Affirmative Action Plan; and be it further

RESOLVED, the members of the Affirmative Action Committee as herein above appointed shall elect the Chairman of said Committee and shall also set the length of the term of office of said Chairman; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees and the County Auditor.

Vote: Acclamation – Adopted.

A M E N D E D
RESOLUTION NO. 042-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE STEUBEN COUNTY FIRE ADVISORY BOARD.

Pursuant to Section 225-a of the County Law of the State of New York.

RESOLVED, the following persons are hereby appointed members of the Steuben County Fire Advisory Board for a term of 2 years, commencing January 1, 2010 and ending December 31, 2011:

LEGISLATIVE MEMBER

1. John Walsh, 8261 Hemlock Hill Road, Bath, NY 14810-9573

NON-LEGISLATIVE MEMBERS

2. John Ford, 236 Beartown Road, Painted Post, NY 14870
3. Dan Smith, 108 Broadway, Hornell, NY 14843
4. William Todd Hall, 117 Evergreen Dr, Painted Post, NY 14870
5. Joseph Dick, 306 First Street, Hornell, NY 14843
6. Michael Sprague, Director of Emergency Management, Bath, NY 14810
7. Steven Monroe, 1 Corning Boulevard, Corning, NY 14830
8. William Fries, 7344 Fish Hatchery Road, Bath, NY 14810
9. Douglas Heinemann, 8425 Jacobs Ladder Road, Avoca, NY 14809
10. Brian McCarthy, 3834 West Hill Rd, Painted Post, NY 14870
11. Michael Gilman, PO Box 274, Cohocton NY 14826
12. Evan Brown, 10 Pershing St, Corning, NY 14830
13. J. David Sawyer, P.O. Box 11, Woodhull, NY 14898
14. Johnny Yarka, 4508 County Route 10, Cameron, NY 14819
15. Larry Day, Pres., County Fire Chiefs' Association, 9623 CR 87, Hammondsport, NY 14840
16. David Hopkins, E911 Director, Bath, NY 14810
17. Tina Goodwin, E911 Deputy Director, Bath, NY 14810
18. Tom Jamison, 4 Eleventh St, Canisteo, NY 14823
19. Robert VanSkiver, 29 Green Acres, Bath, NY 14810
20. Joel Ordway, Sheriff, Bath, NY 14810

EX-OFFICIO MEMBERS

21. Donald Fredericy, DFC, 27 East Main Street, Wayland, NY 14572
22. Dean Patterson, DFC, 579 Victory Highway, Painted Post, NY 14870
23. Louis Martin, DFC, 6299 CR 100, Addison, NY 14801
24. Michael Wilson, DFC, 5522 Ordway Lane, Canisteo, NY 14823
25. Spencer Longwell, Chief DFC, 7647 Mitchellsville Road, Bath, NY 14810

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

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointees, the County Auditor and the Steuben County Emergency Management Office.

Vote: Acclamation – Adopted.

RESOLUTION NO. 043-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVE TO THE BOARD OF DIRECTORS OF THE GENESEE VALLEY REGIONAL MARKET AUTHORITY.

Pursuant to the Agriculture and Markets Law of the State of New York and upon the recommendation of the Chairman of the Steuben County Legislature.

WHEREAS, it is in the best interest of Steuben County to have a representative on the Board of Directors of the Genesee Valley Regional Market Authority.

NOW THEREFORE, BE IT

RESOLVED, John Meyer of Joseph L. Meyer & Sons, Inc., is hereby appointed as the Steuben County representative on the Board of Directors of the Genesee Valley Regional Market Authority for a term of two (2) years from January 1, 2010 through December 31, 2011 ; and be it further

RESOLVED, said member shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Genesee Valley Regional Market Authority; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 9260 State Route 21, Cohocton, NY 14826; the County Auditor; and to William J. Mulligan, Jr., Administrator, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, NY 14623.

Vote: Acclamation – Adopted.

RESOLUTION NO. 044-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE COMMUNITY SERVICES BOARD AND SUBCOMMITTEES.

WHEREAS, vacancies exist on the Steuben County Community Services Board and Subcommittees; and

WHEREAS, Article 41.11 of the Mental Hygiene Law requires that said appointments be made by local government; and

WHEREAS, the Community Services Board has recommended the following appointments:

Community Services Board

1. Janis Conklin
   336 Seneca Road (Term 1/1/10 through 12/31/13)
   Hornell, NY 14843

2. Vicki Fuerst
   7863 Miller Road (Term 1/1/09 through 12/31/12)
   Avoca, NY 14809

3. Robert Cole, M.D.
10101 Grandview Lane (Term 1/1/08 through 12/31/11)
Hammondsport, NY 14840

4. Ralph Schnell
30 Seneca Street (Term 1/1/10 through 12/31/13)
Hornell, NY 14843

5. Nancy Bartell
7 Pearl Street (Term 1/1/08 through 12/31/11)
Hornell, NY 14843

6. The Honorable Philip A. Palmesano
Steuben County Legislator
224 Pearl Street (Term 1/1/10 through 12/31/13)
Corning, NY 14830

7. Cora Saxton
310 E. Naples Street (Term 1/1/09 through 12/31/12)
Wayland, NY 14572

8. Hannah Young
Alfred University (Term 1/1/08 through 12//31/11)
Division of School Psychology and Counseling
1 Saxon Drive
Alfred, NY 14802

9. John Merchant
Salvation Army (Term 1/1/08 through 12/31/11)
32 Denison Parkway
Corning, NY 14830

<u>Mental Health Subcommittee</u>

1. Kathryn Muller
3 E. Pulteney Square (Term 1/1/10 through 12/31/13)
Bath, NY 14810

2. Gina Reegan
St. James Mercy Hospital (Term 1/1/08 through 12/31/11)
411 Canisteo Street ***(Filling unexpired term of Joseph Willson)***
Hornell, NY 14843

3. Cora Saxton
310 E. Naple Street
Wayland, NY 14572 (Term 1/1/09 through 12/31/12)

4. Nancy Bartell
7 Pearl Street (Term 1/1/08 through 12/31/11)
Hornell, NY 14843

5. Barbara Eskridge (Term 1/1/10 through 12/31/13)
P. O. Box 1404
Corning, NY 14830

6. Sylvia Radford (Term 1/1/09 through 12/31/12)
11180 Haradon Road
Corning, NY 14830

7. Marcia Ribble
   Steuben Churchpeople Against Poverty (Term 1/1/08 through 12/31/11)
   16 West William Street
   P. O. Box 31
   Bath, NY 14810

8. James F. Agan, Jr.
   Pathways, Inc. (Term 1/1/08 through 12/31/11)
   33 Denison Parkway West
   Corning, NY 14830

9. Patrick Rogers
   Institute for Human Services (Term 1/1/08 through 12/31/11)
   6666 County Rt. 11
   Bath, NY 14810

10. Hannah Young
    Alfred University
    Division of School Psychology and Counseling (Term 1/1/08 through 12/31/11)
    1 Saxon Drive
    Alfred, NY 14802

Chemical Dependency

1. Christopher Wilkins
   DePaul Addiction Treatment Ctr. (Term 1/1/08 through 12/31/11)
   774 West Main Street
   Rochester, NY 14611

2. Ralph Schnell
   80 Seneca Street (Term 1/1/10 through 12/31/13)
   Hornell, NY 14843

3. Frank Justice
   3 E. Pulteney Square (Term 1/1/10 through 12/31/13)
   Bath, NY 14843

4. Janis Conklin (Term 1/1/10 through 12/31/13)
   336 Seneca Road
   Hornell, NY 14843

5. Susan Hooker
   Hornell Area Concern for Youth (Term 1/1/08 through 12/31/11)
   76 East Main Street
   Hornell, NY 14843

6. Michele Mayer
   Family Service Society (Term 1/1/08 through 12/31/11)
   280 Princeton Avenue Ext.
   Corning, NY 14830

7. James Bassage
   Bath Area Hope for Youth (Term 1/1/08 through 12/31/11)
   8 Pulteney Square
   Bath, NY 14810

8. Debra Stegenga
   MATCH
   1 Bethesda Drive (Term 1/1/08 through 12/31/11)
   Hornell, NY 14843

9. Robert Cole, M.D.
10101 Grandview Lane (Term 1/1/08 through 12/31/11)
Hammondsport, NY 14840

Mental Retardation and Developmental Disabilities Subcommittee

1. Vicki Fuerst
7863 Miller Road (Term 1/1/09 through 12/31/12)
Avoca, NY 14809

2. Tony Zajchenko
Pathways, Inc. (Term 1/1/09 through 12/31/12)
33 Denison Parkway West
Corning, NY 14830

3. Bernard Burns
Steuben ARC (Term 1/1/10 through 12/31/13)
6838 Industrial Park Road
Bath, NY 14810

4. Douglas Walker
621 Manor Village (Term 1/1/08 through 12/31/11)
Bath, NY 14810

5. The Honorable Philip A. Palmesano
Steuben County Legislator
224 Pearl Street (Term 1/1/10 through 12/31/13)
Corning, NY 14830

6. Mary Perham (Term 1/1/08 through 12/31/11)
1976 W. Shore Road
Bath, NY 14810

7. Michael Okoniewski
Fawn Hill Drive (Term 1/1/08 through 12/31/11)
Hornell, NY 14843

8. Carol McFetridge (Term 1/1/08 through 12/31/11)
25 Ellis Avenue
Bath, NY 14810

9. John Merchant
Salvation Army (Term 1/1/08 through 12/31/11)
32 Denison Parkway
Corning, NY 14830

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature shall appoint the aforesaid persons to the Community Services Board for the terms indicated; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Community Services Board and subcommittees; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to said appointees; Robert W. Anderson, Ph.D., Director of Community Services and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 045-10

Introduced by T. Ryan. Seconded by S. Van Etten.

APPROVING THE APPOINTMENTS OF THE STEUBEN COUNTY EARLY INTERVENTION OFFICIAL TO THE LOCAL EARLY INTERVENTION COORDINATING COUNCIL.

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

WHEREAS, Article 25 of Title II-A of the Public Health Law creates an Early Intervention Program for infants and toddlers with disabilities and their families; and

WHEREAS, Section 2554 of the Act requires the establishment of a Local Early Intervention Coordinating Council; and

WHEREAS, the county's Early Intervention Official is authorized to make appointments to said Council; and

WHEREAS, it is desirable for the County Legislature to ratify said appointments; and

WHEREAS, the Health & Education Committee has recommended ratification of the appointments.

NOW THEREFORE, BE IT

RESOLVED, the following appointees are hereby ratified and affirmed by the Steuben County Legislature:

LOCAL EARLY INTERVENTION COORDINATING COUNCIL

Lisa Galatio
Healthy Families-Steuben
6251 County Route
Hornell, NY 14843

Amy Hamilton, Health
Nutrition, & Disabilities Manager
Early Head Start
117 E. Steuben Street
Bath, NY 14810

Patricia Hurld, Public Health Program Nurse
NYS EI Administrator
NYS Dept. of Health
584 Delaware Ave.
Buffalo, NY 14202

Robert Anderson, Ph.D.
Steuben County
Office Community Services
115 Liberty Street
Bath, NY 14810

Dennis W. O'Connor, MD
PO Box 23
10595 W. Lake Road
Hammondsport, NY 14840

Judy Schuck
Steuben County DSS
3 E Pulteney Sq
Bath, NY 14810

Elaine Peckum
Finger Lakes DDSO
163 Sullivan Street
Elmira, NY 14901

Vicki Fuerst. Director
Steuben County
Public Health & Nursing Services
3 E. Pulteney Square
Bath, NY 14810

Robert Domm
7 Cohocton Street
P.O. Box 86
Atlanta, NY 14808

Eric Miller Associates
P.O. Box 1307
Elmira, NY 14902-1307

Karen Dgien
3606 County Route 70A
Hornell, NY 14843

Ellen Langendorfer
9 Maple Street
Bath, NY 14810

Jan McMaster, CPSE
Prattsburgh School
1 Academy Street
Prattsburgh, NY 14873

Tammy Norton
33 Main Street
Almond, NY 14804

Member, Human Services, Health & Education Committee

Kathryn Muller
Steuben County
Dept. Social Services
Bath, NY 14810

Eric Buisch, Dir. Ser. Coord.
Steuben ARC
6838 Industrial Park RD
Bath, NY 14810

Meg Morrison, OT
9937 Silsbee Road
Hammondsport, NY 14840

Amy Thomas
13 Skyline Drive
Corning, NY 14830-3237

Deb Fabris-Coon, Dir
Keuka Lake School
270 Lake Street
Penn Yan, NY 14527

Darcy Cherry, Dir.
Bath Comm. Child Care
36 E. Morris Street
Bath, NY 14810

Marie Lynn Sweet
Parent Advocate
121 Big Tree Street
Livonia, NY 14487

Tammy Clark.
4819 Center Street
Campbell, NY 14821

Meredith Dessoye
10336 Church Creek Road
Lindley, NY 14858

Stephanie Manning
448 West High Street
Painted Post, NY 14870

Shannon Zigenfus
Disabilities Manager
Head Start
117 E. Steuben Street
Bath, NY 14810

Deanne Bagley, R.N.
6879 Faucett Road
Bath, NY 14810

BE IT FURTHER RESOLVED, the members shall serve without compensation except for necessary expenses related to fulfillment of their duties on the Council, and be it further

RESOLVED, certified copies of the Resolution be forwarded to the above-named appointees, New York State Department of Health, Attn: Bradley Hutton, Director, Early Intervention Program, Corning Tower Building, Albany, NY 12237-0618; County Auditor; and to the Early Intervention Official/Administrative Officer of Special Children's Services.

Vote: Acclamation – Adopted.

RESOLUTION NO. 046-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

APPOINTING MEMBERS TO THE SOUTHERN TIER CENTRAL REGIONAL PLANNING AND DEVELOPMENT BOARD'S STEUBEN COUNTY HUMAN SERVICES COMMITTEE.

WHEREAS, at its July, 1973 meeting, the Southern Tier Central Regional Planning and Development Board approved a proposal to recognize a Human Services Committee in each of the three participating counties to act as each respective County's human services advisory council to the Southern Tier Central Regional Planning and Development Board and in addition said Board voted to encourage the Legislature in each County to support its County Human Services Committee and to send representation to such Committee; and

WHEREAS, the term of said members on the committee have expired.

NOW THEREFORE, BE IT

RESOLVED, that the following individuals are hereby authorized, in their fair and reasonable discretion and in relevant matters connected with human rights services, to represent their agencies and the County on the Southern Tier Central Regional Planning and Development Board's Human Services Committee:

SOCIAL SERVICES
Teresa Deninger, Deputy Commissioner
Department of Social Services

COUNTY PLANNING
Gregory P. Heffner
Director of Planning

MENTAL HEALTH
Robert Anderson, Ph.D., Director
Office of Community Services

HOUSING PROGRAM
Kelly Longwell
Tri-County Housing Council

HEALTH
Victoria Fuerst, Director
Public Health Nursing Services

Marilyn Peoples, Assistant Director
Public Health Nursing Services

AGING PROGRAM
Linda Tetor, Director
Office for the Aging

Nan Hammes
RSVP

EDUCATION
Dan Porter, Executive Director
CSS Workforce NY

POVERTY PROGRAM
David Hill, Executive Director
ProAction of Steuben and Yates

Dawn Brucie, Deputy Director
ProAction of Steuben and Yates

YOUTH
Gary Pruyn, Director
Youth Bureau

Joseph Weider, Executive Director
Kinship Family & Youth Services

STEUBEN COUNTY LEGISLATOR
Carol A. Ferratella, District 13

COOPERATIVE EXTENSION
Loree Symonds
Nutrition and Food Safety

Nancy Reigelsperger
Financial Educator

BE IT FURTHER RESOLVED, that said appointees shall serve at the Pleasure of the Legislature, for a two-year term commencing January 1, 2010, and not beyond December 31, 2011; and be it further

RESOLVED, the members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Steuben County Regional Human Services Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees, the County Auditor and to the Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830.

Vote: Acclamation – Adopted.

RESOLUTION NO. 047-10

Introduced by D. Creath. Seconded by G. Roush.

MEMORIALIZING THE LEGISLATURE OF THE STATE OF NEW YORK IN OPPOSITON TO BILLS NUMBERED S.2247-B AND A.1867-B GRANTING UNPRECEDENTED WORK RELATED BENEFITS TO AGRICULTURAL LABOR.

WHEREAS, Bills numbered S.2247-B and A.1867-B call for a radical and comprehensive reorganization of labor relations vis-à-vis farm and agricultural workers; and

WHEREAS, said workers are of necessity compensated in a method radically different from other labor, with special compensation and income tax considerations; and

WHEREAS, the economy of the State of New York is struggling across all industry and commerce and is struggling in agriculture particularly in the dairy business, a major component and employer in upstate New York; and

WHEREAS, said Bills will have dire and adverse consequences to the cost of agricultural production and predictably force struggling farming and agricultural producers out of business thus limiting employment opportunities and thereby hurting not helping labor, and further damaging the economy of the State of New York.

NOW THEREFORE, BE IT

RESOLVED, this Legislature hereby memorializes the New York State Legislature in opposition to and to defeat Bills S2247-B and A1867; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Senator Darrel J. Aubertine, 903 Legislative Office Building, Albany, NY 12247; Senator Neil D. Breslin, 502 Capitol, Albany, NY 12247; Senator Velmanette Montgomery, 711 Legislative Office Building, Albany, NY 12247; Senator Michael H. Ranzenhofer, 315 Legislative Office Building, Albany, NY 12247; Senator James L. Seward, Room 711B, Legislative Office Building, Albany, NY 12247; Senator William T. Stachowski, 918 Legislative Office Building, Albany, NY 12247; Senator David J. Valesky, 416 State Capitol Building, Albany, NY 12247; Senator George H. Winner, Jr., Room 415, Legislative Office Building, Albany, NY 12247; Senator Catharine Young, Room 513, Legislative Office Building, Albany, NY 12247; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; and Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; New York Farm Bureau, 159 Wolf Road, PO Box 5330, Albany, NY 12205-0330; Steven J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207 and Richard M. Calabrese, President, InterCounty Association of Western New York, Municipal Building, 20 Ontario Street, Canandaigua, NY 14424.

Vote: Acclamation – Adopted.

Chairman Donnelly announced that Mr. Nichols has been selected to serve on NYSAC's Blue Ribbon Task Force on Farming. Congratulations!

Motion to adjourn Regular Session and reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.F. The Medical, Financial, Credit Or Employment History Of A Particular Person Or Corporation, Or Matters Leading To The Appointment, Employment, Promotion, Demotion, Discipline, Suspension, Dismissal Or Removal Of A Particular Person Or Corporation Made By Made by Mr. Mcallister, Seconded by Mr. Farrand and duly carried.

Motion to adjourn Executive Session and Reconvene in Regular Session made by Mr. Roush, seconded by Mr. Van Etten and duly carried.

RESOLUTION NO. 048-10

Introduced by D. Creath. Seconded by J. Hauryski.

PRESENTATION OF NAMES OF PERSONS SELECTED FOR INDUCTION INTO THE STEUBEN COUNTY HALL OF FAME AND CONFIRMATION BY THE STEUBEN COUNTY LEGISLATURE.

WHEREAS, the Steuben County Legislature sponsors a Steuben County Hall of Fame through its Steuben County Hall of Fame Committee for the purpose of honoring those persons who have enhanced the County of Steuben and presenting an opportunity for the public to learn more about these persons; and

WHEREAS, said Steuben County Hall of Fame Committee has solicited nominations from citizens of Steuben County for the induction of three (3) persons into the Hall of Fame, selected this year; and

WHEREAS, nominations were allowed to be made by anyone; there were no limits on the number of nominations; the nominees could be living or dead; male or female; could have been born elsewhere as long as they

enhanced the name of Steuben County; may have helped develop the County; may have been Steuben County natives who gained fame elsewhere, or those who should be especially remembered; and

WHEREAS, the Steuben County Hall of Fame Committee is authorized to be composed of ten (10) persons representative of the people of Steuben County, has reviewed the nominations submitted and has recommended the names of three (3) persons to be inducted into said Hall of Fame this year.

NOW THEREFORE, BE IT

RESOLVED, that this Steuben County Legislature does hereby receive, approve, ratify and confirm the selection and recommendation of the Steuben County Hall of Fame Committee for honoring and inducting into the Steuben County Hall of Fame the following named persons:

1. Bill T. Jones – He was born in 1952 in Bunnell, Florida, the 9th of 12 children of migrant farm workers. His parents moved from rural Florida when he was three years old and he grew up in Wayland, New York. After graduating from high school, he attended the State University of New York at Binghamton and took up movement and dance. While there, he met Arnie Zane, who became his partner in business as well as in life. In 1973, the two men, along with Lois Welk and Jill Becker, formed the American Dance Asylum and started choreography works that tested the boundaries of modern dance. Jones and Zane scandalized some by incorporating partnering between men and addressed subjects such as racism and AIDS. In 1982 Jones and Zane formed the Bill T. Jones/Arnie Zane & Company, now the Bill T. Jones/Arnie Zane Dance Company. In the wake of Zane's death and the death of another member of the company, Jones, who himself is HIV-positive, crafted some of his most powerful works, including *Last Supper at Uncle Tom's Cabin/The Promised Land* (1990) and *Still/Here* (1994). In 2007, Bill T. Jones received a Tony Award for best choreographer for his work in the musical *Spring Awakening*. In addition, he has received numerous awards in the performing arts, including the McArthur "Genius" Grant. His memoir, *Last Night on Earth* (1995 with Peggy Gillespie) was a compelling narrative of his life that revealed the issues that animated and motivated him.

2. Francis Marion McDowell – He was born on June 12, 1831 in Wayne, New York, eldest son of Matthew and Marie Mitchell McDowell. He was educated in the common schools of his native town and in the old institution in Alfred, NY which has since become known as Alfred University. After leaving Alfred he taught for a short time in the schools of his hometown, but at the age of 20 went to New York City where he became a partner in the banking and brokerage firm of Hallett & Company. During his connection with the firm he made several trips to Europe and while in London met and married Josephine Spang of Philadelphia, who died a few short years later. In the early 1860's Francis McDowell returned to his native hometown of Wayne, NY and became engaged in grape growing on the shores of Keuka Lake. At a fruit fair in Hammondsport, he met William Saunders who had been sent by the Bureau of Agriculture in Washington, D.C. to investigate the grape industry. Mr. Saunders spoke to him of the Grange movement which was just beginning and Mr. McDowell expressed an interest to help. The following winter he went to Washington, D.C. and became one of the seven founders of the Order of the Patrons of Husbandry – The Grange. Francis McDowell suggested the order of the seven degrees on which The Grange was organized and wrote the Seventh Degree (National Grange). In 1873 he was elected the third Treasurer of the National Grange and served until 1893. Also in 1873 he was the Presiding Officer at the first session/organization of the New York State Grange. Francis met and married his second wife, Eva Sherwood in 1874 and they lived at the homestead in Wayne until his death. In 1887 he was selected to be the first High Priest of the Assembly of Demeter, the body that governs the Grange ritual. Francis McDowell attended every National Grange session from the first session until his death on March 24, 1894.

3. Uri Mulford - He was born in Lamb's Creek, Pennsylvania, the 4th son of 7 sons and 1 daughter of Eleazer Perry and Sarah Jane (Davis) Mulford. He was the great-grandson of Colonel Eleazer and Mary (Miller) Lindsley, the founders of the Town of Lindley, New York in 1790. Uri's family moved to Corning when he was five years old and he spent most of life in Corning. He was educated at the old Union School and at a boy's school in Allentown, Pennsylvania. When Uri Mulford was 17 he became an apprentice in a newspaper and general printing office and at intervals also worked with his father who was the owner of a large farm and sawmill. In 1871 he worked as Assistant Superintendent with his father in constructing and operating sawmills in Louisiana. In 1872 at the age of 19, Uri moved back to New York and started a newspaper, *The Weekly News* in Moravia, NY and then moved that paper to Auburn, NY in 1874 where it became known as *The Auburn True Press*. The office and equipment was destroyed by fire

in 1875. From 1877 – 1878 he was the manager and editor of *The Corning Independent* a publication which supported the Grange and Labor Movement which became instrumental in forming the "Greenback Party". Between 1878 and 1887 Uri worked for newspapers in Auburn, Syracuse and New York City before finally working for the *Bath, New York Courier*. In 1887 he resigned to join the Genesee Conference of the Methodist Episcopal Church and due to ill health resigned as Pastor in 1890 and moved back to Corning. Uri Mulford also worked for five years as a traveling agent for the New York and Pennsylvania Telephone and Telegraph Company where his territory encompassed 14 counties and he organized numerous auxiliary companies extending toll lines over 1,400 miles and establishing 19 exchanges. In 1904 he became the City Editor of the *Corning Daily Journal* until 1918 when he became Branch Manager of the *Elmira Advertiser*. Urib began his own business at 30 Jenning's Street in Corning in 1923. Although Uri Mulford made many contributions, perhaps his greatest achievement was publishing the book *Pioneer Days and Later Times of Corning and Vicinity*.

BE IT FURTHER RESOLVED, the Agriculture, Industry and Planning Committee and the County Historian, for an on behalf of the Steuben County Legislature, shall take all necessary steps and ceremony to appropriately enroll and enshrine the names of the inductees into the Steuben County Hall of Fame; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Historian and to any other persons as may be directed by the County Historian.

Vote: Acclamation – Adopted.

Motion to adjourn made by Mr. Farrand, seconded by Mr. Palmesano and duly carried.

REGULAR MEETING
Morning Session
Monday, March 22, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 22nd day of March, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present.

Mr. Nichols provided the Invocation and the Pledge of Allegiance was led by Mr. Crossett.

Chairman Donnelly asked James Warner to come forward. Mr. Warner is an employee in the Probation Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Donnelly asked Joseph Baroody to come forward. Mr. Baroody is an employee in the Probation Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 25 years of service to Steuben County.

Chairman Donnelly presented Sheriff Joel Ordway with the New York State Sheriffs' Association's Innovative Program Award for his Pharmaceutical Waste Collection Program. Sheriff Ordway stated it was a total team effort. Thank you.

Chairman Donnelly opened the floor for comments by members of the public.

John Benson, Beaver Dams, stated I would like to draw your attention to an issue in Hornby that has to do with hydrofracking and gas drilling. I conducted a survey of various people asking them what fracking is and I was amazed at the responses I received. Nobody knows what it is. Gas drilling is upon us and it is going to be bigger than life. I believe there is a lot of ignorance, confusion and deception out there regarding this issue. I've distributed a list of questions that I would like you all to think about. I would also like to know if there is a person or committee of this group that people like I can go to find out what is happening. The guidelines are from DEC and that strikes me. It makes me nervous. I think we are all going to be looking to you for guidance. We hope that you are ahead of this thing that is coming quickly. If you can't answer some of those questions I gave to you, you might want to find out what is involved. Thank you. Chairman Donnelly thanked Mr. Benson for his comments.

Richard McCandless stated he would like to begin by thanking the department heads for giving their time to present information regarding their departments to the interns. We have had over 1,000 students participate in this program. This semester we have 20 students, consisting of 17 seniors and 3 juniors. He introduced the interns to the Legislature. Chairman Donnelly thanked Mr. McCandless for his presentation.

Janice Young, Partnership Specialist for the U.S. Department of Census, Elmira region, stated as all of you know the census is required by the Constitution to take a count every 10 years of all of the nation's residents. It is used primarily for apportionment. New York State stands to lose one, possibly two, congressional seats. It also provides the data for funds that trickle down to local governments. We are using a mail-back enumeration to conduct the count. This year the mail-back enumeration has 10 short questions that are very simple and safe. In prior years there was a long form and it was by chance who received it. The long form is still in existence, but it is a random community survey that is done monthly. I can't stress enough how important it is for you to return your form.

Mr. Ryan asked if you receive the short form, is there a chance you will also receive the long form? Ms. Young stated it is possible. You are required by law to fill out both of them. The good news is that if you receive the random long-form survey, you won't receive it again for another 5 or 6 years. You must fill out every question but your data is held sacred by Article 13 of the Constitution, which means it is kept confidential for 72 years. It is a misunderstanding that your personal data is distributed to other agencies or to the President. It goes to the National Archives and is held there for 72 years. This is basically why the census isn't done electronically. Additional information is very accessible on the census website.

Mr. Nichols asked are the Amish included in the census? Mrs. Young stated one of my jobs is to reach specific communities like that. We've reached out to all of the Amish schools and we've also been going to blood drives to collect information. The Amish are first to appear for blood drives and once they know that the census is a civic responsibility, they participate.

Mr. Weaver stated I have two kids in college. Do they get counted at college or on the survey sent to my home? Ms. Young stated they are counted where they live in college, if it is outside of Steuben County.

Mr. Donnelly asked do college students receive a questionnaire or are they counted en mass? Mrs. Young stated they receive their own questionnaire.

Mr. Van Etten stated there are also fraud perpetrators out there trying to get your information. Is your department actively monitoring that or is there a mechanism where we can notify you of that? Ms. Young stated it should be reported to the local police. Primarily in the fraud they are asking for bank account numbers or social security numbers. These are things that would never be asked on the form. Fraud should be reported to the police so they can do the follow up because we don't have the capability at the Census Bureau to follow up on these complaints.

Mrs. Young noted that you should never let anyone in your door claiming to be a census employee unless they have a badge and an additional picture ID. You should also look for a sign in their car. Thank you very much for your time. Mr. Donnelly thanked Mrs. Young for her presentation.

Motion approving the minutes of the previous month's meeting made by Mr. Weaver, seconded by Mr. McAllister and duly carried.

Mr. Creath stated in response to the gentleman who spoke under Public Comments, the Agriculture, Industry and Planning Committee has included the topic of Natural Gas Regulation on its April Agenda. We will be considering a proposal for a Natural Gas Advisory Board at our meeting on Monday, April 5th at 9:30 a.m. You are welcome to attend the meeting.

Mr. Creath announced that the Agriculture, Industry and Planning Committee has been invited to hold the June meeting at Gunlocke in Wayland. The June meeting will be held on Thursday, June 3rd.

Mr. Ryan recognized the following Steuben County residents: Stephen Galatio, Gregory Argentieri, Ryan O'Rourke, Chuck Coleman, Michael Ingham, Joe Testani, Fr. Patrick Van Durme, Michael Roberts, Patrick Duffy, Brandon Smith and Sopol Domm. These individuals are currently serving in the military on active duty. We thank them for their service.

Mr. Donnelly reminded the Legislators that they will be having lunch with the student interns immediately following the meeting.

RESOLUTION NO. 049-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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

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

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

SCHEDULE "A"

Resolution No.	A-1
Name	Nancy Dorwart
Parcel No.	063.00-01-003.210
Municipality	Pulteney Town
Disposition	Correction (parcel split)

Resolution No.	A-2
Name	Andrew & Linda Templin
Parcel No.	173.00-01-005.110
Municipality	Bath Town
Disposition	Correction (parcel split)

Resolution No.	A-3
Name	Wyckoff Gas Storage Co LLC
Parcel No.	324.00-01-022.200
Municipality	Jasper Town
Disposition	Correction

Vote: Roll Call – Adopted.

RESOLUTION NO. 050-10

Introduced by P. Donnelly. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE MARCH 22, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

February 12, 2010
Empire Pipeline – Re: Notification of a public meeting to discuss plans for a pipeline construction near Corning, NY. The meeting will be held on Wednesday, February 17, 2010 @ 7:00pm in the Radisson Hotel in Corning, NY. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

February 16, 2010
CSEA AFSCME Local 1000, AFL-CIO Employee Benefit Fund – Re: CSEA Employee Benefit Fund Annual Report for the fiscal year ending March 31, 2009. ***Filed with the Clerk of the Legislature.***

Steuben County Democratic Committee – Re: Nomination for Mr. Joseph Welch to the position of Democratic Commissioner of the Steuben County Board of Elections. ***Filed with the Clerk of the Legislature***.

March 1, 2010

CSEA – Re: Improper Practice Charge. ***Referred to: Mark Alger, County Administrator; Robert Biehl, Personnel Director; Fred Ahrens, County Attorney; and Sheriff Ordway.***

Harris Beach PLLC, Attorneys at Law – Re: REVISED Payment in Lieu of Tax Agreement for Sorge Property Development, LLC (located at 66-68 West Market Street, Corning, NY). ***Referred to: A.I.P. Committee; Finance Committee; Administration Committee; Greg Heffner, Planning Director; Fred Ahrens, County Attorney; Donna Hatch, RPTSA Director; and Carol Whitehead, County Treasurer.***

Mr. & Mrs. Houghtaling – Re: A letter complimenting the brush mowing and cutting along the roads in Canisteo. ***Referred to: Steuben County Legislature; and Vince Spagnoletti, Commissioner of Public Works.***

March 2, 2010

Harris Beach PLLC, Attorneys at Law – Re: Application for Real Property Tax Exemption for Arlington Gas Storage Company, LLC d/b/a in New York State as Inergy-ASC, LLC (Phase II Project), along with a payment in lieu of tax agreement. ***Referred to: A.I.P. Committee; Finance Committee; Administration Committee; Greg Heffner, Planning Director; Fred Ahrens, County Attorney; Donna Hatch, RPTSA Director; and Carol Whitehead, County Treasurer.***

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,334 which represents the January 2010 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; Carol Whitehead, County Treasurer.***

March 3, 2010

Village of Hammondsport – Re: Letter to the NYS Department of Environmental Conservation opposing the proposal of the wastewater disposal facility in the Town of Pulteney and request as an interested agency to be notified of any other projects affecting the Keuka Watershed. ***Referred to: Patrick Donnelly, Steuben County Legislature Chairman.***

NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the "clean-up" SFY 2009-2010 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. ***Referred to: Greg Heffner, Planning Director.***

NYS Office of Children & Family Services – Re: 92-09-018 Fatality Report. ***Referred to: Mark Alger, County Administrator.***

March 4, 2010

Office of the New York State Comptroller – Re: Announcement of new online program designed to meet the reporting and certification requirements of Regulation 315.4, beginning in May 2010. ***Referred to: Administration Committee; Robert Biehl, Personnel Officer; and Clerk of the Legislature.***

NYS Office for the Aging – Re: Revised notification of Grant Award (NGA) and budget pages for the Health Insurance, Information, Counseling and Assistance Program (HIICAP) for the period of April 1, 2009-March 31, 2010. ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of the Presbyterian Church of Atlanta, located at 2 Main Street, Atlanta, NY in Steuben County is now listed on the National Register of Historic Places effective February 17, 2010. ***Referred to: A.I.P. Committee; Greg Heffner, Planning Director; Twila O'Dell, Historian; and Jack Wheeler, Assistant County Administrator.***

Steuben County Industrial Development Agency – Re: Notice of Public Hearings Tuesday, March 16, 2010, at 10:00am at the Town of Erwin Senior Center, 117 West Water Street, Painted Post, NY and on Wednesday, March 17, 2010, at 10:00 am at the Campbell Town Hall, 8529 Main Street, Campbell, NY to discuss the NYSEG-Corning Valley Transmission Project. ***Referred to: A.I.P. Committee; Greg Heffner, Planning Director.***

March 8, 2010
State of New York Public Employment Relations Board – Re: Notice of Conference on Friday, June 4, 2010 at 10:30am (U-29847- County of Steuben & Sheriff). ***Referred to: Mark Alger, County Administrator; Robert Biehl, Personnel Director; Fred Ahrens, County Attorney; and Sheriff Ordway.***

March 10, 2010
Office of Community Renewal – Re: Notification of upcoming 6-month expiration of the NYS CDBG Project #1115HR22-08 is **September 7, 2010**. ***Referred to: Greg Heffner, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 051-10

Introduced by T. Ryan and L. Crossett. Seconded by D. Creath.

AUTHORIZING THE CLOSING OF CAPITAL PROJECT ENTITLED DSS RECEPTION AREA RENOVATIONS AND TRANSFERRING THE BALANCE TO THE CAPITAL PROJECT ENTITLED DOCUMENT IMAGING DEMO PROJECT.

WHEREAS, the DSS Reception Area Renovation Capital Project has been completed and contains an unexpended balance; and

WHEREAS, the ongoing Capital Project for the Document Imaging Demo Project will need additional funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to close and transfer funds to the following capital projects:

Close:

6010H0 5 250000	DSS Reception Area Renovations	$230.39

Transfer to:

6010H1 5 250000	Document Imaging Demo Project	$230.39

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Social Services and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 052-10

Introduced by P. McAllister and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY BOARD OF ELECTIONS TO ACCEPT THE HHS 2009 VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES POLLING PLACE ACCESS IMPROVEMENT GRANT FOR THE AMOUNT OF $3,830.

WHEREAS, the Steuben County Board of Elections has received a contract from New York State Board of Elections (NYSBOE) for grant # T003001; and

WHEREAS, $3,830 is available through this grant for improving polling place access for individuals with disabilities in Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Board of Elections is hereby authorized to accept grant #T003001 and the Steuben County Administrator is hereby authorized to sign and accept said contract; and be it further

RESOLVED, Steuben County accepts and appropriates these funds in the 2010 Steuben County Budget, with any unspent funds being re-appropriated to the 2011 Budget; and be it further

RESOLVED, that the Steuben County Board of Elections is hereby authorized to sign all appropriate and necessary documents to implement said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and the Commissioners of Elections.

Vote: Roll Call – Adopted.

RESOLUTION NO. 053-10

Introduced by L. Crossett. Seconded by D. Farrand.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO APPROPRIATE THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT FUND BALANCE IN THE AMOUNT OF $140,452.64 FOR CAPITAL IMPROVEMENTS.

Pursuant to Sections 21 and 63 of the Local Finance Law of the State of New York.

WHEREAS, the Upper Five Mile Creek Watershed Protection District is in need of replacing and/or repairing piping and culverts, trenching and hookups, cisterns and associated labor installing same amounting to an estimated project total of $201,066; and

WHEREAS, the Upper Five Mile Creek Watershed Protection District has a fund balance of $140,452.64.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized and directed to appropriate the Upper Five Mile Creek Protection District Fund Balance Account # A 39058740 to the 2010 budget; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Upper Five Mile Creek Watershed Protection District, Attention: Gregory Squires, PO Box 176, Prattsburgh, NY 14873; and the County Treasurer.

Vote: Roll Call – Adopted.

Motion to approve the next three resolutions with one vote made by Mr. McAllister, seconded by Mr. Nichols and duly carried. Motion to waive the reading of the next three resolutions made by Mr. Schu, seconded by Mr. Swackhamer and duly carried.

RESOLUTION NO. 054-10

Introduced by D. Creath. Seconded by Mr. McAllister.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 3.

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

WHEREAS, owners of certain land in the Towns of Prattsburgh and Pulteney did submit to the Steuben County Board of Supervisors a proposal to create an agricultural district within the specified areas of said Towns; and

WHEREAS, said proposal was filed with the Steuben County Board of Supervisors and the appropriate procedures were thereafter followed which led to a certification of the creation of said district effective November 30, 1975; and

WHEREAS, a Notice of Review from the State of New York, Department of Agriculture and Markets has been received and, pursuant to said Law, procedures for the necessary review of the Steuben County Agricultural District No. 3 must commence.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Prattsburgh and Pulteney, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary affidavits of publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature its recommendation concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to Steuben County Clerk; William Brown, Chairman, Steuben County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Road, Hammondsport, NY 14840; Steuben County Planning Director; and James Grace, Cornell Cooperative Extension, County Office Building, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 055-10

Introduced by D. Creath. Seconded by Mr. McAllister.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 4.

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

WHEREAS, owners of certain land in the Towns of Bath, Wheeler, and Urbana did submit to the Steuben County Board of Supervisors a proposal to create an agricultural district within the specified areas of said Towns; and

WHEREAS, said proposal was filed with the Steuben County Board of Supervisors and the appropriate procedures were thereafter followed which led to a certification of the creation of said district effective January 6, 1976; and

WHEREAS, a Notice of Review from the State of New York, Department of Agriculture and Markets has been received and, pursuant to said Law, procedures for the necessary review of the Steuben County Agricultural District No. 4 must commence.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Bath, Wheeler, and Urbana, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary affidavits of publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature its recommendation concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to Steuben County Clerk; William Brown, Chairman, Steuben County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Road, Hammondsport, NY 14840; Steuben County Planning Director; and James Grace, Cornell Cooperative Extension, County Office Building, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 056-10

Introduced by D. Creath. Seconded by Mr. McAllister.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 17.

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

WHEREAS, owners of certain land in the Towns of Avoca, Bath, Howard, Prattsburgh, and Wheeler did submit to the Steuben County Board of Supervisors a proposal to create an agricultural district within the specified areas of said Towns; and

WHEREAS, said proposal was filed with the Steuben County Board of Supervisors and the appropriate procedures were thereafter followed which led to a certification of the creation of said district effective April 22, 1985; and

WHEREAS, a Notice of Review from the State of New York, Department of Agriculture and Markets has been received and, pursuant to said Law, procedures for the necessary review of the Steuben County Agricultural District No. 17 must commence.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Avoca, Bath, Howard, Prattsburgh, and Wheeler, County of Steuben and State of New York commences effective upon filing of a Notice of Review with the office of the Steuben County Clerk, said Review period to be for a period of thirty (30) days; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to file said Notice of Review in the Office of the Steuben County Clerk and provide notice of such review by publishing the "Notice" in the Corning Leader and Evening Tribune, which are two (2) newspapers having general circulation within the said District, and by posting such "Notice" in five (5) conspicuous places within the said district. Said "Notice" shall contain information as required in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York; and be it further

RESOLVED, that the Clerk of this Legislature shall file the necessary affidavits of publication and posting of such "Notice" with this County Legislature, and this Legislature shall receive any proposals for modification of said district which may be submitted by landowners or municipalities, within thirty (30) days of the filing of the Notice of Review in the Steuben County Clerk's Office; and be it further

RESOLVED, that upon termination of said thirty (30) day period such review and any proposed modifications shall be referred by this Legislature to the Steuben County Agricultural and Farmland Protection Board, which Board shall report to the Steuben County Legislature its recommendation concerning the review and proposed modifications, and thereafter the County Legislature shall hold a Public Hearing as required by Law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to Steuben County Clerk; William Brown, Chairman, Steuben County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Road, Hammondsport, NY 14840; Steuben County Planning Director; and James Grace, Cornell Cooperative Extension, County Office Building, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 057-10

Introduced by D. Creath. Seconded by S. Van Etten.

AUTHORIZING PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2010 ANNUAL THIRTY-DAY PERIOD.

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

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

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

WHEREAS, the Steuben County Agriculture and Farmland Protection Board has reviewed the matter and submitted a report to this Legislature.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-b of the Agriculture and Markets Law of the State of New York, a Public Hearing on this matter shall be held by this County Legislature on the 26th day of April, 2010, at 10:00 a.m.; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the Chairman of the County Agricultural and Farmland Protection Board, William Brown, 9230 W. Waneta Lake Rd, Hammondsport, NY 14840; the Director of the Steuben County Planning Department; and James Grace, Cornell Cooperative Extension - Steuben County.

Vote: Acclamation – Adopted.

RESOLUTION NO. 058-10

Introduced by L. Crossett. Seconded by D. Creath.

AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE REQUISITE DOCUMENTATION FOR IMPLEMENTATION OF THE PILOT AGREEMENT FOR THE HOWARD WIND PROJECT.

WHEREAS, by Resolution dated March 11, 2010 the Steuben County Industrial Development Agency appointed Howard Wind LLC as its agent to undertake a certain project for the acquisition of leasehold interest in land in the Town of Howard and the construction and equipping on the Land of certain improvements consisting of twenty-five (25) wind turbines each with a generating capacity of 2.5 megawatts as well as related improvements; and

WHEREAS, the County is desirous of approving a Payment-In-Lieu-Of-Tax ("PILOT") Agreement, which PILOT Agreement is to be approved by the various taxing jurisdictions; and

WHEREAS, the proposed PILOT Agreement calls for the payment to the taxing authorities of $8,300 per megawatt together with a 3% annual increase starting in 2013, compounded; and

WHEREAS, said PILOT Agreement calls for the proposed distribution of approximately 16½% to the County, 51½% to the Town, and approximately 32% to the school district.

NOW THEREFORE, BE IT

RESOLVED, that the County Administrator be and the same hereby is authorized and directed to execute the requisite documentation for approval and participation by and for the County in the aforementioned PILOT Agreement; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Industrial Development Agency, c/o Jack Benjamin, Acting Executive Director, 7234 Route 54 North, PO Box 393, Bath, NY 14810-0393; Donald F. Evia, Supervisor, Town of Howard, 3725 Mill Rd., Avoca, NY 14809; David Weyand, President Board of Education, Hornell City School District, 25 Pearl St., Hornell, NY 14843; Michael L. Nesbit, President Board of Education, Canisteo-Greenwood Central School District, 84 Greenwood St., Canisteo, NY 14823, the Steuben County Treasurer and the Director of the Real Property Tax Service Agency.

Mr. Alger stated this is payment in lieu of taxes (PILOT) agreement proposal for the wind project in Howard. The three taxing jurisdictions have agreed to this proposal. It will commence in 2011 for county tax purposes. After 2013, there is an escalator. The County will receive $2.3 million over the entire length of the agreement. The town receives the largest share. This particular split keeps with the agreement with the Town of Prattsburgh, if that project should ever be completed.

Mr. McAllister stated the PILOT amount is based upon capacity, not what is produced. Mr. Alger stated that is correct.

Mr. Van Etten stated if we don't approve this PILOT and they were taxed normally, how much is the company saving? Mr. Ahrens stated they wouldn't do the project if they didn't have the PILOT. Mr. Van Etten asked will our IDA be taxed by the State for this project under the new IDA tax. Mr. Alger stated no. Discussion followed.

Vote: Roll Call – Adopted. ***Mr. Schu abstained.***

RESOLUTION NO. 059-10

Introduced by T. Ryan. Seconded by B. Schu.

APPOINTING MEMBERS TO THE HEALTH SERVICES ADVISORY BOARD OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC HEALTH AND NURSING SERVICES.

Pursuant to Section 357 of the Public Health Law of the State of New York.

WHEREAS, the Steuben County Health Services Advisory Board acts in an advisory capacity to the Steuben County Legislature which in turn acts as the County Board of Health; and

WHEREAS, a vacancy exists on the Steuben County Health Services Advisory Board; and

WHEREAS, the Health Services Advisory Board has recommended the following appointments:

HEALTH SERVICES ADVISORY BOARD

Steuben County Consumer	E. Beth Clark 221 East Steuben Street Bath, NY 14810	01/01/08-12/31/11 (Four year term)
Steuben County Legislator	Honorable Carol A. Ferratella 8 Fenderson Street Painted Post, NY 14870	01/01/10-12/31/12 (Three year term)
Steuben County Provider	Nancy Straight, TASA Coordinator c/o ProAction 117 E. Steuben Street Bath, NY 14810	01/01/10-12/31/13 (Four year term)

NOW THEREFORE, BE IT

RESOLVED, the Chairman of the Steuben County Legislature hereby appoints the aforementioned individuals to the Health Services Advisory Board of the Steuben County Department of Public Health and Nursing Services for the terms above-indicated; and be it further

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

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; Salvatore W. Page, Regional Health Director of the New York State Department of Health, Buffalo Region, 584 Delaware Avenue, Buffalo, New York, 14202; County Auditor; and the Director of Public Health and Nursing Services.

Vote: Acclamation – Adopted.

RESOLUTION NO. 060-10

Introduced by D. Creath. Seconded by D. Farrand.

MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO REINSTATE FULL FUNDING FOR THE RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM.

WHEREAS, the Finger Lakes Resource Conservation and Development Council ("RC&D Council") has provided technical assistance in obtaining and administering financial support for numerous agricultural and natural resource-related development activities in Steuben County; and

WHEREAS, said RC&D Council has been a valuable aid to the Steuben County Soil and Water Conservation District in obtaining funding for many projects; and

WHEREAS, the many projects and programs initiated or assisted by the RC&D Council include agricultural tourism, use of native timber resources, erosion control in agriculture, stream bank stabilization, flood control, rural fire protection, and the Venison Donation Program, to name just a few; and

WHEREAS, the RC&D Council has been an integral part of the overall economic development effort of Steuben County, as well as the other five counties in the RC&D region, including obtaining more than $6.4 million in federal, state, and private grants; and

WHEREAS, the USDA has documented that for every dollar appropriated by Congress, local RC&D's have leveraged $6.00 from other sources to support conservation and economic development activities in their communities; and

WHEREAS, the President's proposed FY 2011 federal budget eliminates all funding for the USDA Resource Conservation and Development Program, thereby eliminating the Finger Lakes RC&D Council which serves Steuben County.

NOW THEREFORE BE IT

RESOLVED, that the Steuben County Legislature does hereby memorialize the President and Congress of the United States to continue to support the USDA Resource Conservation & Development Program, and to reinstate its appropriation of $51,400,000 in FY 2011; and be it further

RESOLVED, that certified copies of this resolution shall be distributed to President Barack Obama, The White House, 1600 Pennsylvania Ave., Washington, D.C. 20500; Senator Kirsten Gillibrand, Kenneth B. Keating Federal Office Building, Room 4195, 100 State St., Rochester, NY 14614; Senator Charles E. Schumer, 15 Henry St., Room M103, Binghamton, NY 13901; and Richard Winnett, Executive Director, Finger Lakes RC&D Council, 415 W. Morris St., Bath, NY 14810.

Vote: Acclamation – Adopted.

L O S T

RESOLUTION NO. 061-10

Introduced by D. Creath. Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK IN OPPOSITION TO THE CLOSURE OF STATE PARKS.

WHEREAS, the Governor has proposed, as part of his budget plan, the closure of New York State Parks; and

WHEREAS, in these economically recessive times access to recreational opportunities which are cost affordable are desirable and necessary to the maintenance of the quality of life; and

WHEREAS, Steuben County is host to the Pinnacle, Indian Hills and Stony Brook State Parks, which parks are important components to citizens not only in Steuben County but throughout the Finger Lakes and Southern Tier regions; and

WHEREAS, in the event the State of New York should close these parks then the fairways, greens and infrastructure must be maintained to preserve the investment in these facilities.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby memorialize the Governor and the Legislature of the State of New York in opposition to the closure of State Parks, and in particular Pinnacle, Indian Hills and Stony Brook; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., Room 415, Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Mr. Ryan stated I can't support this because we don't have any information on how much it would cost to keep the parks open. Also, I know everyone here has complained about too much State spending and here they are making an offer to reduce spending but because it is in our own backyard, you are against it. I think it is hypocritical.

Mr. Swackhamer stated if we argue this, what are we going to do when they really start cutting? If we want the State to make cost reductions, we need to be ready to reduce expenses as well.

Mr. Nichols stated I brought this issue up because I was concerned that if they closed these, especially the golf courses, then they wouldn't maintain the greens. If they let the greens go, the golf course is shot. They might better leave them open so they won't have to spend considerable money to get them up and running again. I don't want to see those resources go to waste.

Mr. Creath stated the parks are a service to the constituents and in times of economic downturn they provide a good opportunity for local "stay-cations". They are valuable resources.

Vote: Roll Call – Lost. (Yes: 2905; No: 6967)
(Opposed: Crossett, Donnelly, Ferratella, Hauryski, McAllister, Roush, Ryan, Schu, Swackhamer, Van Etten, Walsh and Weaver)

RESOLUTION NO. 062-10

Introduced by L. Crossett. Seconded by S. Van Etten.

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO REPEAL RETROACTIVELY PUBLIC AUTHORITIES LAW §2975-A, THE TAX ON INDUSTRIAL DEVELOPMENT AGENCIES.

WHEREAS, Public Authorities Law §2975-a imposes a tax on Industrial Development Agencies ("IDAs") by a "cost recovery" assessment; and

WHEREAS, IDA fee based income is utilized to support important local job creation, infrastructure improvement and the overall betterment of the economy; and

WHEREAS, such tax as set forth in Public Authorities Law §2975-a is arbitrary and constitutes an indirect unfunded mandate on the municipalities throughout the State of New York; and

WHEREAS, Assembly Bill A10099 and Senate Bill S7073 call for the retroactive repeal of §2975-a and a refund of any monies paid.

NOW THEREFORE, BE IT

RESOLVED, this Legislature does hereby memorialize the Governor and Legislature of the State of New York to repeal retroactively Public Authorities Law §2975-a; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator Michael H. Ranzenhofer, 315 Legislative Office Building, Albany, NY 12247; Senator George H. Winner, Jr., Room 415, Legislative Office Building, Albany, NY 12247; Assemblyman Stephen Hawley, Room 531, Legislative Office Building, Albany, NY 12248; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

Motion to adjourn Regular Session and reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.D. Discussions Regarding Proposed, Pending Or Current Litigation and 105.1.E. Collective Negotiations Pursuant To Article Fourteen Of The Civil Service Law Made By Mr. Creath, seconded by Mr. Van Etten and duly carried.

Motion to adjourn Executive Session and reconvene in regular session made by Mr. Crossett, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 063-10

Introduced by P. Donnelly. Seconded by R. Nichols.

AUTHORIZING LINDA TETOR AS DIRECTOR OF THE OFFICE FOR THE AGING TO EXECUTE THE REQUISITE DOCUMENTATION FOR A WAIVER IN THE ESTATE OF NORMA A. O'DELL.

WHEREAS, the estate of Norma A. O'Dell has bequeathed the sum of $262,176.55, more or less, to the Steuben County Office For The Agency EISEP Program; and

WHEREAS, there is now an estate proceeding in Steuben County Surrogates Court to settle the distributions to the charitable beneficiaries, which estate necessitates the execution of a waiver on behalf of the EISEP Program.

NOW THEREFORE, BE IT

RESOLVED, this Legislature acknowledges the generosity of Norma A. O'Dell not only for this gift but for the many acts of kindness demonstrated by her while she was living especially on behalf of the Office For The Aging; and be it further

RESOLVED, Linda Tetor as Director of the Office For The Aging is hereby authorized to execute the requisite documentation for a waiver in the Estate of Norma A. O'Dell; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Linda Tetor, Director of the Office For The Aging; County Treasurer; and Yorio & Roche, Attorneys for the Estate of Norma A. O'Dell, 145 W. High Street, Painted Post, NY 14870.

<u>Vote</u>: Roll Call – Adopted.

RESOLUTION NO. 064-10

Introduced by P. McAllister. Seconded by D. Farrand.

AUTHORIZING THE IMPLEMENTATION OF A VOLUNTARY RETIREMENT INCENTIVE.

Pursuant to Older Workers Protection Act 29USC §§623 and 626.

WHEREAS, unprecedented fiscal constraints warrant extreme measures; and

WHEREAS, to the extent possible it is necessary and desirable to reduce staff through attrition to avoid layoffs in this year and next; and

WHEREAS, a voluntary retirement incentive is intended to promote those wishing to retire and provide adequate consideration for doing so.

NOW THEREFORE, BE IT

RESOLVED, there be and hereby is established a voluntary retirement incentive to be conducted consistent with the Older Workers Benefit Protection Act 29USC §§626 and 623; and be it further

RESOLVED, participation in said incentive is subject to approval by the County Administrator and/or County Legislature; and be it further

RESOLVED, terms and conditions for participation are as follows:

1. The employee must be eligible to and in fact retire and execute a revocable release and waiver which release and waiver may be revoked within seven (7) business days of execution and is thereafter binding if not revoked;

2. The incentive is to be targeted and result in the cost savings of a position over this and the ensuing fiscal year; positions in 24/7 operation may be backfilled after the County Administrator has determined there shall be a net savings;

3. The decision to target a position after an employee opts to participate is that of the County Administrator and/or County Legislature and not subject to a veto by a department head;

4. The Personnel Department in conjunction with the County Administrator shall develop the necessary forms, releases, waivers, and notices for implementation of the incentive;

5. Participation in the incentive is strictly voluntary on the part of the employee subject to approval of the County Administrator;

6. Any employee opting to participate must notify the Personnel Officer not later than August 1, 2010 and retire from service on or before September 15, 2010, failure to so retire invalidates the incentive; and be it further

RESOLVED, the voluntary retirement incentive shall consist of the following:

1. Employees with 25+ years service eligible for the 50% Health Insurance payment; County will match current payment percentage up to age 65 or provide a one-time payment of $15,000;

2. Employees with 15 years but less than 25 who receive 25% of single policy contribution at retirement, County will match 25% through age 65 or provide a one-time cash payment of $6,000;

3. Employees with less than 15 years but eligible to retire without reduced benefits are offered 25% of a single policy through age 65 or provide a cash payment of $2,500; and be it further

RESOLVED, any request to refill position shall follow normal channels by filing a vacancy request form with the Personnel Officer; the Vacancy Committee shall have the sole discretion to authorize the filling of such vacancy; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Personnel Officer, County Treasurer and CSEA.

Vote: Roll Call – Adopted.

RESOLUTION NO. 065-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

MEMORIALIZING THE LEGISLATURE OF THE STATE NEW YORK IN OPPOSITION TO THE GOVERNOR'S PROPOSAL TO DISSOLVE THE GENESEE VALLEY REGIONAL MARKET AUTHORITY.

WHEREAS, the Genesee Valley Regional Market Authority ("GVRMA") was created by New York State Statute in 1951 and serves as a centrally located food distribution center for a nine-county area in Western New York; and

WHEREAS, the GVRMA is located in the Town of Henrietta in Monroe County and houses 160 businesses and provides 1,600 full-time and 500 part-time local jobs; and

WHEREAS, the GVRMA invests upwards of $1.5 million annually in capital improvements and generates its revenue by renting buildings and land; and

WHEREAS, the GVRMA has demonstrated great success as a job creator and regional economic incubator for small businesses; and

WHEREAS, Steuben County has a representative on the GVRMA's Board of Directors and has a vested interest in the continuation of the GVRMA as it provides an outlet for the distribution of various agricultural products grown in Steuben County; and

WHEREAS, during this difficult economic time, government must work to improve the business climate and not shift the State's budget deficit to property taxpayers.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby oppose Governor Patterson's proposal to dissolve the Genesee Valley Regional Market Authority; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Governor David A. Paterson, State Capitol, Albany, NY 12224; Senator George W. Winner, Room 415, Legislative Office Building, Albany, NY 12247; Assemblyman James G. Bacalles, Room 439, Legislative Office Building, Albany, NY 12248; John Meyer, 9260 SR 21, Cohocton, NY 14826; William J. Mulligan, Jr., Administrator, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, NY 14623; Stephen J. Acquario, NYSAC Executive Director, 540 Broadway 5th Floor, Albany, NY 12207; InterCounty Association of Western New York, c/o Richard M. Calabrese, President, 20 Ontario Street, Canandaigua, NY 14424; and Patrick Hooker, Commissioner, NYS Agriculture & Markets, 10B Airline Drive, Albany, NY 12235.

Mr. Alger stated the Governor is proposing to eliminate the Genesee Valley Regional Market Authority. We have a representative that serves on the board of the authority. The authority provides an outlet for the distribution of agricultural products grown in Steuben County. Discussion followed.

Mr. Ryan noted that this resolution was approved by the InterCounty Association of Western New York last Friday.

Vote: Acclamation – Adopted.

Motion to adjourn made by Mr. Hauryski, seconded by Mr. Weaver and duly carried.

REGULAR MEETING
Morning Session
Monday, April 26, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 26th day of April, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present except Legislators Roush and Ryan.

Mr. Creath provided the Invocation and the Pledge of Allegiance was led by Mr. Hauryski.

Chairman Donnelly asked Darolene Grant to come forward. Ms. Grant is an employee in the Law Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Donnelly asked George Sawyer to come forward. Mr. Sawyer is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 15 years of service to Steuben County.

Chairman Donnelly asked Lorraine Dwyer to come forward. Ms. Dwyer is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Donnelly asked Eric Robarge to come forward. Mr. Robarge is an employee in the Probation Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Donnelly asked Cathy Hopkins to come forward. Ms. Hopkins is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 31 years of service to Steuben County.

Teresa Deninger, Deputy DSS Commissioner, stated Cathy Hopkins started with the County as a Social Welfare Examiner and then transitioned to a Caseworker. She has investigated over 2,200 child investigative reports over the years. Congratulations on your retirement, you will be missed! Ms. Hopkins stated I had a lot of fun, great memories and bosses, but it is time to go. Thank you. ***CONGRATULATIONS CATHY!***

Chairman Donnelly stated it is with great pride and honor to find myself in the position to congratulate my brother, Martin Donnelly, on his retirement following 31 years of service to Steuben County.

Kathryn Muller, DSS Commissioner, stated Martin started with the County as a Social Welfare Examiner in 1979. Five years later a Caseworker, six years later, he became the department's Staff Development Coordinator where he remained to complete his 30 + years of service. Martin's retirement is certainly a loss of significance that will be felt by the Department of Social Services. He has been devoted to making Steuben County the lead in technology. With his experience in the various programs and his brilliant "techy" brain, Martin developed Steuben's social service systems and computer operations beyond most counties across the State. Martin also prided his work in staff development. He promoted trainings and teamwork. His adage "happy to be here helping people" will be legendary. The concept of the "three p's" evolved out of one of the trainings he coordinated. Standing for polite, professional, and positive, this motto was readily adopted by the department staff. Throughout his day, Martin incorporated his outrageous sense of humor. He is the translator of acronyms, carrying one of his own, B.S.M. "Big Strong Man". He is a jack of all trades. He is the party planner, a professional photographer; he delivers babies, specializing in c-sections! He recently reminded us of the pied piper. When he cleaned out his office, the

mice started fleeing - and I mean fleeing! I have worked with Martin a short ten years. I will miss him for his expertise, his sense of humor and his commitment to advancing this county. I commend you for your service and thank you for your dedication. On behalf of the department and the county, congratulations on your retirement, Martin. ***CONGRATULATIONS MARTIN!***

Mr. Donnelly thanked Commissioner Muller and the Legislature. Over the last 20 years, we've had a tremendous amount of latitude to pursue our own computer systems to make things more efficient. Because of that, we have become a leader in the State. Thank you.

Mrs. Kane asked Jeffery Haenisch to come forward. Mr. Haenisch was nominated for Employee of the Month by many different people. The original nomination came from Travis Waight and Che' Martino, and received support from many of Jeff's co-workers, supervisory staff and management. She read the following nomination: Jeff was nominated in the categories of outstanding job performance and commitment to the community through service to others. I'm sorry we don't have enough time to tell you just how terrific Jeff is, but we'll try to sum it up for you. Jeff puts in 100 percent every single day at work. It doesn't matter what is going on, he is consistently "up". He has taught us all just by his actions. He is the ultimate role model for both newer and more senior employees. He is the ultimate team player who never hesitates to pitch in helping others so that they can accomplish their goals. He is there not only as a co-worker, but a friend. One of the greatest compliments we could give him is to say that he is always there and that's not a comment about his attendance. What we mean to say is that when you're talking to Jeff, or working with Jeff, he is there – present in the moment – he is there for everyone. As far as Jeff's community service – wow – Jeff was the chief organizer of the Lumber Jack & Jill Competition. He organized the "laps for life" at Camp Good Days; he has been a t-ball coach; Avoca Varsity Soccer Team Coach and he is a former business owner who is noted for his customer commitment. So many of us have "bucket lists" – lists of everything we want to do before we leave this life. Jeff is no exception – Jeff recently had the opportunity to cross off one of the items on his list – a trip to the Grand Canyon with his family. But you know something most of us don't have – at the very top of Jeff's list are some things that he strives for every single day – important priorities that he teaches everyone he comes into contact with on a daily basis through his actions and words. That is, spending time with your family, with your grandchildren. Enjoying your pursuits, in Jeff's case, his farm, and being strong in one's faith are most important. We are all better people having the opportunity to work and know Jeff and we are so pleased that you have selected him to be honored in this way. ***CONGRATULATIONS JEFF!***

Commissioner Muller stated I'm here today on behalf of the Task Force for the Prevention of Child Abuse. In keeping with the National theme, Chairman Donnelly signed a Proclamation declaring April as Child Abuse Prevention Month. In our County alone, we receive approximately 1,800 reports each year. The Department of Social Services and the Steuben County Youth Bureau has maintained the task force for the past 20 years. We've held several activities throughout the month to increase awareness. Each year the task force determines the recipient of the Child Abuse Prevention Award based upon submitted nominations. This year's award recipient is currently employed at the Steuben County Health Care Facility, but served many years as the County's Public Health Educator in the Department of Public Health Nursing Services: Lorellie Evans. Lorellie has spent many years as a member of the task force. She was nominated by Beverly Butts the current Public Health Educator. Lorellie has a resume full of child safety prevention activities. Lorellie, it is because of your contributions to reduce child abuse and maltreatment that we present you with this award today. Mrs. Evans stated I can't thank you enough for this. I'm extremely surprised by this. ***CONGRATULATIONS LORELLIE!***

Chairman Donnelly opened the floor for comments by members of the public.

Mike Sweet, Bath, stated I'm here today to appeal to the Legislature to repeal an outdated Blue Book Law. This law creates unfair barriers for those who sell alcohol. There are only three counties in the State that still have this law. Steuben County's industry is winery tourism. This law puts the wineries at an unfair disadvantage with Yates and Schuyler Counties. For a county whose businesses spend thousands of dollars each year advertising, they are handicapped by this law that is counter-productive to attracting visitors. To my knowledge, there is not a single business owner who sells alcohol that supports this law. It

is impossible to police and there are bigger issues for the Sheriff's Department to deal with. Also, had it not been for Sheriff Ordway's press release, many business owners would have forgotten. You have the opportunity to tell people that you support the tourism industry. Thank you.

Beth Miller, Wheeler, stated I applaud the decision of the AIP Committee to proceed with developing a Task Force on Marcellus Shale Drilling. I ask that you also consider a resolution requesting the State to withdraw the draft Supplemental Generic Environmental Impact Statement. It is fatally flawed. It doesn't address radioactivity, the cumulative impact of the wells and the amount of staff needed to monitor the wells. We are creating a statewide coalition against hydraulic fracturing. Please ask the State for a moratorium until after their study is completed. DEC is not offering us any protection at this point. This is the most critical issue that our State has faced and it threatens our way of life. Thank you.

Elaine Swiler, Cameron, stated I heard that Corning is ranked number 7 and Elmira is ranked number 11 for cities with the cheapest homes. What this means is we don't have an economic base. We need the drilling for the economy. I majored in Geology and I think it can be done appropriately. I'm in favor of it. The jobs in this county do not exist. I believe you as a Legislature should fight for responsible drilling. It may mean negotiations, not carte blanche, so you can keep your pristine tourism advantages. I believe you need to be able to dispose of the water and I believe there will be procedures to do this. Speak up to Albany and tell them we need this. People should be looking at the fact that our base in Steuben County is agriculture. I hope you will be proactive for us for drilling and increasing our economy. The money that comes back to us as farmers will be plowed back into the land. Thank you.

Rachel Treichler, Hammondsport, stated I've distributed a copy of a press release from DEC in which they announced that they will remove the New York City and Skaneateles (Syracuse) watersheds from the review because of the possible dangers to the watershed. If it is dangerous for their watershed, then it's dangerous for our watershed. We need to follow suit with the Onondaga and Cortland County Legislatures and pass a resolution requesting the State to ban hydrofracking pending independent studies being completed. We need to understand the dangers of hydrofracking and the possible contaminants being released from the compressor stations. We need to take the time to make sure we understand it. Thank you.

Rosellen McFarland, Campbell, stated water is our most precious resource. Before we allow any kind of drilling in our area, we should be making sure that our water is tested. Please vote for a moratorium until we can find a way to get the gas out in a way that won't hurt our water system.

Terry Gerych, Bath, stated it is nonsense that this can be done safely without environmental degradation. You will be well advised to think about it.

Dave Walczak, Bath, stated I'm here today to speak of our environment. We have a lot of water here and I think it is deserving of protection. The NYS environmental impact study is grossly inadequate. Even the EPA hasn't given it good marks. On the DEC website, they have the statement "Everyone lives in a watershed, large or small, and all are part of the bigger environment." I think DEC has lost their mark and it is time for local governments to step up to the plate. Please do an in-depth comprehensive study of this. Water pollution is irreversible. On the internet, you can find many cases in the country of problems caused from drilling. This will have a huge negative impact on our way of life. I listened to a sociologist from Athens, Pennsylvania, speak and you can't believe how big this is when you have a boom town experience. It turns a County such as ours into something we won't recognize after the fact. Less than 2 percent of the people will profit, but many will be negatively impacted. Thank you.

Gene Stolfi, Corning, stated I am a member of the Sierra Club and the Steuben County Environmental Management Council. Drilling through the groundwater causes pollution. The hole is pressurized exceeding 5000 psi. It will travel in all directions and there will be contamination and spills on the surface. The aquifer will be contaminated, the question is how much and where. There is no control. The taxpayers will be stuck forever to pay for something that up until now was free. Government agencies

must step up and be responsible for this. The only hope that our water supply remains safe is through our State and Federal agencies. Remember that groundwater moves slowly but continually. Thank you.

Lorin Cooper, Woodhull, stated I represent the Steuben County Landowners Coalition and I'm not here to badmouth people. Drilling has been done in New York State for 40 years and it has been done safely. Of all of the things investigated by the DEC, there have been no proven major problems. Hydrofracking can be done safely. DEC's regulations are considered the best in the Country. I distributed a list of the top 30 taxpayers in Steuben County. You should note that ten of those on this list are companies related to gas drilling. The gas related agencies on this list provide about $3 million in County tax revenue right now. Taxpayers need to realize that without them, they will be paying more in taxes. The Steuben County Coalition of Landowners is going to be active in the political arena. There can be accidents, but they can be controlled. In Woodhull, there are people who can light their wells. That didn't come from fracking, it came from drilling the well. There is methane in the wells already. The people who are overwhelmed with taxes can benefit from this. People have a right to earn income from their land. Our focus is going to be to support those politicians who support drilling. My guess is there are a lot more people in the county who are in favor of drilling than against it. Please contact your State representatives and tell them you support it. Thank you.

Jeff Heller, Bradford, stated I moved here just five years ago. I'm a conservationist, which by definition means: rational environmentalist. I would like you to try to view this issue as a cost versus benefit issue. Broome County alone estimates $6 billion in economic activity. Regarding the belief that there is radiation in the hydrofracking water; Penn State determined that the radiation is insignificant. Cornell University stated the concentration of the radiation in fracking water is less than the radiation found in a brick. Regarding the belief that drilling companies ruin the roads; yes, they ruin the roads but when they leave, the roads are better than when they first came. The 21st century is going to be the century of natural gas, whether Steuben County participates or not. Please let's get moving with this. Thank you.

Mary Beth Gamba, Branchport, stated I'm very concerned about the impacts of drilling on our water, roads, tourism, wineries and farmers. The Yates County Legislature formed a task force in 2009 with the mission of addressing the environmental concerns. They developed a road use plan, reviewed the Environmental Impact Study and cited several concerns. Robert Multer, Chairman of the Yates County Legislature, sent a letter to DEC stating the importance of tourism to the area, the increase in farms in their area and the importance of agriculture in the area. They are protecting the Syracuse and New York City watersheds and they need to protect ours. You need to study the issues and protect the interests of the county residents.

Rita Petras, Cameron, stated I belong to the Steuben County Landowners' Coalition. The unemployment figures are high in Steuben County. I think that it is in our best interest to drill. It will improve our tax base and we will have greater prosperity for the area. You need to take a look at the wells in Pennsylvania. Thank you.

Robert Dickinson, Hornellsville, stated I have an issue you might not be aware of and that is towing. My wife and I began a towing business five years ago in Hornellsville. We were extremely busy and received calls all the time. Since then, two larger towing companies moved into the area and I feel we are being pushed aside. Time wise, these other companies are making law enforcement wait an hour for a truck when I could be there in 5 minutes. There is no towing company rotation or towing districts in the County. I've spoken with E-911 and have been told they need direction from you. You need to regulate the towing so everybody gets a fair shake. Thank you for your time.

Tom Mackee, stated I've been a resident of the County for 26 years. I've watched Corning, Inc., reduce the amount of manufacturing jobs over those years. I own a farm now and have property elsewhere. After I retired I felt I needed to do some fighting for my rights in this County. My farm has gained very little in value over the years. So, I joined the Steuben County Landowners' Coalition. There are two sides to every story. I support closed loop systems for drilling. Let them prove to you their technologies. Take a proactive stance on this. I haven't seen improvement to this area in 26 years. Most of the kids are leaving

this area because they can't find gainful employment. I think these companies can offer a lot, but in a way where we won't feel stepped on. Thank you.

There being no further comments, Chairman Donnelly declared the public comment portion of the meeting closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing relative to land submitted for inclusion in certified agricultural districts 1, 2, 5, 13, 17, 22 and 23 during the 2010 annual thirty-day review period, to consider the recommendations of the Agricultural and Farmland Protection Board, and proposed modifications of said certified agricultural districts. Chairman Donnelly asked if there were any comments relative to the Public Hearing. There being none, he declared the public hearing closed.

The minutes of the previous month's meeting were adopted upon the motion of Mr. Nichols, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 066-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof, and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be, and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Treasurer, together with the approved applications executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Treasurer, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1	Resolution No.	A-2
Name	Girdon & Suzette Simmons	Name	Andrew Morsch
Parcel No.	228.03-01-033.100	Parcel No.	004.00-01-020.111
Municipality	Hornby Town	Municipality	Cohocton Town
Disposition	Correction	Disposition	Correction

Resolution No.	A-3
Name	Stephen P Copp Sr & Laura V Copp
Parcel No.	159.09-03-004.000
Municipality	Bath Village
Disposition	Correction

Resolution No.	A-4
Name	Leon E & Lyle Koperczak et al
Parcel No.	205.00-03-006.000
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-5
Name	Lyle & Amy Koperczak
Parcel No.	205.00-03-009.000
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-6
Name	Lyle & Amy Koperczak
Parcel No.	205.00-03-010.000
Municipality	Bath Town
Disposition	Correction

Resolution No.	A-7
Name	Arthur & Theresa Hogan
Parcel No.	409.00-01-045.200
Municipality	Caton Town
Disposition	Correction (parcel split)

Resolution No.	A-8
Name	Daniel David Draper
Parcel No.	328.00-03-014.000
Municipality	Rathbone Town
Disposition	Correction

Resolution No.	A-9
Name	Happy Days Land Co
Parcel No.	091.00-01-014.500
Municipality	Wayne Town
Disposition	Correction (parcel split)

Resolution No.	A-10
Name	Steuben County
Parcel No.	348.00-01-015.100/2
Municipality	Rathbone Town
Disposition	Correction

SCHEDULE "B"

Resolution #_____B-1_____
Former Owner___Lester E Johnson_____
In Rem Index No. 93123, 2005 sale_____
Parcel #_____166.15-01-009.000_____
Municipality ____Hornell City_____
Grantee(s) _____Lester E Johnson_____
Grantee(s) Address _164 Swan St, Hornell, NY 14843_____
Consideration $3,411.49, together with $185.00 recording fees
Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 067-10

Introduced by P. Donnelly. Seconded by D. Farrand.

RECEIVING AND ACCEPTING THE APRIL 26, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

March 12, 2010
NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the Nutrition Services Incentive Program (NSIP) for the 2010 federal fiscal year. ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

Civil Service Employees Association, Inc. – Re: Notice of Appearance before the Public Employment Relations Board. ***Referred to: Administration Committee; Robert Biehl, Personnel Officer; and Sheriff Ordway.***

March 15, 2010

New York State Association of Counties – Re: Introduction of a new Solar/Renewable Energy Program aimed to stabilize utility costs for counties and provide long term cost savings through energy efficiency and the development of solar installations on county properties. ***Referred to: Greg Heffner, Planning Director; and Jack Wheeler, Assistant County Administrator.***

March 18, 2010

Nixon Peabody LLP, Attorneys at Law – Re: Joint Petition of Fortuna Energy Inc. and Corning Natural Gas Corporation for Approval of the Transfer of a Certificate of Environmental Compatibility and Public Need for a Gas Pipeline and amendment of the certificate to authorize construction of a gas compressor station in the Town of Caton, Steuben County. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

March 22, 2010

NYS Office of the Attorney General – Re: Investigation by the New York State Attorney General relating to Compensation Practices. ***Referred to: Robert Biehl, Personnel Officer; and Carol Whitehead, County Treasurer***.

March 23, 2010

Steuben County Industrial Development Agency – Re: The development of a County-wide Economic Development Planning Task Force. ***Referred to: Mark Alger, County Administrator.***

March 24, 2010

Citizens for Healthy Communities (CHC) – Re: Notification of upcoming events in the community to educate on issues of the proposed hydraulic fracturing (also known as hydro-fracking) of the Marcellus Shale. ***Referred to: Steuben County Legislature.***

All Season Tire – Re: Request to be considered as an eligible bidder for the repair and maintenance contract for Steuben County vehicles. ***Referred to: Jim Gleason, Purchasing Director; and Fred Ahrens, County Attorney.***

March 25, 2010

Town of Cohocton – Letter complimenting the Department of Public Works (Cohocton Shop) for the spring clean-up and sand removal of the County roads in Atlanta and North Cohocton area. ***Referred to: Public Works Committee; and Vincent Spagnoletti, Commissioner of Public Works.***

Tech Valley Continuity, LLC – Re: EMplans is a web-based planning solution designed specifically for government organizations to help in the development of a Continuity of Operations Plan (COOP). ***Referred to: Ken Peaslee, IT Director; and Greg Heffner, Planning Director.***

March 26, 2010

New York Finger Lakes Tourism Alliance – Re: Copy of the 2010 Finger Lakes Regional Travel Guide and the 2009 Annual Report for review. ***Referred to: Greg Heffner, Planning Director.***

March 29, 2010

NYS Office for the Aging – Re: Notification of the 2010-2011 Annual Implementation Plan (AIP) for Steuben County has been approved. In addition, applications for Older Americans Act (OAA) Title III-B, Title III-C-1, Title III-C-2, Title III-D, Title III-E, HIICAP and WRAP funds have been approved. Applications for State aid under the Expanded In-home Services for the Elderly Program (EISEP), the Community Services for the Elderly(CSE) Program, the Supplemental Nutrition Assistance Program (SNAP), the Congregate Services Initiative (CSI) and State Transportation program, and your Caregiver Resource Center Renewal Application for the period of April 1, 2010-March 31, 2011 has also been approved. ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

March 30, 2010
New York State Department of Environmental Conservation – Re: Notification of sufficient evidence to commence an enforcement action against Corning, Inc. for violations of Article 19 of the Environmental Conservation Law (ECL) which occurred at South Hamilton Road in the town of Erwin. ***Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Amy Dlugos, Steuben County Environmental Management Council.***

April 1, 2010
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,528 which represents the February 2010 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Carol Whitehead, County Treasurer.***

April 2, 2010
State of New York Public Employment Relations Board – Re: Notice of charge #U29929 against the County of Steuben is deficient and not being processed to a pre-hearing conference or hearing. ***Referred to: Mark Alger, County Administrator; Robert Biehl, Personnel Director; Fred Ahrens, County Attorney; and Sheriff Ordway.***

April 5, 2010
New York State Association of Counties – Re: A proposal of a five year State takeover of local Medicaid Administrative costs beginning in the state fiscal year 2011-2012, with full implementation by April 1, 2016. ***Referred to: Human Services/Health & Education Committee; Kathy Muller, Commissioner of Social Services; and Mark Alger, County Administrator.***

April 8, 2010
Federal Energy Regulatory Commission – Re: Notice of intent to prepare an environmental assessment for the planned Tioga County Extension Project and request for comments on environmental issues and notice of public scoping meeting. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

New York State Association of Counties – Re: NYSAC 2010 Adopted County Budget Survey. ***Referred to: Mark R. Alger, County Administrator.***

April 13, 2010
NYS Department of State – Re: Notification of the 2009-2010 Local Government Efficiency Program grant award for the Regional E-911 Planning Project. ***Referred to: Public Safety & Corrections Committee; Dave Hopkins, 911 Director; and Jack Wheeler, Assistant County Administrator.***

New York State Association of Counties – Re: Initial high level analysis of the recently enacted federal health care reform. ***Referred to: Mark Alger, County Administrator.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 068-10

Introduced by J. Hauryski and L. Crossett. Seconded by D. Farrand.

DECREASING CERTAIN CAPITAL PROJECTS AND TRANSFERRING PROCEEDS TO OTHER CAPITAL PROJECTS WITHIN THE PUBLIC WORKS 2010 CAPITAL PROJECTS.

WHEREAS, CR 45, CR 61 and CR 126 have significantly deteriorated over the winter; and

WHEREAS, this deterioration has necessitated reprioritizing the work to be completed with the annual allocation of funds; and

WHEREAS, the Public Works and Finance Committees of the Steuben County Legislature have authorized the transfer of funds to rebuild sections of CR 45, CR 61 and CR 126 and increase funding for CR 120, by decreasing the Capital Construction work to be done on CR 70A from 7.9 to 4 miles.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized and directed to make transfers in the Permanent Improvement Capital Projects accounts:

- $123,897 from 511200 5 250000, Capital Project
- $574,464 from 511200 5 250529, CR 70A, 3.0 miles
- $90,536 from 511200 5 250530, CR 70A, 4.9 miles

- $173,000 to 511200 5 250534, CR 45, 2.7 miles
- $166,000 to 511200 5 250535, CR 61, 2.6 miles
- $326,000 to 511200 5 250536, CR 126, 5.1 miles
- $123,897 to 511200 5 250520, CR 120, 5.5 miles

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 069-10

Introduced by D. Creath and L. Crossett. Seconded by S. Van Etten.

AUTHORIZING THE CLOSING OF THE BALCOM HOUSE RENOVATIONS CAPITAL PROJECT AND RETURNING THE UNEXPENDED BALANCE BACK TO THE REPAIR AND RENOVATIONS RESERVE.

WHEREAS, the Balcom House Renovations Capital Project has been completed and contains an unexpended balance and was originally funded from the Repair and Renovations Reserve.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to close the following capital project:

HB 0501 5 250000 Balcom House-Renovations $9,805.00

BE IT FUTHER RESOLVED, the unexpended balance, plus interest, shall be transferred to the Repair and Renovations Reserve Fund; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the County Treasurer and the Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

RESOLUTION NO. 070-10

Introduced by L. Crossett. Seconded by S. Van Etten.

AMENDING RESOLUTION NO. 356 OF 1970 AUTHORIZING SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD TO MAINTAIN A CREDIT CARD PROGRAM WITH M&T BANK NOT TO EXCEED $25,000 PER YEAR AND PLEDGING THE COUNTY'S FULL FAITH AND CREDIT TO COVER ANY SUCH OBLIGATION.

Pursuant to Article 12-B of the General Municipal Law of the State of New York.

WHEREAS, by Resolution No. 356 duly adopted September 21, 1970, the County of Steuben Treasurer's Office was designated as fiscal agent of Southern Tier Central Regional Planning & Development Board (hereinafter "Southern Tier Central") and to act in the same manner as though Southern Tier Central were a department of the County of Steuben; and

WHEREAS, Southern Tier Central has requested authorization to enter into a Corporate Credit Card Program with M&T Bank, Rochester, New York; said program to be limited to $25,000 per year with a $2,000 non-revolving monthly limit on the total program; and

WHEREAS, the County of Steuben desires to facilitate such card program.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben does duly pledge its full faith and credit for said program and does specifically authorize the obligations so incurred for this program on behalf of Southern Tier Central; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer; M&T Bank Government Banking Division, Attention: Timothy C. DeGrave, Assistant Vice President, 255 East Ave., Rochester, NY 14604; and Southern Tier Central Regional Planning & Development Board, Attention: Marcia D. Weber, Executive Director, 8 Denison Parkway East, Suite 310, Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 071-10

Introduced by B. Schu and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT AN OFFICE OF ALCOHOL AND SUBSTANCE ABUSE SERVICES ("OASAS") SUB-GRANT IN THE AMOUNT OF $11,500 FOR ALCOHOL AND SUBSTANCE ABUSE LAW ENFORCEMENT SERVICES.

WHEREAS, the New York State OASAS is awarding Steuben County $11,500 under the Enforcement of Underage Drinking Laws (EUDL) Prevention, Community and Law Enforcement Partnership; and

WHEREAS, the Steuben Council on Addictions and Steuben County Sheriff's Office have developed an integrated model that includes enhanced law enforcement services through Party Patrols to identify offending youths and those who provide them with alcohol; and

WHEREAS, it has been established that these funds would be used for overtime expenses for Law Enforcement Personnel with no local cash match.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to accept $11,500 as revenue and appropriate that amount to the OASAS Grant Fund within the Sheriff's 311000, 2010 budget; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 072-10

Introduced by R. Weaver. Seconded by C. Ferratella.

AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF STEUBEN AND CERTAIN FINGER LAKES' COUNTIES FOR MUTUAL AID DURING A PUBLIC HEALTH EMERGENCY.

WHEREAS, the County of Monroe has proposed an Intergovernmental Cooperation Agreement to provide mutual aid during a Public Health emergency to various county health departments of the Finger Lakes'; and

WHEREAS, such agreement is desirable and necessary between the counties of Chemung, Monroe, Livingston, Ontario, Schuyler, Seneca, Steuben, Wayne and Yates, for the period of July 1, 2010 through June 30, 2015.

NOW THEREFORE, BE IT

RESOLVED, that the County Administrator be and the same hereby is authorized and directed to enter into an Intergovernmental Cooperation Agreement to provide mutual aid for Public Health emergency services; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Monroe County Dept. of Health, Attention: Andrew S. Doniger, M.D., MPH, 111 Westfall Road, PO Box 92832, Rochester, NY 14692, and the Director of Steuben County Public Health & Nursing Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 073-10

Introduced by D. Creath. Seconded by D. Farrand.

APPROVING THE ADDITION OF AGRICULTURAL LANDS TO CERTIFIED AGRICULTURAL DISTRICTS.

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

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

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

WHEREAS, the Steuben County Agriculture and Farmland Protection Board has reviewed the matter, found the land to be viable for agricultural production, and submitted a report to this Legislature; and

WHEREAS, inclusion of these viable agricultural lands in certified agricultural districts will serve the public interest by helping to maintain the agricultural industry of Steuben County; and

WHEREAS, the Steuben County Legislature gave legal notice of and held the required public hearing of this matter on the 26th day of April, 2010 at 10:00 a.m.

NOW THEREFORE, BE IT

RESOLVED, that the following tax parcel shall be added to Agricultural District No. 1:

463289 216.00-01-001.400

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 2:

462403 206.06-01-001.110
466600 223.00-01-018.100
466600 223.00-01-019.000
466600 223.00-01-020.200

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 5:

467489 053.00-03-003.111

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 13:

463400 391.00-01-006.100

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 17:

465400 126.00-01-018.200
465400 140.00-01-006.100
465400 140.00-01-006.300
465400 155.00-01-028.210

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 22:

465000 264.00-01-030.110
465000 264.00-01-030.130

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 23:

466800 414.00-01-012.200

AND BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the Chairman of the County Agricultural and Farmland Protection Board, William Brown, 9230 W Waneta Lake Road, Hammondsport, NY 14840; the Director of the Steuben County Planning Department; James Grace, Cornell Cooperative Extension - Steuben County; Patrick Hooker, Commissioner, New York State Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235.

Vote: Roll Call – Adopted.

RESOLUTION NO. 074-10

Introduced by P. McAllister. Seconded by S. Van Etten.

REMOVING THE RESTRICTIONS RELATIVE TO THE SALE OF WINE, BEER AND LIQUOR ON GOOD FRIDAY FROM 12 NOON TO 3 P.M.

WHEREAS, tourism is a major industry in Steuben County, a major component of which is related to the wine and grape industry; and

WHEREAS, it is the County's desire to enable the tourism businesses to expand, flourish and effectively compete with all other areas of the State; and

WHEREAS, Steuben County is one of only three counties in the State which continues to restrict the sale of wine, beer and liquor on Good Friday from 12 Noon to 3 P.M.; and

WHEREAS, the current rules date to the previously abolished Steuben County Alcohol Beverage Control Board and have been carried forward.

NOW THEREFORE, BE IT

RESOLVED, restrictions relative to on premises wine, beer and liquor, off premises beer and off premises package liquor stores closing hours on Good Friday 12 Noon to 3 P.M. be and the same hereby are removed; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the New York State Alcohol Beverage Control Board, Attn: Teri Weinheimer, Iskalo Electric Tower Bldg., Suite 303, Buffalo, NY 14203, and to the Steuben County Conference and Visitors' Bureau, Attn: Peggy Coleman, 1 W. Market Street, Suite 301, Corning, NY 14830.

Mr. Walsh stated there 8,760 hours in a year and we are talking about 3 hours. How can those 3 hours make such a difference? If this affects their business that much, then the business probably isn't in good shape to begin with. This proposal has another intention. Who would not believe that this is a direct assault against those with religious beliefs? If you had a good and decent mother that taught you to act ethically, vote no.

Mr. Farrand stated Jasper is one of the only towns in New York State that is a dry town. They have brought the vote to change it on 3 different occasions. I've received phone calls from several residents and church groups regarding this issue so I'm going to vote no.

Mr. Weaver stated why are religious groups against serving alcohol for 3 hours on Good Friday, but they allow the sale on Easter Sunday. It doesn't make sense. We can't legislate morality.

Mr. Van Etten stated I'm a Christian and do not drink. I receive no benefit from repealing this law. However, I think it is time this law is changed.

Mr. Palmesano stated I'm voting to repeal this law. From an economic perspective, our businesses have enough trouble competing in New York State. Since the ABC boards are no longer in existence, the enforcement falls to the Sheriff's Department and they have better things to focus on. I understand the significance of the day but I think it should be a voluntary action. This is not an action against any particular faith. It is something that is outdated and if a business wants to restrict their sales that day, that is up to them. Free choice weighs more than the government telling them whether or not they can do it.

Mr. Swackhamer stated I'm going to vote against it. I do agree that it is a personal opinion because that is a special week.

Mr. Creath stated I'm supporting this action; regulation of alcohol is a State matter.

Mr. Nichols stated I'm going to vote against it to show respect for Good Friday and what it means.

Vote: Roll Call – Adopted. Yes: 5594; No: 2962; Absent: 1316
(No: Legislators Farrand, McAllister, Nichols, Swackhamer and Walsh. Absent: Legislators Roush and Ryan)

RESOLUTION NO. 075-10

Introduced by B. Schu. Seconded by G. Swackhamer.

REQUESTING THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDRA'S LAW.

WHEREAS, in late 2009 New York State enacted and passed into legislation "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and (b) which added a section to

the Vehicle & Traffic Law requiring the installation and use of Ignition Interlock Devices as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and

WHEREAS, the legislation provided no direction or resources whereby the Ignition Interlock section of the legislation could be implemented; and

WHEREAS, in accord with the request of the Law, the New York State Division of Probation & Correctional Alternatives has prepared Proposed Regulations to direct implementation of this law; and

WHEREAS, the proposed regulations do not demonstrate how Counties are to organize and/or support the implementation of this program, and requires each County to demonstrate how the County will implement and fund this Program; and

WHEREAS, while Steuben County supports the intent of this legislation, it does not, in this time of severe fiscal crisis, have the resources to assume responsibility for yet another unfunded State mandate of this magnitude; and

WHEREAS, the State budget as proposed continues to reduce State Probation assistance to a historic low of 14% resulting in the Counties paying for the largest share of any new program.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature recommends and requests that the State of New York, delay implementation of the Ignition Interlock Program until appropriate resources can be identified and made available to the Counties for implementation of this Program; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Steuben County Probation Department; Steuben County Sheriff; Steuben County Treasurer; Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., Room 415, Legislative Office Building, Albany, NY 12247; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and other appropriate organizations.

Mr. Alger stated the difficulty with this is the implementation and monitoring of the device. Currently the State is in the process of drafting regulations. They will require counties to submit a plan by the middle of May. We feel there isn't enough time to put this into place by the August implementation date. More consideration needs to be given to the impact on local governments.

Mr. Swackhamer asked who would be installing this and what is the timeline? Mr. Alger stated the installation is done by a vendor. They are required to be within 50 miles of our area. At this point, there is one in the county that does provide the service. The cost typically is $100 for installation and $100 per month for monitoring.

Mr. Van Etten asked what is NYSAC's stance on this issue? Mr. Alger stated they are in support of the delay in implementation.

Vote: Acclamation – Adopted.

RESOLUTION NO. 076-10

Introduced by P. McAllister. Seconded by C. Ferratella.

MEMORIALIZING THE NEW YORK STATE ASSEMBLY AND SENATE IN SUPPORT OF ASSEMBLY BILL A-9919 AND SENATE BILL S-7338, ALLOWING FOR INCREASED REVENUE SHARING FOR ONLINE AND MAIL-BASED MOTOR VEHICLE TRANSACTIONS.

WHEREAS, the New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle ("DMV") offices to 51 counties across New York State through their respective County Clerks; and

WHEREAS, the County's current share of certain transaction fees is 12.7%, available only when the transaction is processed through a local County DMV office; and

WHEREAS, numerous time consuming, fee-exempt transactions are processed by local County DMV offices daily, resulting in a loss of funding for counties; and

WHEREAS, the Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website, with more virtual transactions expected in the near future, leaving the County with fewer revenue sharing opportunities.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature supports New York State Assembly Bill A-9919 and Senate Bill S-7338, allowing County Clerks who operate DMV offices to retain a share of fees collected from county residents for motor vehicle transactions completed through the New York State DMV website and its mail-based service; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of the New York State Department of Motor Vehicles, 6 Empire State Plaza, Albany, NY 12228; Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Richard Calabrese, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, 20 Ontario Street, Canandaigua, NY 14424.

Mrs. Hunter stated currently DMV offices do approximately 30 transactions for which we receive no fee. Several years ago the State redirected all of the mail transactions from the local DMV offices to the State offices. That impacted our revenues. We try to encourage people to come in locally to conduct their business. Now, with the introduction of online transactions, we are seeing more transactions being done online. While we would very much like to allow internet transactions through our County website, the State DMV will not allow it. Discussion followed.

Mr. Van Etten stated he would prefer memorializing the state requesting them to allow us to handle DMV transactions on our website. Mr. Alger stated this hopefully will raise awareness at the State level that if they keep siphoning off the fees from the county, it will result in our local DMV offices closing. Discussion followed.

Vote: Acclamation – Adopted.

Motion to adjourn Regular Session and reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant To Article Fourteen Of The Civil Service Law Made By Mr. Nichols, seconded by Mr. Schu and duly carried.

RESOLUTION NO. 077-10

Introduced by P. McAllister. Seconded by S. Van Etten.

AUTHORIZING THE EXECUTION OF AN AGREEMENT REGARDING THE TERMS AND CONDITIONS OF PUBLIC EMPLOYMENT BETWEEN THE COUNTY OF STEUBEN AND THE DEPUTIES ASSOCIATION OF THE COUNTY OF STEUBEN FOR THE YEARS 2010, 2011 AND 2012.

Pursuant to the provisions of the New York State Public Employees' Fair Employment Act known as the "Taylor Law" and Section 205 of the County Law of the State of New York.

WHEREAS, the negotiating committee for the Steuben County Legislature has, for several months, been meeting with the negotiating committee of the Deputies Association of the County of Steuben, the bargaining unit for all full-time sworn law enforcement employees in the Sheriff's Office, as to recommended proposals for terms and working conditions for these employees for the years 2010, 2011 and 2012; and

WHEREAS, the Association has accepted in whole the aforesaid recommended proposals.

NOW THEREFORE, BE IT

RESOLVED, the proposed Agreement, as recommended by the respective negotiating committees, duly adopted by the members of the said Association on April 6, 2010, covering the years 2010, 2011 and 2012 be and the same hereby is duly ratified, confirmed and adopted; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized and empowered, for and on behalf of this Legislature and the County of Steuben, to execute a final and complete agreement regarding the terms and conditions of public employment between the County and the Association for the fiscal years 2010, 2011 and 2012, which agreement shall be drafted by the County Attorney in accordance with the proposed agreement, and upon its approval by the Administration Committee of the Steuben County Legislature and its prior approval and execution by the President of the Deputies Association; and be it further

RESOLVED, when said final agreement is properly and duly executed as above stated, the original agreement shall be properly filed in the Office of the Clerk of the Legislature and a duplicate original shall be delivered to the President of the Deputies Association, and an additional copy shall be filed with the Public Employees' Relations Board; and be it further

RESOLVED, upon the filing of said agreement with the Clerk of the Legislature, President of the Deputies Association, the Steuben County Treasurer and the Steuben County Personnel Officer, the same shall be and hereby is confirmed, ratified and approved as the entire agreement between the County of Steuben and the employees included in said Deputies Association bargaining unit as to the terms and conditions of employment for the years 2010, 2011 and 2012; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to appropriate sufficient funds for the above salaries to the appropriate line items; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Administrator, County Attorney, County Personnel Officer, Clerk of the Legislature, County Treasurer and to the President of the Deputies Association of the County of Steuben.

Vote: Roll Call – Adopted.

Motion to adjourn Executive Session and Reconvene in Regular Session made by Mr. Farrand, seconded by Mr. Weaver and duly carried.

Motion to adjourn made by Mr. Van Etten, seconded by Mr. Swackhamer and duly carried.

REGULAR MEETING
Morning Session
Monday, May 24, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of May, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present except Legislator Roush.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Mr. Weaver.

Chairman Donnelly asked Lise Reynolds to come forward. Ms. Reynolds is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Donnelly asked Mary Lisi to come forward. Ms. Lisi is an employee in the Sheriff's Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Donnelly asked Diana Marquez to come forward. Ms. Marquez is an employee in the Health Care Facility. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement following 8 years of service with Steuben County. Nicole Walker, Assistant HCF Administrator, stated Ms. Marquez is a shy, honest, trustworthy and reliable employee who has worked the evening shift as a Certified Nursing Assistant. Thank you for your daily dedication and the tender touch you have given to the residents of the Health Care Facility and congratulations on your retirement.

Chairman Donnelly asked Paula Parker to come forward. Ms. Parker is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 25 years of service with Steuben County. Ms. Parker stated it has been a pleasure; thank you very much.

Chairman Donnelly asked Ken Sherer to come forward. Mr. Sherer is the Steuben County Records Manager. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 25 years of service with Steuben County. Mr. Sherer stated it was a great ride. Thank you.

Chairman Donnelly asked Greg Heffner to come forward. Mr. Heffner is the Deputy County Administrator and Planning Director. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 25 years of service with Steuben County. Mr. Heffner stated when I came here, I didn't know I was being interviewed by the person whose job I was going to take. That put the pressure on right away. As we were walking into my first budget meeting, he said to me, "Don't be surprised if somebody makes a motion to eliminate the Planning Department; they do that every year." It has been fun; sometimes a challenge and sometimes very rewarding. I'll miss it but it is time to teach my grandchildren fly fishing.

Chairman Donnelly asked Helen Robinson to come forward. Ms. Robinson is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 31 years of service with Steuben County.

Chairman Donnelly asked David Burgess to come forward. Mr. Burgess is an employee in the Department of Public Works. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 33 years of service with Steuben County. Mr. Burgess stated I

can't believe I have worked that many years. I like working for Steuben County and doing what I'm doing. When I retire, I hope to play farmer.

Chairman Donnelly asked Joyce Pierson to come forward. Ms. Pierson is an employee in the Sheriff's Civil Office. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 39 years of service with Steuben County.

Sheriff Ordway stated Joyce Pierson worked under three County Clerks and two Sheriffs. Her job is something you can't teach to new employees. She drove the department's accreditation program. Her work ethic is something you don't see in the new generation. She was always in to work early and always stayed late. She will be missed.

Chairman Donnelly stated Sheriff Ordway is here to accept a Certificate of Appreciation and a plaque for Dale Campbell, Deputy Sheriff, in recognition of his retirement following 43 years of service with Steuben County.

Sheriff Ordway stated Dale went on road patrol in 1967. The longevity both of these employees have in our department is phenomenal. Dale has several irons in the fire and he never sleeps. I tried, but I couldn't get him to come here today to accept this recognition.

Chairman Donnelly stated all of these retirements today represent 305 years of service to the County.

Chairman Donnelly stated one final retirement must be noted. Our Clerk, Christine Kane, will be retiring on June 25th following 22 years of service with Steuben County. He presented her with a Certification of Appreciation as well as a specially-commissioned plaque that was paid for from the Legislative Flower Fund.

Chairman Donnelly stated Mrs. Kane has served as our Clerk for 22 years. I thought she would have the claim to fame as being the first female Clerk of the Legislature but no, she wasn't the first. Then I thought she'd be the longest-serving Clerk, but she missed that honor by 11 days. So, it was finally determined that she was the longest-serving living Clerk. Chris has done many things during her tenure as Clerk but there is one thing she has not done. She has never disappointed anyone in their expectations of her. She will be missed and we congratulate her on her retirement.

Mrs. Kane stated this is my last Legislative meeting as your Clerk of the Legislature. I have been privileged to sit in this chair for over 22 years. I have seen Legislators come and go. Some I have formed close personal friendships with, but all I have admired for varying reasons. I have admired you for your willingness to want to make changes for the better, for the people you represent in your districts, and for all people in the County. I thank you for the opportunity to work with all of you.

Chairman Donnelly opened the floor for comments by members of the public.

Brad Turner, Southeast Steuben County Library, thanked the County for the continued funding of the libraries. It has helped maintain and improve the books we provide the public and helps the communities we serve.

Karen Deutsch, Wayland Library, stated thank you for allowing us to be here. The residents come to the library for entertainment. It provides early literacy for children, computers for online classes and job hunting. Libraries contribute to the economic activity of the community. Thank you for your support.

Lorraine Nelson, Howard Library, stated through Steuben County's generosity, the Howard Library has an internet connection. With your funding, a small town has equal opportunity to access information. Thank you.

Ristiina Wigg, Southern Tier Library System, stated part of the funding goes to collections and services in libraries. Just as it is important to Steuben County to have Routes 17 and 15 connected to the Federal Highway System, it is important to connect the residents to the internet and your funding to the libraries provides that service. Thank you.

Mark Schlecter, Bath, stated on behalf of the Citizens for Healthy Communities, we support your development of a Natural Gas Task Force. We need to review the full impact of the Marcellus shale drilling. I think it is important for the County to take a stand. I ask that you join the four other counties in memorializing the State to make sure strong regulations are in place. I also believe that to fully study the total impact, a subcommittee would be helpful. Groups like ours look forward to working with this task force. Thank you.

There being no further comments, Chairman Donnelly declared the public comment portion of the meeting closed.

The minutes of the previous month's meeting were adopted upon the motion of Mr. Van Etten, seconded by Mr. Creath and duly carried.

Mr. Creath announced that the June AIP Committee meeting has been changed. He asked Mr. McAllister to provide the information. Mr. McAllister stated the June AIP Committee meeting will be held on Thursday, June 3rd at 9:30 a.m. at the Gunlocke Company in Wayland. Following the meeting, there will be a tour of the facility. After the tour, lunch will be on your own and then they will meet for a tour of the wind farm in Cohocton beginning at approximately 12:30 p.m. Please notify the Clerk of the Legislature's office by Thursday, May 27th if you plan on attending. Mr. McAllister noted that when you get off at the Wayland exit, take a look around. That area next to the exit is what the Steuben County IDA has as an option to promote economic development. It is a great place for growth in the County.

Mr. Ryan recognized the following Steuben County residents who are currently serving in active duty:

Joe Hornbeck	Terry Leonard	Robert Murray	Joseph Murray
Matt Zapata	Kyle Stewart	Stephen Lapek	John Washington
John Parks	Adam Prouty	Carrie Prouty	

RESOLUTION NO. 078-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof, and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be, and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Treasurer, together with the approved applications executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Treasurer, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Denise Devinney
Parcel No.	181.00-01-011.500
Municipality	Hornellsville Town
Disposition	Correction

SCHEDULE "B"

Resolution #_____B-1_____
Former Owner___Charles D Harrington_____
In Rem Index No. 101381, 2008 sale_____
Parcel #_____318.18-03-037.000_____
Municipality ____South Corning Village_____
Grantee(s) _____ Charles D Harrington _____
Grantee(s) Address _194 Sly Avenue, Corning, NY 14830_____
Consideration $12,793.30, together with $185.00 recording fees
Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution #_____B-2_____
Former Owner___Bradley M Laverty & Marvin Rethmel_____
In Rem Index No. 98375, 2007 sale_____
Parcel #_____242.12-01-005.000_____
Municipalit ____Campbell Town_____
Grantee(s) _____ Bradley M Laverty & Marvin Rethmel _____
Grantee(s) Address _5755 Hayes Rd, Bath, NY 14810_____
Consideration $5,361.28, together with $185.00 recording fees
Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution #_____B-3_____
Former Owner___Eric L Vecellio_____
In Rem Index No. 101381, 2008 sale_____
Parcel #_____097.00-03-006.000_____
Municipality ____Cohocton Town_____
Grantee(s) _____Eric L Vecellio_____
Grantee(s) Address _2230 SW 87th Pl, Ocala, FL 34476_____
Consideration $1,509.58, together with $310.00 recording fees
Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution #_____B-4_____
Former Owner___Augustin Cruz & Samuel Cruz_____
In Rem Index No. 101381, 2008 sale_____
Parcel #_____021.00-01-036.200_____
Municipality ____Prattsburgh Town_____
Grantee(s)_____ Augustin Cruz & Samuel Cruz _____
Grantee(s) Address _4339 Elizabeth St, Philadelphia, PA 19124____
Consideration $1,480.24, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution #_____B-5_____
Former Owner___Alvin C Husted & Barbara Husted_____
In Rem Index No. 98375, 2007 sale_____
Parcel #_____166.10-01-031.000_____
Municipality ____Hornell City_____
Grantee(s _____ Alvin C Husted & Barbara Husted _____
Grantee(s) Address _381 Canisteo St, Hornell, NY 14843_____
Consideration $840.48, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 079-10

Introduced by P. Donnelly. Seconded by R. Weaver.

RECEIVING AND ACCEPTING THE MAY 24, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

April 19, 2010
NYS Department of State – Re: Announcement of funding applications for the Appalachian Regional Commission Area Development Program. The deadline for submitting applications is Monday, June 14, 2010. ***Referred to: Greg Heffner, Planning Director; and Jack Wheeler, Assistant County Administrator.***

April 29, 2010
Nixon Peabody LLP, Attorneys at Law – Re: Request for protection of critical infrastructure information pertaining to Case #10-T-0019, Joint Petition of Fortuna Energy Inc. and Corning Natural Gas Corporation.
Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

April 30, 2010
Douglas F. Baker, Cameron Mills, NY – Re: Letter requesting to allow for natural gas exploration and drilling to go forward while still protecting the environment and water quality. ***Referred to: A.I.P. Committee; and Amy Dlugos, Natural Gas Task Force Representative.***

Paul Wolfe, Hammondsport, NY – Re: Letter requesting Steuben County to support Assemblyman Bacalles with a resolution in support of the People's Convention to Reform New York Act. ***Referred to: Steuben County Legislature.***

May 3, 2010
Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: 1st Quarter Report for 2010 and an invoice for payment in the amount of $1,406.25. ***Referred to: Human Services, Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; Mike Sprague, EMO Director.***

NYS Department of Transportation – Re: Notification of recently sent vouchers to the State Comptroller that distributes the lag SFY 2009-2010 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. ***Referred to: Greg Heffner, Planning Director.***

May 4, 2010
Western Regional Off-Track Betting Corporation - Re: Check in the amount of $13,822 which represents the March 2010 retained surcharge revenues and the municipality's share of the 2010 1st quarter net revenues**.** ***Referred to: Finance Committee; and Carol Whitehead, County Treasurer.***

May 7, 2010
NY State Assembly – Re: Request to respond on how to meet the new standards and fully comply with the Minority and Woman –Owned Business Enterprise (MWBE) requirements. ***Referred to: Greg Heffner, Steuben Tobacco Asset Securitization Corporation's President.***

New York State Association of Counties – Letter requesting to extend the enhanced Federal Medical Assistance Percentage (FMAP) matching rates through June 30, 2011. ***Referred to: Mark Alger, County Administrator.***

Senator George H. Winner, Jr., 53rd District – Re: In order to assist counties with the implementation of Leandra's Law, the Division of Probation and Correctional Alternatives (DPCA) has been involved in developing a state wide grant application for up to $3 million dollars. ***Referred to: Public Safety & Corrections Committee; and Probation Director.***

May 10, 2010
Somerset County Commissioners – Re: Requesting support to improve the vital transportation network through the Appalachian Region with reinstituting the use of toll credits for the Appalachian Development Highway System (ADHS) projects. ***Referred to: Greg Heffner, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 080-10

Introduced by T. Ryan. Seconded by C. Ferratella.

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2010, PROVIDING FOR CRIMINAL HISTORY RECORD INFORMATION INVESTIGATIONS FOR DAY CARE PROVIDERS PURSUANT TO ENGAGEMENT BY THE DEPARTMENT OF SOCIAL SERVICES RELATIVE TO CHILDREN IN NEED OF SERVICES.

WHEREAS, the Department of Social Services ("Department") is required to perform criminal history record information investigations ("background checks") on individuals engaged as Day Care Providers in order to protect children; and

WHEREAS, the Division of Criminal Justice Services ("DCJS") System has the capability of providing the Department with background checks; and

WHEREAS, the Sheriff has access to the DCJS System and can with DCJS permission, facilitate the background checks at the request of the Department; and

WHEREAS, DCJS requires the local municipality to enact a local law to establish requirements for protection and dissemination of information accessible through the DCJS System of producing criminal background checks.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. One for the Year 2010, providing for criminal history record information investigations for Day Care Providers pursuant to engagement by the Department of Social Services relative to children in need of services, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2010

A LOCAL LAW providing for criminal history record information investigations for Day Care Providers pursuant to engagement by the Department of Social Services relative to children in need of services.

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

SECTION 1: All prospective (legally exempt) Day Care Providers pursuant to engagement by the Department of Social Services relative to Children in need of services, after the effective date of this Local Law, by virtue of such engagement, shall be subject to a criminal history record information ("CHRI") investigation to determine the suitability of such applicant for such engagement.

SECTION 2: Upon receipt of an application for any such engagement, the County Commissioner of Social Services shall, subject to the rules and regulations of the Division of Criminal Justice Services and of a written Use and Dissemination Agreement between the Division of Criminal Justice Services and the Commissioner of Social Services, initiate a criminal history records check of the person making application. The Commissioner shall furnish the applicant with the form described in Section 5 of this Local Law and shall obtain the applicant's consent to the criminal history records check. The Division of Criminal Justice Services shall forward such criminal history record to the Commissioner in a timely manner.

SECTION 3. All such CHRI processed and sent pursuant to this subdivision shall be confidential pursuant to the applicable federal and state laws, rules and regulations and shall not be published or in any way disclosed to persons other than the Commissioner or her designee, the Deputy Commissioner of Services, the Steuben County Attorney, the Deputy County Attorney/DSS Family Court, and any contractor engaged by the Commissioner to review and process Day Care Provider applications, unless otherwise authorized by Law. No cause of action against the County or the Division of Criminal Justice Services for damages related to the dissemination of CHRI pursuant to this subdivision shall exist when the County or Division of Criminal Justice Services has reasonably and in good faith relied upon the accuracy and completeness of CHRI furnished to it by qualified agencies. The provision of such CHRI by the Division of Criminal Justice Services shall be subject to the provisions of subdivision sixteen of Section two hundred ninety-six of the Executive Law. The Commissioner shall consider such criminal history record pursuant to Article twenty-three-A of the Correction Law.

SECTION 4. The Steuben County Commissioner of Social Services, in consultation with the Division of Criminal Justice Services and in accordance with all applicable provisions of law, shall promulgate rules and regulations for the use of information derived from a search of the records of the Division of Criminal Justice Services. The Commissioner shall also develop a form for submission by the County that contains a specific service provider title sought and any other information that may be relevant to consideration of the applicant.

SECTION 5. The Steuben County Commissioner of Social Services, in consultation with the Division of Criminal Justice Services, shall:

A. Promulgate a form to be provided to all such prospective Day Care Providers pursuant to engagement by the Department of Social Services relative to Children in need of services that shall:

(i) inform the prospective provider that the Commissioner is required to request his or her CHRI from the Division of Criminal Justice Services and review such information pursuant to this section, and provide a description of the manner in which his or her fingerprint cards will be used upon submission to the

Division of Criminal Justice Services;

(ii) inform the prospective provider that he or she has the right to obtain, review and seek correction of his or her CHRI pursuant to regulations and procedures established by the Division of Criminal Justice Services;

(iii) inform the prospective provider that his or her failure to consent to such a CHRI investigation shall be deemed a disqualification for engagement for which the person has applied.

B. The Steuben County Commissioner of Social Services shall obtain the signed informed consent of the prospective provider on such form which indicates that such person has:

(i) been informed of the right and procedures necessary to obtain, review and seek correction of his or her CHRI;

(ii) been informed of the reason for the request for his or her CHRI;

(iii) consented to such request for a report;

(iv) supplied on the form a current mailing or home address for the prospective provider;

(v) been informed that he or she may withdraw his or her application for engagement pursuant to this section, without prejudice, at any time before engagement is offered or declined, regardless of whether the prospective employee or the County has reviewed such prospective provider's CHRI; and

(vi) been informed that pursuant to Correction Law §§701 – 703-b and §§751 – 753, his or her application for employment shall be denied by reason of the applicant's having been previously convicted of one or more misdemeanors or felonies or by reason of a lack of "good moral character" when there is a direct relationship between one or more of the previous criminal convictions and the specific engagement sought or the granting of such engagement would involve an unreasonable risk to the safety or welfare of children in need of services, specific individuals or the general public.

(vii) been informed that in making a determination under paragraph (vi) the Steuben County Commissioner of Social Services shall consider the various factors set forth herein and in Correction Law §§701 – 703-b and §§751 – 753.

(viii) been informed that the Commissioner shall have given due consideration to a certificate of relief from disabilities or a certificate of good conduct previously issued to the applicant pursuant to Correction Law §§751 – 753 which sets forth the policy of the State of New York to encourage the engagement of persons previously convicted of one or more criminal offenses and factors that should be considered in making engagement determinations.

(ix) been informed that in the event his or her engagement is terminated, the Steuben County Commissioner of Social Services shall notify the Division of Criminal Justice Services of such termination, and the Division of Criminal Justice Services shall destroy the fingerprints records of such person which had been received through the process set forth herein.

SECTION 6: When the Steuben County Commissioner of Social Services determines that engagement applied for should be denied by reason of information obtained from the applicant's CHRI, the applicant shall be afforded written notice thereof, within 30 days of the request, and the right to be heard and offer proof in opposition to such determination.

SECTION 7: If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or

circumstances, and the Legislature of the County of Steuben hereby declares that it would have passed this Local Law or the remainder thereof, had such invalid application or invalid provision been apparent.

SECTION 8: All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 9: This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on June 28, 2010 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

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

Vote: Acclamation – Adopted.

RESOLUTION NO. 081-10

Introduced by P. McAllister. Seconded by D. Farrand.

PRESENTING LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2010, AMENDING LOCAL LAW NO. EIGHT FOR THE YEAR 2007 RELATIVE TO THE ADMINISTRATION AND OPERATION OF THE STEUBEN COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN AND TO PROVIDE FOR THE APPORTIONMENT OF COSTS AND OPERATION OF THE STEUBEN COUNTY SELF-INSURANCE PLAN.

Pursuant to Sections 65 and 66 of the Workers' Compensation Law of the State of New York.

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Two for the Year 2010, amending Local Law No. Eight for the Year 2007 relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2010

A local law, amending Local Law No. Eight for the Year 2007 relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan.

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

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within legislation to amend Local Law No. Eight for the Year 2007 and to provide for the apportionment of costs to the participants in and the maintenance and operation of the Steuben County Self-Insurance Plan through the enactment of these Rules & Regulations.

Said apportionment shall be a combination of past claims history, assessed full valuation and payroll costs.

SECTION 2: APPORTIONMENT OF COSTS TO PLAN PARTICIPANTS

Following the preparation of the annual estimate of projected amounts necessary for the ensuing calendar year, pursuant to Workers' Compensation Law §67, the share of the amounts chargeable to each participant shall be made in the following manner: ~~42.5%~~ 20% of such projected cost share shall be apportioned based on the proportion that the full aggregate valuation of the taxable real property of the participant bears to the aggregate full valuation of all participants; ~~42.5%~~ 60% shall be apportioned based on the proportion that the full aggregate payroll of the participant bears to the full aggregate payroll of all participants; and, the final ~~15.0%~~ 20% shall be apportioned among the participants based on the proportion of the full value of claims paid over the preceding ~~three (3)~~ five (5) years of each participant bears in proportion to the full aggregate value of all claims paid by all participants over that same period of time.

…

SECTION 4: ENTRY AND WITHDRAWAL OF PARTICIPANTS

Entry into the Plan by an eligible municipality shall be made by service upon the Administrator of a certified copy of the local resolution or legalizing act authorizing same on or before March 31st of each calendar year for the ensuing calendar year. Withdrawal by an eligible municipality from the Plan shall be made by service of a certified copy of the local resolution or legalizing act withdrawing from the Plan on or before March 31st of each calendar year for the ensuing calendar year. Any withdrawal from the Plan shall require payment of the withdrawing municipality's equitable share of the outstanding liabilities of the Plan as of the date of the withdrawal. Liability to pay equitable share shall include an obligation for existing claims of each withdrawing participant together with administrative costs. Payment of said sum shall be made in a lump sum or periodic payments as determined by the Administrator of the Plan upon the advice and consent of the Administration Committee of the Steuben County Legislature.

…

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

AND BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on June 28, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

RESOLVED, that the Clerk of the Legislature shall cause a Notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning, and Hornell, have said Notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature, and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator and the Administrator of the Steuben County Self-Insurance Plan.

Vote: Acclamation – Adopted.

RESOLUTION NO. 082-10

Introduced by J. Hauryski and L. Crossett. Seconded by R. Nichols.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE ELIGIBLE COSTS FOR CONSTRUCTION AND CONSTRUCTION INSPECTION WORK, OF A TRANSPORTATION FEDERAL-AID PROJECT FOR THE REPLACEMENT OF BIN 1011100 ON CR 115 (OLD US 15) OVER THE COWANESQUE RIVER IN THE TOWN OF LINDLEY, COUNTY OF STEUBEN, P.I.N. 6754.21, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a project for the replacement of BIN 1011100 on CR 115 (old US 15) over the Cowanesque River in the Town of Lindley, County of Steuben, P.I.N. 6754.21 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance 100% of the Federal and Non-Federal share of the cost of Construction and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $2,300,000.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and Non-Federal share costs of the Project exceeds the amount appropriated above, the Steuben County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairperson of the Legislature of the County of Steuben be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 083-10

Introduced by J. Hauryski and L. Crossett. Seconded by R. Nichols.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE ELIGIBLE COSTS FOR DESIGN WORK, OF A TRANSPORTATION FEDERAL-AID PROJECT FOR THE REPLACEMENT OF BIN 1011100 ON CR 115 (OLD US 15) OVER THE COWANESQUE RIVER IN THE TOWN OF LINDLEY, COUNTY OF STEUBEN, P.I.N. 6754.21, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a project for the replacement of BIN 1011100 on CR 115 (old US 15) over the Cowanesque River in the Town of Lindley, County of Steuben, P.I.N. 6754.21 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% State funds; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment to pay in the first instance 100% of the Federal and Non-Federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance 100% of the Federal and Non-Federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $341,000.00 is hereby appropriated (of which, $336,000.00 has previously been appropriated) and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and Non-Federal share costs of the Project exceeds the amount appropriated above, the Steuben County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairperson of the Legislature of the County of Steuben be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 084-10

Introduced by J. Hauryski. Seconded by S. Van Etten.

AUTHORIZING AN AGREEMENT BY THE COUNTY OF STEUBEN TO MAINTAIN A CERTAIN COUNTY ROAD, CR 26, MEADS CREEK ROAD, WHICH IS A PORTION OF THE I-86 EXIT 42 INTERCHANGE IN THE TOWNS OF CAMPBELL AND ERWIN IN THE COUNTY OF STEUBEN, PROJECT DESIGNATED AS NEW YORK PROJECT PIN 6066.81.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain 0.165 centerline kilometers of a County road (shown as part numbered 7 on the Table of Maintenance) known as County Road 26 (Meads Creek Road) and to be designated as a portion of New York Project No. 6066.81 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben shall maintain such road and guarantee the maintenance of such road when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it further

RESOLVED, that the New York State Department of Transportation shall submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Acts; and be it further

RESOLVED, that this County of Steuben act through its Chairperson of the Steuben County Legislature and Clerk which are hereby authorized to act for this County of Steuben and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Steuben County Legislature for action, and that this Board furnish two certified copies of this resolution authorizing the Chairperson of the Steuben County Legislature and Clerk of this County of Steuben to execute the agreements on behalf of the County of Steuben such Legislative Chairperson and Clerk being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and be it further

RESOLVED that the Clerk of this Legislature is hereby directed to transmit two (2) certified copies of the foregoing resolution to the State Department of Transportation.

Vote: Roll Call – Adopted.

RESOLUTION NO. 085-10

Introduced by B. Schu and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE ACCEPTANCE OF $39,160 FOR A REGIONAL EXERCISE GRANT FROM THE NYS HOMELAND SECURITY PROGRAM.

WHEREAS, Steuben County has identified the risks associated with the affects of natural disaster; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of hazard: and

WHEREAS, Steuben County has identified the need for additional resources, education, training and coordination in the event of a region-wide natural disaster; and

WHEREAS, The New York State Office of Homeland Security is responsible for the assignment of administration of grant allocation provided by the Federal Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Regional Exercise grant funds in the amount of $39,160 under the State Homeland Security Regional Exercise Project to support the development and implementation of a regional exercise involving Steuben, Chemung and Schuyler Counties.

NOW THEREFORE, BE IT

RESOLVED, the County Administrator be authorized to enter into agreement with the New York State Office of Homeland Security to accept funding in the amount of $39,160 for implementation of the State Homeland Security Regional Exercise Project to support the planning, coordination, response and the resulting improvement plan for a regional exercise involving Steuben, Chemung and Schuyler Counties; and be it further

RESOLVED, the County Administrator and the Director of Emergency Management are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized to establish a revenue account for the purpose of accepting the grant funding from the Federal Government and the New York State Office of Homeland Security; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben County Office of Emergency Management for the purpose of fulfilling the aforementioned grant; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the New York State Office of Homeland Security, 1220 Washington Avenue, State Office Building 7A, Albany NY 12226; the County Treasurer; and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 086-10

Introduced by B. Schu and P. McAllister. Seconded by P. Palmesano.

PROVISIONALLY APPOINTING THE STEUBEN COUNTY PROBATION DIRECTOR AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Steuben County Probation Director; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Public Safety & Corrections Committee and Administration Committee of the Steuben County Legislature, in accordance with its responsibility, have diligently conducted a search for eligible candidates; and

WHEREAS, the Public Safety & Corrections Committee and Administration Committee have recommended that Eugene Greeley of Hornell, New York, be provisionally appointed as the Steuben County Probation Director; and

WHEREAS, it is the recommendation of the Public Safety & Corrections Committee and Administration Committee to set the salary of the Probation Director at $65,000 per annum (Management Grade G).

NOW THEREFORE, BE IT

RESOLVED, that Eugene Greeley of Hornell, New York, is hereby provisionally appointed as Steuben County Probation Director, effective May 24, 2010, at a salary of $65,000 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, County Treasurer, Personnel Officer and Robert M. Maccarone, State Director, New York State Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, NY 12205.

Vote: Roll Call – Adopted.

RESOLUTION NO. 087-10

Introduced by D. Creath. Seconded by D. Farrand.

ESTABLISHING A STEUBEN COUNTY NATURAL GAS TASK FORCE.

WHEREAS, intensive natural gas drilling is likely in parts, or in all, of Steuben County over the next several decades due to the presence of Marcellus shale gas, and perhaps other "unconventional" gas resources, made available by high-volume hydraulic fracturing; and

WHEREAS, if New York follows patterns seen in other states experiencing intensive drilling, Steuben County will experience changes in population, land use, community dynamics, local economies, and government services demands, including law enforcement, emergency response, and human services; and

WHEREAS, such changes may alter the character of our rural area in both positive and negative ways; and

WHEREAS, if the County anticipates changes, liabilities, assets, and prepares to respond, the County can minimize negative impacts and make the most of positive outcomes and opportunities.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County shall establish a Steuben County Natural Gas Task Force to address natural gas development related impacts on County government operations and make best use of opportunities; to participate in regional studies or other efforts that address impacts and opportunities at a broader scale; and to assist local governments or other agencies with impacts or opportunities when feasible and appropriate; and be it further

RESOLVED, that the structure of such Task Force shall be as proposed by the Planning Department to the Agriculture, Industry, and Planning Committee on May 3, 2010, which proposal is titled "Revised May 2010 Proposal to Establish a Steuben County Natural Gas Task Force"; and be it further

RESOLVED, that the Chairman of the Steuben County Legislature is directed to select the members of the Task Force to fulfill the mission and roles of the Task Force; and be it further

RESOLVED, that the Chairman of the Steuben County Legislature is authorized to appoint a Steering Committee for the Steuben County Natural Gas Task Force, membership to consist of the Chairman of the Legislature, County Administrator, County Planning Director, a member of the Agriculture, Industry & Planning Committee, a representative from local government and such other representatives as the Steering Committee deems appropriate; and be it further

RESOLVED, the Chairman of the Steuben County Legislature in consultation with the Steering Committee shall be authorized to appoint members to subcommittees including, but not limited to, Public Safety, Roads and Infrastructure and Housing with the intent to address potential issues as discussed in the Steuben County Natural Gas Task Force proposal; and be it further

RESOLVED, that the Steering Committee, on a monthly basis, provide a report to the Agriculture, Industry & Planning Committee; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Gregory P. Heffner, Planning Director; Mark Alger, County Administrator; and any other individuals deemed necessary.

Vote: Roll Call – Adopted.

RESOLUTION NO. 088-10

Introduced by P. McAllister. Seconded by B. Schu.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 (2) of the Tax Law of the State of New York.

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of October, 2009, to the 31st day of March, 2010, pursuant to provisions of Section 261 (2) of the Tax Law, as made by the Clerk of this Legislature be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the County Treasurer of this County, is hereby and in all things ratified and confirmed and such statement shall be to the County Treasurer a sufficient Warrant for the payment by her of the various sums as apportioned for the various purposes as designed by Law; and be it further

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

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on March 31, 2010, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since October 1, 2009, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $445,216.94.

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

MORTGAGE TAX DISTRIBUTION – 5/2010

TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES	VILLAGES AMT DUE
ADDISON	5,962.07	ADDISON	2,490.79
AVOCA	6,193.94	AVOCA	803.88
		BATH (1)	6,424.40
BATH	22,689.06	SAVONA (2)	626.65
BRADFORD	2,442.99		
CAMERON	4,865.60		
CAMPBELL	8,459.79		
CANISTEO	5,160.42	CANISTEO	1,678.22
CATON	8,673.67		
COHOCTON	5,429.04	COHOCTON	726.95
CORNING CITY	61,621.15		
		RIVERSIDE (1)	1,340.78
CORNING TOWN	34,721.46	S CORNING (2)	2,077.33
DANSVILLE	8,258.85		
ERWIN	67,111.56	PAINTED POST	5,226.75
FREMONT	2,286.16		
GREENWOOD	1,810.62		
HARTSVILLE	3,041.88		
HORNBY	7,344.23		
HORNELL CITY	30,613.00		
		ALMOND (1)	35.81
		ARKPORT (2)	1,520.57

HORNELLSVILLE	17,221.02	V N HORNELL (3)	1,779.32
HOWARD	5,191.46		
JASPER	1,550.15		
LINDLEY	6,906.13		
PRATTSBURGH	9,621.30		
PULTENEY	15,789.68		
RATHBONE	1,598.12		
THURSTON	4,764.62		
TROUPSBURG	3,258.56		
TUSCARORA	4,713.93		
URBANA	18,789.33	HAMMONDSPORT	1,667.97
WAYLAND	14,496.64	WAYLAND	3,414.81
WAYNE	14,585.85		
WEST UNION	895.55		
WHEELER	999.23		
WOODHULL	8,335.65		
TOTAL	**415,402.71**		**29,814.23**

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

DATED at Bath, New York, May 24, 2010.

STEUBEN COUNTY LEGISLATURE
s/Patrick F. Donnelly, Chairman
s/Christine Kane, Clerk

Vote: Roll Call – Adopted.

RESOLUTION NO. 089-10

Introduced by L. Crossett. Seconded by G. Swackhamer.

ESTABLISHING THE DATES FOR THE REAL PROPERTY DELINQUENT TAX AUCTION AND THE LAST DATE FOR REPURCHASE.

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

WHEREAS, it is desirable to establish the date of the County Delinquent Real Property Tax Auction and the final repurchase date for parcels in said auction.

NOW THEREFORE, BE IT

RESOLVED, the 2010 Delinquent Real Property Tax Auction shall be conducted on Wednesday, July 14, 2010, commencing at 10:00 A.M. at the Hammondsport Central School, Hammondsport, New York; and be it further

RESOLVED, the final date to repurchase parcels listed for auction prior thereto is Friday, July 9, 2010, with a 25% repurchase fee on all taxes due, together with all other costs and fees associated therewith; and be it further

RESOLVED, that all prior liens and/or judgments that were against said former owner/said parcel will be re-instated to repurchased parcels; and be it further

RESOLVED, that the County by action of the Finance Committee reserves the right to retain title on any parcel by denying the option to repurchase; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 090-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

REAPPOINTING MEMBERS TO THE CORNING COMMUNITY COLLEGE REGIONAL BOARD OF TRUSTEES.

Pursuant to §6306 of the Education Law of the State of New York.

WHEREAS, by resolution duly adopted the 25th day of June, 2007, John W. Kelley of Painted Post, New York, was appointed to the Regional Board of Trustees for Corning Community College for a term to expire June 30, 2010; and

WHEREAS, the Chairman of the Legislature has recommended John W. Kelley for reappointment to the Regional Board of Trustees for a term commencing July 1, 2010, and expiring June 30, 2017; and

WHEREAS, by resolution duly adopted the 18th day of December, 2006, Donald B. Creath of Corning, New York, was appointed to the Regional Board of Trustees for Corning Community College to fill the unexpired term of Althea O. Roll for a term to expire January 27, 2012; and

WHEREAS, Corning Community College has requested that the term of office for Donald B. Creath be extended to June 30, 2012, to comply with §6306 of the Education Law of the State of New York, which stipulates that the terms of office of all members of the boards of trustees of community colleges shall terminate on the thirtieth day of June of the calendar year within which such terms expire.

NOW THEREFORE, BE IT

RESOLVED, that John W. Kelley be and the same hereby is reappointed to the Corning Community College Regional Board of Trustees for the above-mentioned term; and be it further

RESOLVED, that the term of office for Donald B. Creath on the Regional Board of Trustees is hereby extended to June 30, 2012; and be it further

RESOLVED, said members shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of their duties on the Corning Community College Regional Board of Trustees; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Dr. Floyd Amann, President of Corning Community College, 1 Academic Drive, Corning, New York 14830; John W. Kelley, 242 Fairview Avenue, Painted Post, NY 14870; Donald B. Creath, 86 Cintra Lane East, Corning, NY 14830; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 091-10

Introduced by J. Hauryski. Seconded by D. Creath.

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO ADOPT ASSEMBLY BILL A.9049 AND SENATE BILL S.6047 IN SUPPORT OF ELECTRONICS RECYCLING AND EXTENDED PRODUCER RESPONSIBILITY LEGISLATION FOR ELECTRONIC WASTES.

WHEREAS, historically the responsibility and financial burden for managing consumer electronic wastes has fallen to local solid waste management programs that have little ability to effect changes in the manufacturer's selection of product design, materials and packaging; and

WHEREAS, the Steuben County Legislature wishes to express its support for New York State's enactment of a user friendly and convenient Extended Producer Responsibility ("EPR") based consumer electronic waste collection program through State legislation; and

WHEREAS, New York State Assembly Bill A.9049 and New York State Senate Bill S.6047 present such an approach to managing our consumer electronic waste by requiring manufacturer financed collection of such wastes, as recommended by the New York Product Stewardship Council.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature memorializes the New York State Legislature to adopt Extended Producer Responsibility legislation for consumer electronic waste recycling and management, such as Assembly Bill A.9049 and Senate Bill S.6047; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; and Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Assemblyman Robert K. Sweeney, 625 Legislative Office Building, Albany, NY 12248; and Senator Antoine M. Thompson, 902 Legislative Office Building, Albany, NY 12247.

Vote: Acclamation – Adopted.

RESOLUTION NO. 092-10

Introduced by P. Donnelly. Seconded by C. Ferratella.

SUPPORTING A TEMPORARY EXTENSION OF ENHANCED FEDERAL MEDICAID MATCHING FUNDS PROVIDED UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA).

WHEREAS, Medicaid is a federal, state, and local health care program whose costs and administration represents the largest component of the state and local fiscal relationship in New York, currently totaling over $51 billion annually; and

WHEREAS, since the program's inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures the programs cost has resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, while a local government Medicaid "cap" has been implemented in New York in an effort to provide some budget stability and help shield local taxpayers from the impact of excessive Medicaid growth, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

WHEREAS, Congress has provided an increase in Federal Medicaid matching funds, set to expire on December 31, 2010, to all states under the American Recovery and Reinvestment Act in recognition of the recent fiscal crisis; and

WHEREAS, in addition to providing fiscal relief to the State of New York, this increase also provides direct fiscal relief to local governments in New York State which helps ease the local property and sales tax burden for all New Yorkers; and

WHEREAS, the U.S. Senate, House and the President all support a six month extension of this critical temporary enhanced Medicaid assistance through June 30, 2011 because of the continued fiscal pressures experienced by state and local governments due to further declines in tax revenues and increased demand for public services stemming from the recession; and

WHEREAS, New York and twenty-three other states, have included a six month extension of this enhanced funding in their budgets for the coming year, it is imperative that Congress enact a six month extension of enhanced Medicaid assistance payments as soon as possible, to allow states to finalize their budgets without having to fill even larger budget holes with tax increases or service cuts that would be necessary in the absence of this federal funding; and

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature strongly supports a six month extension of the enhanced Federal Medical Assistance Percentage (FMAP) as established under the American Recovery and Reinvestment Act; and be it further

RESOLVED, Steuben County calls upon the Governor and the New York State Legislature to encourage the New York Congressional Delegation to support this six month extension; and be it further

RESOLVED, certified copies of this resolution shall be forwarded Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; U.S. Senator Charles E. Schumer, 313 Hart Senate Building, Washington, DC 20510-3202; U.S. Senator Kirsten Gillibrand, 478 Russell Senate Office Building, Washington, DC 20510; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Richard Calabrese, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, 20 Ontario Street, Canandaigua, NY 14424.

Vote: Acclamation – Adopted.

Motion to adjourn made by Mr. Farrand, seconded by Mr. Crossett and duly carried.

REGULAR MEETING
Morning Session
Monday, June 28, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 28th day of June, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mr. Walsh.

Chairman Donnelly asked Marcie Beyor to come forward. Ms. Beyor is an employee in the 911 Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Donnelly asked Chris Bowes to come forward. Mr. Bowes is an employee in the Telephonic Communications Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of services to Steuben County.

Chairman Donnelly asked Karen Murphy to come forward. Ms. Murphy is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Donnelly asked Janice Caparulo to come forward. Ms. Caparulo is an employee in the Information Technology Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly asked Judy Brill to come forward. Ms. Brill is an employee in the Information Technology Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

John Clifford stated that he is the representative of the Western Regional Off-Track Betting Corporation. The WROTBC was formed in 1974 and the Steuben County Board of Supervisors invested $22,000.00 into this new venture. That investment has netted $5.7 million to the County. There has been some coverage in the media about Off-Track Betting operations, mainly that New York City has filed for bankruptcy. The WROTBC also operates a casino at Batavia Downs. Since 1974 approximately $130 million has been bet on racing in the County. In 2005, 1.6 billion bets were placed at the casino in Batavia. The last quarter Steuben County received $13,000. Our region is unique because we have a casino and a racetrack and we continue to make money and hope to in the future.

Mr. Van Etten asked if our region is the only one that is doing well, does that make us a target? Mr. Clifford replied there was a movement for the State to take over all OTB's. That has been resisted so far and there is currently no movement in that direction. The Western region owns $50 million in real estate and that is another unique feature. If the State takes over, that will stop the cash flow and you would only get a one-time payment. Chairman Donnelly thanked Mr. Clifford for his presentation.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Authorizing and Directing the Steuben County Deputy Treasurer to Transfer $40,000.00 from the "Building Repair and Renovations Reserve" to a Capital Project Entitled "Sprinkler System Repairs". Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. One for the Year 2010, providing for criminal history record information investigations for Day Care Providers pursuant to engagement by the Department of Social Services relative to children in need of services. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Two for the Year 2010, amending Local Law No. Eight for the Year 2007 relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Three for the Year 2010, Electing a retirement incentive program as authorized by Chapter 105, Laws of 2010, Part A, for the eligible employees of the County of Steuben. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Deputy Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs for Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Four for the Year 2010, Electing a retirement incentive program as authorized by Chapter 105, Laws of 2010, Part B, for the eligible employees of the County of Steuben. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion approving the minutes of the May 24, 2010 meeting made by Mr. Weaver, seconded by Mr. McAllister and duly carried.

Mr. Donnelly asked Christine Kane to come forward. He presented her with a joint resolution from the New York State Senate and the New York State Assembly in honor of her retirement. ***CONGRATULATIONS!***

Mr. Ryan recognized the following Steuben County residents who are currently serving in active duty:

Amanda Proudy	Angela Neu	Cory Rahr	Jason Woodworth	Seth Baker
Donald Van Winkle	Elliott Butler	Jeremiah Wilder	Brandon Kimball	Patrick Kelly

Mr. Ryan commented that over the course of the past five months he has read the names of 55 young people and two of those have paid the ultimate sacrifice. He thanked all of them for their service.

RESOLUTION NO. 093-10

Introduced by: L. Crossett. Seconded by: S. Van Etten.

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

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

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Treasurer, together with the approved applications executed in duplicate by the Chairman of the County Legislature, and the Chairman of the Board of Assessors; and certified copies of this resolution contained in Schedule "B" shall be forwarded to the Steuben County Treasurer, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Name	Jennifer & Philip Willis
Parcel No.	197.11-06-064.120
Municipality	Canisteo Village
Disposition	Correction

Resolution No.	A-2
Name	Gregory L & Sheila J McGrain
Parcel No.	372.00-01-048.210
Municipality	Caton Town
Disposition	Refund

Resolution No.	A-3
Name	Linda K Walker
Parcel No.	299.15-02-041.000
Municipality	Corning City
Disposition	Correction

Resolution No.	A-4
Name	Growth Resources of Wellsboro Foundation, Inc.
Parcel No.	334.00-01-054.000
Municipality	Erwin Town
Disposition	Refund (per Court Order)

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Wesley Nash & Alice A Croft
In Rem Index No.	101381, 2008 sale
Parcel No.	099.15-01-004.212
Municipality	Avoca Village
Grantee(s)	Wesley Nash & Alice A Croft
Grantee(s) Address	77 North Main St, Avoca, NY 14809
Consideration	2,099.65, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Edward Allen & Virginia Allen
In Rem Index No.	101381, 2008 sale
Parcel No.	302.00-01-002.600
Municipality	Greenwood Town
Grantee(s)	Edward Allen & Virginia Allen
Grantee(s) Address	172 State Route 417, Andover, NY 14806
Consideration	2,195.11, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-3
Former Owner	Raymond Smith & Judy Smith
In Rem Index No.	101381, 2008 sale
Parcel No.	166.06-07-028.000
Municipality	Hornell City
Grantee(s)	Raymond Smith & Judy Smith
Grantee(s) Address	13 Depot St, Hornell, NY 14843
Consideration	4,110.46, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-4
Former Owner	Judy Smith
In Rem Index No.	101381, 2008 sale
Parcel No.	166.06-07-023.200
Municipality	Hornell City
Grantee(s)	Judy Smith
Grantee(s) Address	13 Depot St, Hornell, NY 14843
Consideration	973.29, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-5
Former Owner	Leslie A Deweerdt
In Rem Index No.	101381, 2008 sale
Parcel No.	050.00-01-025.112
Municipality	Pulteney Town
Grantee(s)	Leslie A Deweerdt
Grantee(s) Address	PO Box 68, Montauk, NY 11954
Consideration	1,615.31, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-6
Former Owner	Loren Brown II
In Rem Index No.	101381, 2008 sale
Parcel No.	310.00-01-010.112
Municipality	Woodhull Town
Grantee(s)	Loren Brown II
Grantee(s) Address	5292 County Rte 21, Addison, NY 14801
Consideration	1,009.58, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-7
Former Owner	Cheyenne J Stone
In Rem Index No.	101381, 2008 sale
Parcel No.	345.00-01-006.200
Municipality	Woodhull Town
Grantee(s)	Cheyenne J Stone
Grantee(s) Address	2000 Lyon Rd, Woodhull, NY 14898
Consideration	3,462.60, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-8
Former Owner	Percy W Shaw
In Rem Index No.	101381, 2008 sale
Parcel No.	278.00-03-007.110
Municipality	Campbell Town
Grantee(s)	Percy W Shaw
Grantee(s) Address	8425 County Rte 4, Campbell, NY 14821
Consideration	17,036.11, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-9
Former Owner	Mary K Rinehart
In Rem Index No.	101381, 2008 sale
Parcel No.	077.00-03-025.200
Municipality	Wayne Town
Grantee(s)	Mary K Rinehart
Grantee(s) Address	9580 Grove Springs Rd, Hammondsport, NY 14840
Consideration	1,074.15, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-10
Former Owner	Cheryl A Miller
In Rem Index No.	98375, 2007 sale
Parcel No.	318.54-02-065.000
Municipality	Corning City
Grantee(s)	Cheryl A Miller
Grantee(s) Address	277 E Third St, Corning, NY 14830
Consideration	$8,140.14, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-11
Former Owner	Richard J Boyan
In Rem Index No.	101381, 2008 sale
Parcel No.	151.64-01-023.000
Municipality	Hornell City
Grantee(s)	Richard J Boyan
Grantee(s) Address	54 Church St, Hornell, NY 14843
Consideration	$1,115.80, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 094-10

Introduced by: P. Donnelly. Seconded by: G. Roush.

RECEIVING AND ACCEPTING THE JUNE 28, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

May 17, 2010

Monroe County Department of Public Health – Re: Inter-Municipal Agreement between Counties of Monroe, Livingston, Steuben, Yates, Schuyler, Chemung, Ontario, Wayne and Seneca for Public Heath Mutual Aid Services. ***Referred to: Human Services, Health & Education Committee; and Vicki Fuerst, PHN Director.***

May 18, 2010
Nixon Peabody LLP, Attorneys at Law – Re: Case 10-T-0019 Joint Petition of Fortuna Energy Inc. and Corning Natural Gas Corporation for the Amendment of the Certificate of Environmental Compatibility and Public Need to Construct a Compressor Station, and the Transfer of the Certificate of Environmental Compatibility and Public Need of a Gas Pipeline Consisting of Approximately 24,920 feet of 6 inch coated Steel Pipe and Appurtenant Facilities, located in the Towns of Caton and Lindley, Steuben County- request for Protection of Confidential Contractual Arrangements. ***Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.***

May 19, 2010
NYS Department of Transportation – Re: Notification of approval of grant application for the Federal Section 5311 Operating Assistance Projects in the amount of $133,200 for 2009 and $142,500 for 2010. ***Referred to: Greg Heffner, Planning Director.***

May 24, 2010
New York State Office of Parks, Recreation and Historic Preservation – Re: The Gold Seal Winery located at West Lake Road, Urbana, New York in Steuben County will be considered by the State Review Board at its next meeting held on June 22, 2010 for the nomination to the National and State Registers of Historic Places. ***Referred to: Greg Heffner, Planning Director; and Twila O'Dell, Historian.***

NYS Division of Probation and Correctional Alternatives – Re: Notification of Mr. Greely satisfying the promotional civil service requirements for the provisional appointment pending results of the upcoming examination of the Director of the Steuben County Probation Department. ***Referred to: Public Safety & Corrections Committee; and Eugene Greeley, Probation Director.***

May 27, 2010
New York State Association of Counties – Re: The New York Court of Appeals released its decision on May 6, 2010 in a case challenging the sufficiency of indigent defense as it relates to the U.S. Constitution's 6th amendment, right to counsel. ***Referred to: Fred Ahrens, County Attorney.***

May 28, 2010
Southern Tier Extension Railroad Authority – Re: Chautauqua, Cattaraugus, Allegany & Steuben Southern Tier Extension Railroad Authority (STERA) Annual Report for the year ending December 31, 2009. ***Referred to: filed with the Clerk of the Legislature.***

June 2, 2010
Western Regional Off-Track Betting Corporation – Re: check in the amount of $4,817 which represents the April 2010 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Deputy County Treasurer.***

June 4, 2010
Nixon Peabody LLP, Attorneys at Law – Re: Case 10-T-0019 Joint Petition of Fortuna Energy Inc. (Talisman Energy USA Inc.) and Corning Natural Gas Corporation for Approval of the transfer of a Certificate of Environmental Compatibility and Public Need of an Existing Gas Pipeline consisting of Approximately 24,920 feet of Six-inch Steel Pipeline and an amendment of the Certificate to Authorize Construction of a gas compressor station approximately 500 feet of Six-inch (discharge line) and 400 feet of Ten-inch (suction line), located in the town of Caton, Steuben County**.** ***Referred: A.I.P. Committee; and Greg Heffner, Planning Director.***

June 7, 2010
United States Department of Commerce – Re: Notification of the participation is now complete in the 2010 Decennial Census Local Update of Census Addresses (LUCA) Program. ***Referred to: Tom Sears, GIS Coordinator; and Greg Heffner, Planning Director.***

Employer of Support of the Guard & Reserve – Re: Employer Statement of Support Certificate for Steuben County in recognition of the outstanding commitment made to its employees that proudly serve in our Reserve Component Forces. ***Referred to: Mark Alger, County Administrator.***

Regional Economic Development & Energy Corporation/REDEC Relending Corporation – Re: Request of an allocation of $10,000 in the 2011 budget, with similar commitments for 2012 and 2013 budgets. ***Referred to: A.I.P. Committee; Finance Committee; and Greg Heffner, Planning Director.***

June 10, 2010
Steuben County Soil and Water Conservation District – Re: Letter requesting direction on the 2011 budget for the Soil and Water Conservation District and a request to present their budget at the A.I.P. meeting in August. ***Referred to: A.I.P. Committee; and Finance Committee.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 095-10

Introduced by: T. Ryan. Seconded by: G. Swackhamer.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2010, PROVIDING FOR CRIMINAL HISTORY RECORD INFORMATION INVESTIGATIONS FOR DAY CARE PROVIDERS PURSUANT TO ENGAGEMENT BY THE DEPARTMENT OF SOCIAL SERVICES RELATIVE TO CHILDREN IN NEED OF SERVICES.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on May 24, 2010 County of Steuben Local Law Tentatively No. One for the Year 2010, providing for criminal history record information investigations for Day Care Providers pursuant to engagement by the Department of Social Services relative to children in need of services, and this Legislature by resolution, preliminarily adopted said Local Law on May 24, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on June 28, 2010; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on June 28, 2010, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. One for the Year 2010, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2010

A LOCAL LAW providing for criminal history record information investigations for Day Care Providers pursuant to engagement by the Department of Social Services relative to children in need of services.

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

SECTION 1: All prospective (legally exempt) Day Care Providers pursuant to engagement by the Department of Social Services relative to Children in need of services, after the effective date of this Local Law, by virtue of such engagement, shall be subject to a criminal history record information ("CHRI") investigation to determine the suitability of such applicant for such engagement.

SECTION 2: Upon receipt of an application for any such engagement, the County Commissioner of Social Services shall, subject to the rules and regulations of the Division of Criminal Justice Services and of a written Use and Dissemination Agreement between the Division of Criminal Justice Services and the Commissioner of Social Services, initiate a criminal history records check of the person making application. The Commissioner shall furnish the applicant with the form described in Section 5 of this Local Law and shall obtain the applicant's consent to the criminal history records check. The Division of Criminal Justice Services shall forward such criminal history record to the Commissioner in a timely manner.

SECTION 3. All such CHRI processed and sent pursuant to this subdivision shall be confidential pursuant to the applicable federal and state laws, rules and regulations and shall not be published or in any way disclosed to persons other than the Commissioner or her designee, the Deputy Commissioner of Services, the Steuben County Attorney, the Deputy County Attorney/DSS Family Court, and any contractor engaged by the Commissioner to review and process Day Care Provider applications, unless otherwise authorized by Law. No cause of action against the County or the Division of Criminal Justice Services for damages related to the dissemination of CHRI pursuant to this subdivision shall exist when the County or Division of Criminal Justice Services has reasonably and in good faith relied upon the accuracy and completeness of CHRI furnished to it by qualified agencies. The provision of such CHRI by the Division of Criminal Justice Services shall be subject to the provisions of subdivision sixteen of Section two hundred ninety-six of the Executive Law. The Commissioner shall consider such criminal history record pursuant to Article twenty-three-A of the Correction Law.

SECTION 4. The Steuben County Commissioner of Social Services, in consultation with the Division of Criminal Justice Services and in accordance with all applicable provisions of law, shall promulgate rules and regulations for the use of information derived from a search of the records of the Division of Criminal Justice Services. The Commissioner shall also develop a form for submission by the County that contains a specific service provider title sought and any other information that may be relevant to consideration of the applicant.

SECTION 5. The Steuben County Commissioner of Social Services, in consultation with the Division of Criminal Justice Services, shall:

A. Promulgate a form to be provided to all such prospective Day Care Providers pursuant to engagement by the Department of Social Services relative to Children in need of services that shall:

(i) inform the prospective provider that the Commissioner is required to request his or her CHRI from the Division of Criminal Justice Services and review such information pursuant to this section, and provide a description of the manner in which his or her fingerprint cards will be used upon submission to the Division of Criminal Justice Services;

(ii) inform the prospective provider that he or she has the right to obtain, review and seek correction of his or her CHRI pursuant to regulations and procedures established by the Division of Criminal Justice Services;

(iii) inform the prospective provider that his or her failure to consent to such a CHRI investigation shall be deemed a disqualification for engagement for which the person has applied.

B. The Steuben County Commissioner of Social Services shall obtain the signed informed consent of the prospective provider on such form which indicates that such person has:

(i) been informed of the right and procedures necessary to obtain, review and seek correction of his or her CHRI;

(ii) been informed of the reason for the request for his or her CHRI;

(iii) consented to such request for a report;

(iv) supplied on the form a current mailing or home address for the prospective provider;

(v) been informed that he or she may withdraw his or her application for engagement pursuant to this section, without prejudice, at any time before engagement is offered or declined, regardless of whether the prospective employee or the County has reviewed such prospective provider's CHRI; and

(vi) been informed that pursuant to Correction Law §§701 – 703-b and §§751 – 753, his or her application for employment shall be denied by reason of the applicant's having been previously convicted of one or more misdemeanors or felonies or by reason of a lack of "good moral character" when there is a direct relationship between one or more of the previous criminal convictions and the specific engagement sought or the granting of such engagement would involve an unreasonable risk to the safety or welfare of children in need of services, specific individuals or the general public.

(vii) been informed that in making a determination under paragraph (vi) the Steuben County Commissioner of Social Services shall consider the various factors set forth herein and in Correction Law §§701 – 703-b and §§751 – 753.

(viii) been informed that the Commissioner shall have given due consideration to a certificate of relief from disabilities or a certificate of good conduct previously issued to the applicant pursuant to Correction Law §§751 – 753 which sets forth the policy of the State of New York to encourage the engagement of persons previously convicted of one or more criminal offenses and factors that should be considered in making engagement determinations.

(ix) been informed that in the event his or her engagement is terminated, the Steuben County Commissioner of Social Services shall notify the Division of Criminal Justice Services of such termination, and the Division of Criminal Justice Services shall destroy the fingerprints records of such person which had been received through the process set forth herein.

SECTION 6: When the Steuben County Commissioner of Social Services determines that engagement applied for should be denied by reason of information obtained from the applicant's CHRI, the applicant shall be afforded written notice thereof, within 30 days of the request, and the right to be heard and offer proof in opposition to such determination.

SECTION 7: If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Legislature of the County of Steuben hereby declares that it would have passed this Local Law or the remainder thereof, had such invalid application or invalid provision been apparent.

SECTION 8: All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 9: This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on June 28, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. One for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 096-10

Introduced by: P. McAllister. Seconded by: S. Van Etten.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2010, AMENDING LOCAL LAW NO. EIGHT FOR THE YEAR 2007 RELATIVE TO THE ADMINISTRATION AND OPERATION OF THE STEUBEN COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN AND TO PROVIDE FOR THE APPORTIONMENT OF COSTS AND OPERATION OF THE STEUBEN COUNTY SELF-INSURANCE PLAN.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on May 24, 2010, County of Steuben Local Law Tentatively No. Two for the Year 2010, amending Local Law No. Eight for the Year 2007 relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan, and this Legislature by resolution, preliminarily adopted said Local Law on May 24, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on June 28, 2010; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on June 28, 2010, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Two for the Year 2010, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2010

A local law, amending Local Law No. Eight for the Year 2007 relative to the administration and operation of the Steuben County Workers' Compensation Self-Insurance Plan and to provide for the apportionment of costs and operation of the Steuben County Self-Insurance Plan.

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

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within legislation to amend Local Law No. Eight for the Year 2007 and to provide for the apportionment of costs to the participants in and the maintenance and operation of the Steuben County Self-Insurance Plan through the enactment of these Rules & Regulations.

Said apportionment shall be a combination of past claims history, assessed full valuation and payroll costs.

SECTION 2: APPORTIONMENT OF COSTS TO PLAN PARTICIPANTS

Following the preparation of the annual estimate of projected amounts necessary for the ensuing calendar year, pursuant to Workers' Compensation Law §67, the share of the amounts chargeable to each participant shall be made in the following manner: ~~42.5%~~ 20% of such projected cost share shall be apportioned based on the proportion that the full aggregate valuation of the taxable real property of the participant bears to the aggregate full valuation of all participants; ~~42.5%~~ 60% shall be apportioned based on the proportion that the full aggregate payroll of the participant bears to the full aggregate payroll of all participants; and, the final ~~15.0%~~ 20% shall be apportioned among the participants based on the proportion of the full value of claims paid over the preceding ~~three (3)~~ five (5) years of each participant bears in proportion to the full aggregate value of all claims paid by all participants over that same period of time.

…

SECTION 4: ENTRY AND WITHDRAWAL OF PARTICIPANTS

Entry into the Plan by an eligible municipality shall be made by service upon the Administrator of a certified copy of the local resolution or legalizing act authorizing same on or before March 31st of each calendar year for the ensuing calendar year. Withdrawal by an eligible municipality from the Plan shall be made by service of a certified copy of the local resolution or legalizing act withdrawing from the Plan on or before March 31st of each calendar year for the ensuing calendar year. Any withdrawal from the Plan shall require payment of the withdrawing municipality's equitable share of the outstanding liabilities of the Plan as of the date of the withdrawal. Liability to pay equitable share shall include an obligation for existing claims of each withdrawing participant together with administrative costs. Payment of said sum shall be made in a lump sum or periodic payments as determined by the Administrator of the Plan upon the advice and consent of the Administration Committee of the Steuben County Legislature.

…

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on June 28, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Two for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator and the Administrator of the Steuben County Self-Insurance Plan.

Vote: Roll Call – Adopted.

RESOLUTION NO. 097-10

Introduced by: P. McAllister. Seconded by: D. Farrand.

FINAL ADOPTION OF COUNTY OF STEUBEN LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2010, PURSUANT TO CHAPTER 105 OF THE LAWS OF 2010, ELECTING TO PROVIDE A RETIREMENT INCENTIVE PROGRAM, PART A.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on June 8, 2010, County of Steuben Local Law Tentatively No. Three for the Year 2010, pursuant to Chapter 105 of the Laws of 2010, electing to provide a retirement incentive program, Part A, making the final adoption of said Local Law subject to a Public Hearing to be held on June 28, 2010; and

WHEREAS, in accordance with said presentation and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on the 28th day of June 2010 at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Three for the Year 2010, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2010

A LOCAL LAW electing a retirement incentive program as authorized by Chapter 105, Laws of 2010, Part A, for the eligible employees of the County of Steuben.

BE IT ENACTED by the Legislature of the County of Steuben, as follows:

§1. The County of Steuben hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010, Part A.

§2. The commencement date of the retirement incentive program shall be June 28, 2010.

§3. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 79 days in length, ending September 15, 2010.

§4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Steuben for each employee who receives the retirement benefits payable under this local law.

§5. This act shall take effect immediately upon passage.

BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on the 28th day of June 2010 at 10:00 A.M., at the Legislative Chambers, Village of Bath, New York, and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Three for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records, and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective, and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer; County Treasurer, and New York State and Local Retirement Systems, Attn: Thomas P. DiNapoli, State Comptroller, 110 State Street, Albany, NY 12244.

Vote: Roll Call – Adopted.

RESOLUTION NO. 098-10

Introduced by: P. McAllister. Seconded by: D. Farrand.

FINAL ADOPTION OF COUNTY OF STEUBEN LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2010, PURSUANT TO CHAPTER 105 OF THE LAWS OF 2010, ELECTING TO PROVIDE A RETIREMENT INCENTIVE PROGRAM, PART B.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on June 8, 2010, County of Steuben Local Law Tentatively No. Four for the Year 2010, pursuant to Chapter 105 of the Laws of 2010, electing to provide a retirement incentive program, Part B, making the final adoption of said Local Law subject to a Public Hearing to be held on June 28, 2010; and

WHEREAS, in accordance with said presentation and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on the 28th day of June 2010 at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Four for the Year 2010, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2010

A LOCAL LAW electing a retirement incentive program as authorized by Chapter 105, Laws of 2010, Part B, for the eligible employees of the County of Steuben.

BE IT ENACTED by the Legislature of the County of Steuben, as follows:

§1. The County of Steuben hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010, Part B.

§2. The commencement date of the retirement incentive program shall be October 1, 2010.

§3. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length and shall end on December 29, 2010.

§4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the County of Steuben for each employee who receives the retirement benefits payable under this local law.

§5. This act shall take effect immediately upon passage.

BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on the 28th day of June 2010 at 10:00 A.M., at the Legislative Chambers, Village of Bath, New York, and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Four for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records, and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective, and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer; County Treasurer, and New York State and Local Retirement Systems, Attn: Thomas P. DiNapoli, State Comptroller, 110 State Street, Albany, NY 12244.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-10

Introduced by: D. Creath/L. Crossett. Seconded by: G. Roush.

AUTHORIZING THE TRANSFER OF $40,000 FROM THE REPAIRS & RENOVATIONS RESERVE INTO A NEW CAPITAL PROJECT ENTITLED SPRINKLER SYSTEMS REPAIRS.

WHEREAS, the Agriculture, Industry and Planning Committee and the Finance Committee have approved the recommendations from the County Administrator and the County Superintendent of Buildings and Grounds for the sprinkler repairs to the Bath Courthouse, the Clerk's/Surrogates Building at 3 E. Pulteney Square and the Human Services Building at 117 E. Steuben St., Bath, NY including the engineering services; and

WHEREAS, it is necessary to appropriate funds to complete the project; and

WHEREAS, funds are available in the Repairs & Renovations Reserve account.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to appropriate the sum of $40,000 from the Repairs & Renovations Reserve account to the Sprinkler Systems Repairs Project including the engineering services; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and the Superintendent of Buildings and Grounds.

Mr. Weaver asked will this be reimbursed by the State? Mr. Alger replied he doesn't think so. There is a provision for maintenance with court facilities aid, but he is not sure this would qualify.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-10

Introduced by P. McAllister/L. Crossett. Seconded by: C. Ferratella.

CLOSING THE CAPITAL PROJECT ENTITLED 'MAINFRAME REPLACEMENT' AND TRANSFERRING THE BALANCE TO CREATE A CAPITAL PROJECT ENTITLED 'LOCAL GOVERNMENT EFFICIENCY INFORMATION TECHNOLOGY GRANT'.

WHEREAS, Steuben County is currently implementing the IT Shared Services Project in partnership with the City of Corning, and the Town and Village of Bath; and

WHEREAS, as Project Lead, Steuben County is responsible for collecting reimbursement funding from the New York Department of State, minus a required 10% local match which is being shared between the County, City, Town, and Village; and

WHEREAS, the Mainframe Replacement Project has been completed and contains an unexpended balance, which can be applied to satisfy the County's share of the local match for FY2010.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer's Office is hereby authorized to establish a capital project entitled 'Local Government Efficiency Information Technology Grant', and to close and transfer funds to the following capital projects:

Close:

1680H2 45031900	Mainframe Replacement	$6,568.73

Transfer to:

1680H3 45031900	LGE IT Grant	$6,568.73

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Assistant County Administrator and the Deputy County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 101-10

Introduced by: J. Hauryski. Seconded by: S. Van Etten.

AUTHORIZING THE COMMISSIONER OF THE STEUBEN COUNTY DEPARTMENT OF PUBLIC WORKS TO EXECUTE A REVISED SNOW AND ICE AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE COUNTY OF STEUBEN AND TO EXTEND THE AGREEMENT THROUGH THE 2010-2011 SNOW SEASON.

WHEREAS, the New York State Department of Transportation ("NYSDOT") Commissioner and Steuben County (the "Municipality") have entered into an Agreement No. D014728 entitled "Indexed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and Municipality of County of Steuben", dated January 11, 2006; and

WHEREAS, the term of the said Agreement is for a period of three (3) years commencing July 1, 2005 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and

WHEREAS, the present term of the Agreement, as extended, expires June 30, 2010; and

WHEREAS, Section 7 of the said Agreement provides that the NYSDOT Commissioner shall furnish the Municipality with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement; and

WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the NYSDOT Commissioner subject to the provisions of Section 9 at the time for extension of the Agreement; and

WHEREAS, Section 9 of the said Agreement also provides for an adjustment to the actual payment amount based on the intensity and severity of the winter season.

NOW THEREFORE, BE IT

RESOLVED, in consideration of the mutual covenants and benefits between the parties,

1. The aforementioned "Indexed Lump Sum Snow and Ice Agreement between New York State Department of Transportation and the Municipality" is hereby extended for a period of one (1) year; now to expire on June 30, 2011, unless further extended.

2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the NYSDOT Commissioner and the Municipality, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2010, unless changed by future agreement between the NYSDOT Commissioner and the Municipality.

3. All the terms and conditions of the original contract remain in effect except as follows. The indexed lump sum estimated expenditure specified in Section 9 of the aforementioned Agreement shall be $3646.95 per lane mile for 213.54 lane miles for a total of $778,769.97 for the 2008/2009 season and for the remainder of the term of the Agreement commencing July 1, 2008, unless changed by future update.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-10

Introduced by: J. Hauryski. Seconded by: R. Nichols.

AMENDING THE TIPPING FEES FOR DISPOSAL OF AGRICULTURAL PLASTICS AT THE STEUBEN COUNTY LANDFILL.

WHEREAS, the term "agricultural plastics" is defined as low density polyethylene agricultural film (LDPE) or other synthetics or plastics utilized in agricultural production for which there is no practical recycling market and consists of, but not limited to bunker covers, silage bags, bale wrap, greenhouse covers, haylage covers, row covers and mulch film; those plastics which may be recycled are specifically excluded; and

WHEREAS, the use of agricultural plastics has grown steadily and is becoming an eyesore to the rural landscape of our county; and

WHEREAS, the open burning of agricultural plastics is both dangerous and illegal; and

WHEREAS, the existing no charge tipping fee expires on June 30, 2010; and

WHEREAS, there continues to be a need for a no charge tipping fee for agricultural plastics.

NOW THEREFORE, BE IT

RESOLVED, agricultural plastics presented at the landfill only shall be disposed of without a tipping fee; and be it further

RESOLVED, the no charge tipping fee shall be extended to December 31, 2010; and be it further

RESOLVED, such agricultural plastics shall be separated and apart from any other waste or recycling stream; and be it further

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

Mr. Weaver asked how is this program going? Mr. Spagnoletti replied we have had a couple of people bring in agricultural plastics. We have recommended extending the program to the end of the year.

Mr. Ryan asked what will we do with this plastic? Mr. Spagnoletti replied it will be buried in the landfill as there is no market for this type of plastic.

Vote: Roll Call – Adopted.

RESOLUTION NO. 103-10

Introduced by: T. Ryan/P. McAllister. Seconded by: D. Creath.

RECLASSIFICATION OF A CLEANER POSITION, GRADE V, TO A SUPERVISOR OF HOUSEKEEPING POSITION, GRADE VIII, WITHIN THE STEUBEN COUNTY HEALTH CARE FACILITY.

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

WHEREAS, a position exists within the Steuben County Health Care Facility that is inappropriately titled and not consistent with the duties for said position; and

WHEREAS, the Steuben County Personnel Officer, the Human Services, Health & Education Committee and the Administration Committee, have reviewed and approved the recommended change for said position.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Health Care Facility is hereby reclassified:

Cleaner, Grade V ($24,925-$35,189) to
Housekeeping Supervisor, Grade VIII ($28,238-$39,866)

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

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer, the County Treasurer and the Administrator of the Steuben County Health Care Facility.

Vote: Roll Call – Adopted.

RESOLUTION NO. 104-10

Introduced by: D. Creath. Seconded by: G. Roush.

DESIGNATING THE STEUBEN COUNTY CONFERENCE AND VISITORS' BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY FOR THE COUNTY OF STEUBEN.

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

WHEREAS, the New York State Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS, the Steuben County Conference and Visitors' Bureau, a non-profit organization established by the Steuben County Legislature through adoption of Resolution No. 156-93 on October 25, 1993, has requested to be

designated in 2010-2011 as the official tourism promotion agency for Steuben County for the purpose of the New York State Grants Program.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Conference and Visitors' Bureau be and the same hereby is designated by the Steuben County Legislature to make application for and receive grants on behalf of the County of Steuben pursuant to the New York State Tourism Promotion Act; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Peggy Coleman, Executive Director, Steuben County Conference and Visitors' Bureau, Inc., 1 West Market Street, Suite 301, Corning, NY 14830.

Vote: Roll Call – Adopted.

RESOLUTION NO. 105-10

Introduced by: P. McAllister. Seconded by: B. Schu.

APPROVING THE STANDARD WORK DAY AND RETIREMENT REPORTING FOR ELECTED AND APPOINTED OFFICIALS.

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

WHEREAS, the new regulation adds additional requirements for both employers and elected and appointed officials, including an expanded record of work activities, a more detailed resolution and specific time frames within which requirements must be completed.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben hereby establishes the following as standard work days for certain elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

TITLE	NAME	STANDARD WORKDAY (HRS/DAY)	TERM BEINGS/ENDS	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)	DAYS/MONTH (BASED ON RECORD OF ACTIVITIES)
Elected Officials					
Legislator	Patrick Donnelly	6	01/01/2010 – 12/31/2013	N	22.875
Legislator	Dan Farrand	6	01/01/2010 – 12/31/2013	N	22.721
Legislator	Carol A. Ferratella	6	01/01/2010 – 12/31/2013	N	14.5
Legislator	Michael Hanna	6	01/01/2010 – 12/31/2013	N	12.833
Legislator	Philip A. Palmesano	6	01/01/2010 – 12/31/2013	N	9.221
Legislator	Gary Roush	6	01/01/2010 – 12/31/2013	N	9.111
Coroner	Brian P. May	6	01/01/2010 – 12/31/2013	N	3.833
Appointed Officials					
Personnel Officer	Robert F. Biehl	7.5	01/01/2010 – 12/31/2015	Y	N/A
Election Commissioner (Dem)	Joseph R. Welch	7.5	03/01/2010 – 12/31/2010	Y	N/A
Deputy Commissioner (Dem)	Kelly J. Penziul	7.5	03/01/2010 – 12/31/2010	Y	N/A
Senior Clerk (Dem)	Colleen Hauryski	7.5	03/01/2010 – 12/31/2010	Y	N/A

AND BE IT FURTHER RESOLVED, the above list reflects only those elected and appointed officials with terms of office commencing after August 12, 2009, as stipulated in the new regulation; and be it further

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

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, the Personnel Officer and the New York State Comptroller.

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Nichols, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Morning Session
Monday, July 26, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 26th day of July, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present except Legislator Roush.

Mr. Creath provided the Invocation and the Pledge of Allegiance was led by Mr. Palmesano.

Chairman Donnelly asked Richard Locke to come forward. Mr. Locke is an employee in the Sheriff's Department. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Donnelly asked Nancy Steiniger to come forward. Ms. Steiniger is an employee in the Sheriff's Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Donnelly asked Fred Ahrens to come forward. Mr. Ahrens is the Steuben County Attorney and he presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 29 years of services to Steuben County. Mr. Ahrens stated that this day has been a long time coming. Thank you for the opportunity to serve, it has been a wonderful career and it is time for me to move on.

Chairman Donnelly asked Alice Sutton to come forward. Ms. Sutton is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 30 years of service with Steuben County.

Chairman Donnelly asked Anne Waldo to come forward. Ms. Waldo is an employee in the Real Property Tax Service Agency. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 30 years of service with Steuben County.

Chairman Donnelly asked Seleta Smith to come forward. Ms. Smith is an employee at the Health Care Facility. He presented her with a Certificate of Appreciation and a plaque in recognition of her retirement following 32 years of service with the County.

Chairman Donnelly asked David Abbey to come forward. Mr. Abbey is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 44 years of service with the County.

Chairman Donnelly asked John Pepper to come forward. Mr. Pepper is an employee in the Public Works Department. He presented him with a Certificate of Appreciation and a plaque in recognition of his retirement following 25 years of service with the County.

Chairman Donnelly commented that the total years of service for all of the individuals retiring this month is 224 years.

Chairman Donnelly opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

Mr. Ben Bruce stated that he is an Assistant New York State Attorney General. It is wonderful to represent Attorney General Cuomo, the highest ranking law enforcement official in the State, on a day when you are recognizing the service of law enforcement officials in your County. Mr. Bruce stated that he is here today to talk about the efforts our office is taking to move into the digital age and with consumer protection, particularly with regard to home improvement contractors. He stated that he has met with representatives from TRIAD and a number of senior groups to educate consumers to protect themselves from home improvement fraud. The website, www.nyknowyourcontractor.com, for each of the 62 counties in New York has copies of judgments that our office has in court against home improvement contractors involved in fraud and we have made that information available to your constituents. It is our feeling that the public who is well-informed is less likely to be victims of fraud. This website also includes the laws as well as a list of contractors by county that have had problems. Mr. Bruce stated the purpose of this website is to target contractors that are acting unacceptably and we have the name of the company as well as the principals and owners.

Mr. Bruce stated that he also would like to advise the Legislature that the Attorney General's Office government consolidation talks are available for those groups that may have questions. If you are interested in having someone come and speak to you, please contact Jaden Sampson. You may also visit our website, www.ag.ny.gov for more information.

Mr. Creath requested that the Attorney General's Office be invited to make a presentation regarding government consolidation.

Motion approving the minutes of the June 28, 2010 meeting made by Mr. Farrand, seconded by Mr. McAllister and duly carried.

Mr. Ryan recognized the following Steuben County residents who are currently serving in active duty:

Ursula Smith	Seth Baker	Nicholas LaDieu	Christopher Dyring	Elliot Butler
Luke Schamel	Dustin Morse	Mashall Adams	Brad Feely	Zac Feldman

RESOLUTION NO. 106-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

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

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben Deputy County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, the Steuben Deputy County Treasurer is further authorized and directed to convey those parcels sold at the Delinquent Tax Auction held on July 14, 2010, contained in Schedule "C", and she is further authorized and directed, in the event of a default by the highest bidder by failure to make full payment within thirty (30) days, to convey those parcels to the second highest bidder, and said transfers made pursuant hereto be and the same hereby are ratified; and be it further

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

SCHEDULE "A"

Resolution No.	A-1
Name	Linda K Walker
Parcel No.	299.15-02-041.000
Municipality	Corning City
Disposition	Correction

Resolution No.	A-2
Name	Gene L Simons
Parcel No.	207.00-05-007.200
Municipality	Bath Town
Disposition	Correction & Refund

Resolution No.	A-3
Name	Earl & Mildred Stock
Parcel No.	224.06-01-005.000
Municipality	Campbell Town
Disposition	Correction

Resolution No.	A-4
Name	Lucille Luckey
Parcel No.	344.00-01-010.000
Municipality	Jasper Town
Disposition	Correction & Refund

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Peggy S Young
In Rem Index No.	101381, 2008 sale
Parcel No.	171.00-01-009.000
Municipality	Bath Town
Grantee(s)	Peggy S Young
Grantee(s) Address	2826 Youngstown-Wilson Rd, Ransomville, NY 14131
Consideration	$4,581.81, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-2
Former Owner	Elsie Jamison
In Rem Index No.	101381, 2008 sale
Parcel No.	015.00-01-058.200
Municipality	Wayland Town
Grantee(s)	Elsie Jamison
Grantee(s) Address	112 Borden Ave, Perry, NY 14530
Consideration	$1,237.84, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-3
Former Owner	Elsie Jamison
In Rem Index No.	101381, 2008 sale
Parcel No.	015.00-01-058.420
Municipality	Wayland Town
Grantee(s)	Elsie Jamison
Grantee(s) Address	112 Borden Ave, Perry, NY 14530
Consideration	$678.76, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-4
Former Owner	Ronald G Bliss & Rosalie Bliss
In Rem Index No.	101381, 2008 sale
Parcel No.	300.13-01-018.000
Municipality	Corning Town
Grantee(s)	Ronald G Bliss & Rosalie Bliss
Grantee(s) Address	211 Mack St, Corning, NY 14830
Consideration	859.83, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-5
Former Owner	Thurlene Emo See
In Rem Index No.	95453, 2006 sale
Parcel No.	135.00-01-018.000
Municipality	Hornellsville Town
Grantee(s)	Thurlene Emo See
Grantee(s) Address	4956 Hard Scramble Rd, Hinsdale, NY 14743
Consideration	$2,669.10, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-6
Former Owner	David E Tolbert
In Rem Index No.	98375, 2007 sale
Parcel No.	301.00-02-054.000
Municipality	Corning Town
Grantee(s)	David E Tolbert
Grantee(s) Address	3450 Markle Hollow Rd, Big Flats, NY 14814
Consideration	$16,541.22, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-7
Former Owner	Lloyd Brewer
In Rem Index No.	98375, 2007 sale
Parcel No.	057.00-02-018.200
Municipality	Cohocton Town
Grantee(s)	Lloyd Brewer
Grantee(s) Address	10094 Avery Hollow Rd, Cohocton, NY 14826-9448
Consideration	$3,740.74, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-8
Former Owner	Michael Charles Wheeler & Linda Kay Walker, et al
In Rem Index No.	101381, 2008 sale
Parcel No.	299.15-02-041.000
Municipality	Corning City
Grantee(s)	Michael Charles Wheeler & Linda Kay Walker, et al
Grantee(s) Address	447 Scioto Meadows Blvd, Grove City, OH 43123
Consideration	$4,495.78, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-9
Former Owner	Kimberly S Rinaldi & Raymond W Rinaldi
In Rem Index No.	98375, 2007 sale
Parcel No.	197.11-04-053.000
Municipality	Canisteo Village
Grantee(s)	Kimberly S Rinaldi & Raymond W Rinaldi
Grantee(s) Address	5 Park Ave, Canisteo, NY 14823
Consideration	$8,213.46, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-10
Former Owner	Scott A Fay
In Rem Index No.	101381, 2008 sale
Parcel No.	332.00-01-010.000
Municipality	Addison Town
Grantee(s)	Scott A Fay
Grantee(s) Address	15781 Route 287, Tioga, PA 16946
Consideration	$5,677.19, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-11
Former Owner	Scott A Fay
In Rem Index No.	101381, 2008 sale
Parcel No.	332.00-01-011.000
Municipality	Addison Town
Grantee(s)	Scott A Fay
Grantee(s) Address	15781 Route 287, Tioga, PA 16946
Consideration	$2,844.23, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-12
Former Owner	James P Obrien & Steven L Bryson Estate
In Rem Index No.	101381, 2008 sale
Parcel No.	159.13-02-072.000
Municipality	Bath Village
Grantee(s)	James P Obrien & Steven L Bryson Estate
Grantee(s) Address	22922 Cabanna Rd, Spring, TX 77389-3973
Consideration	$6,922.40, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-13
Former Owner	David G VanDusen & Linda J VanDusen
In Rem Index No.	101381, 2008 sale
Parcel No.	159.18-02-035.000
Municipality	Bath Town
Grantee(s)	David G VanDusen & Linda J VanDusen
Grantee(s) Address	7720 State Route 53, Bath, NY 14810-8052
Consideration	$3,518.39, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-14
Former Owner	Michael P Makitra
In Rem Index No.	101381, 2008 sale
Parcel No.	174.00-01-039.100
Municipality	Bath Town
Grantee(s)	Michael P Makitra
Grantee(s) Address	6672 State Route 415S, Bath, NY 14810
Consideration	$20,822.44, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-15
Former Owner	Malcolm A Lane
In Rem Index No.	98375, 2007 sale
Parcel No.	317.27-01-021.000
Municipality	Corning City
Grantee(s)	Malcolm A Lane
Grantee(s) Address	7202 Route 54, Bath, NY 14810
Consideration	$83,044.96, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-16
Former Owner	Malcolm A Lane
In Rem Index No.	101381, 2008 sale
Parcel No.	318.54-02-064.000
Municipality	Corning City
Grantee(s)	Malcolm A Lane
Grantee(s) Address	7202 Route 54, Bath, NY 14810
Consideration	$68,557.50, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-17
Former Owner	Jeffery J Loik
In Rem Index No.	101381, 2008 sale
Parcel No.	318.55-01-007.000
Municipality	Corning City
Grantee(s)	Jeffery J Loik
Grantee(s) Address	319 E First St, Corning, NY 14830
Consideration	$5,959.46, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-18
Former Owner	Mark Davis
In Rem Index No.	101381, 2008 sale
Parcel No.	318.15-01-049.000
Municipality	Corning Town
Grantee(s)	Mark Davis
Grantee(s) Address	2980 College Ave, Corning, NY 14830
Consideration	$2,036.16, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-19
Former Owner	Judith VanNorman & Eileen R. Lill
In Rem Index No.	101381, 2008 sale
Parcel No.	066.00-01-034.111
Municipality	Dansville Town
Grantee(s)	Judith VanNorman & Eileen R. Lill
Grantee(s) Address	69 Franklin St, Dansville, NY 14437
Consideration	$725.99, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-20
Former Owner	Gary L Smith
In Rem Index No.	101381, 2008 sale
Parcel No.	316.11-01-034.000
Municipality	Erwin Town
Grantee(s)	Gary L Smith
Grantee(s) Address	60 Forest Dr, Painted Post, NY 14870
Consideration	$8,408.20, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-21
Former Owner	Joseph Cavallaro & Debra Cavallaro
In Rem Index No.	101381, 2008 sale
Parcel No.	267.00-01-020.700
Municipality	Greenwood Town
Grantee(s)	Joseph Cavallaro & Debra Cavallaro
Grantee(s) Address	5627 Ridge Rd W, Spencerport, NY 14559
Consideration	$2,863.83, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-22
Former Owner	Chad W Wilson & Johanna L Wilson
In Rem Index No.	101381, 2008 sale
Parcel No.	304.00-01-002.100
Municipality	Greenwood Town
Grantee(s)	Chad W Wilson & Johanna L Wilson
Grantee(s) Address	1252 State Route 417, Greenwood, NY 14839
Consideration	$3,733.10, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-23
Former Owner	Dana Hendrickson
In Rem Index No.	98375, 2007 sale
Parcel No.	304.11-01-051.000
Municipality	Greenwood Town
Grantee(s)	Dana Hendrickson
Grantee(s) Address	PO Box 779, Greenwood, NY 14839
Consideration	$2,835.39, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-24
Former Owner	Rong Yu Lin
In Rem Index No.	101381, 2008 sale
Parcel No.	151.63-04-015.000
Municipality	Hornell City
Grantee(s)	Rong Yu Lin
Grantee(s) Address	76 Seneca St, Hornell, NY 14843
Consideration	$25,528.73, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-25
Former Owner	Robert E Harper & Judy A Harper
In Rem Index No.	101381, 2008 sale
Parcel No.	046.00-01-005.000
Municipality	Prattsburgh Town
Grantee(s)	Robert E Harper & Judy A Harper
Grantee(s) Address	455 County Line Rd, Fairport, NY 14450
Consideration	$5,656.75, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-26
Former Owner	George R Morris III
In Rem Index No.	101381, 2008 sale
Parcel No.	118.06-01-053.000
Municipality	Hammondsport Village
Grantee(s)	George R Morris III
Grantee(s) Address	52 Live Oak Cir, Jupiter, FL 33469
Consideration	$12,547.49, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-27
Former Owner	Leslie Houck Attn: Mary Rinehart
In Rem Index No.	101381, 2008 sale
Parcel No.	077.00-03-025.110
Municipality	Wayne Town
Grantee(s)	Leslie Houck Attn: Mary Rinehart
Grantee(s) Address	9580 Grove Springs Rd, Hammondsport, NY 14840
Consideration	$3,695.06, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-28
Former Owner	Sheryl R Harnas
In Rem Index No.	101381, 2008 sale
Parcel No.	105.00-03-017.200
Municipality	Wayne Town
Grantee(s)	Sheryl R Harnas
Grantee(s) Address	8965 Fleet Rd, Hammondsport, NY 14840-9615
Consideration	$11,989.00, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-29
Former Owner	Carol L Gridley
In Rem Index No.	98375, 2007 sale
Parcel No.	419.00-01-012.110
Municipality	Woodhull Town
Grantee(s)	Carol L Gridley
Grantee(s) Address	270 County Route 101, Addison, NY 14801
Consideration	$9,179.04, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-30
Former Owner	David Buck
In Rem Index No.	101381, 2008 sale
Parcel No.	349.08-01-026.000
Municipality	Addison Village
Grantee(s)	David Buck
Grantee(s) Address	242 Sly Ave, Apt 3, Corning, NY 14830
Consideration	$4,201.98, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-31
Former Owner	Margaret A Pearce Estate
In Rem Index No.	101381, 2008 sale
Parcel No.	187.00-01-037.000
Municipality	Bath Town
Grantee(s)	Margaret A Pearce Estate
Grantee(s) Address	PO Box 291, Mountain Home, NC 28758
Consideration	$3,139.50, together with $310.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

Resolution No.	B-32
Former Owner	Charles Graner
In Rem Index No.	98375, 2007 sale
Parcel No.	034.00-01-028.200
Municipality	Prattsburgh Town
Grantee(s)	Charles Graner
Grantee(s) Address	6916 County Route 7, Prattsburgh, NY 14873
Consideration	$2,410.41, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

SCHEDULE "C"

Resolution #_____C-1_____
Former Owner: _____Donald R Stiker_____
In Rem Index No. 101381, 2008 sale
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____331.20-01-026.000_____
Municipality:_____Addison Village_____
Highest Bidder: _____Roger L. Sutton_____
Highest Bidder's Address: Lot 2, McIntyre Trailer Ct., Campbell, NY 14821
Consideration: $600.00, together with buyers premium & recording fees
Second Highest Bidder:___Jerome Breese_____
Second Highest Bidder's Address: 3000 Beeman Hlw, Addison, NY 14801

Resolution #_____C-2_____
Former Owner: _____Lawrence Joyce_____
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____332.13-01-028.000_____
Municipality:_____Addison Village_____
Highest Bidder: _____Peter Mark Marchese_____
Highest Bidder's Address:3759 Lee Rd., PO Box 1113, Corning, NY 14830
Consideration: $17,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Glenn White_____
Second Highest Bidder's Address: 4241 Olmstead Rd., Woodhull, NY 14898

Resolution #C-3
Former Owner: Thomas F Murray
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 349.08-01-056.000
Municipality: Addison Village
Highest Bidder: Lyman E. Crane
Highest Bidder's Address: 6 Goodhue Street, Addison, NY 14801
Consideration: $15,000.00, together with buyers premium & recording fees
Second Highest Bidder: John Ward
Second Highest Bidder's Address: 43 Steuben St., Addison, NY 14801

Resolution #C-4
Former Owner: Simonson Properties LLC
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 099.20-01-064.000
Municipality: Avoca Village
Highest Bidder: Edward C. Frey & Sandra L. Frey
Highest Bidder's Address: 3596 County Route 70A, Hornell, NY 14843
Consideration: $18,500.00, together with buyers premium & recording fees
Second Highest Bidder: Freal Ames
Second Highest Bidder's Address: 6719 Freeman Hlw Rd., Bath, NY 14810

Resolution #C-5
Former Owner: Ethal Brown
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 113.08-02-018.000
Municipality: Avoca Village
Highest Bidder: Charles Willis Fink & Daniel L. Grinols
Highest Bidder's Address: PO Box 667, Avoca, NY 14809
Consideration: $3,100.00, together with buyers premium & recording fees
Second Highest Bidder: Keri Hadley
Second Highest Bidder's Address: 19 E. William St., Bath, NY 14810

Resolution #C-6
Former Owner: Helen M Chissom
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 113.08-02-054.000
Municipality: Avoca Village
Highest Bidder: Chase A. Romanyshyn
Highest Bidder's Address: PO Box 106, Honeoye, NY 14471
Consideration: $7,000.00, together with buyers premium & recording fees
Second Highest Bidder: Charles Fink
Second Highest Bidder's Address: Box 667, Avoca, NY 14809

Resolution #C-7
Former Owner: Donna M Studley
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 113.11-01-002.200
Municipality: Avoca Village
Highest Bidder: Edward C. Frey & Sandra L. Frey
Highest Bidder's Address: 3596 County Route 70A, Hornell, NY 14843
Consideration: $27,500.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Matthews
Second Highest Bidder's Address: 25 E. Lamoka Ave., Savona, NY 14879

Resolution #C-8
Former Owner: Ronald W King Estate
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 191.18-01-075.000
Municipality: Savona
Highest Bidder: Warren Thompson
Highest Bidder's Address: 7550 Eagle Valley Rd., Savona, NY 14879
Consideration: $37,000.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Matthews
Second Highest Bidder's Address: 25 E. Lamoka Ave., Savona, NY 14879

Resolution #C-9
Former Owner: Wayne King
In Rem Index No. 90918, 2004 sale
Date of Tax Sale: July 14, 2010
Parcel #: 187.00-01-016.000
Municipality: Bath Town
Highest Bidder: Walter & Barbara A. Prossick
Highest Bidder's Address: 4585 Tannery Rd., Campbell, NY 14821
Consideration: $12,000.00, together with buyers premium & recording fees
Second Highest Bidder: Jesse Atkins
Second Highest Bidder's Address: 6034 County Rt 10, Bath, NY 14810

Resolution #C-10
Former Owner: Joel C Caton & Mazie N Caton
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 192.00-02-032.000
Municipality: Bath Town
Highest Bidder: Paul W. Jayne
Highest Bidder's Address: 1375 Gibson Rd., Dundee, NY 14837
Consideration: $1,250.00, together with buyers premium & recording fees
Second Highest Bidder: Gregory Coon
Second Highest Bidder's Address: 6757 Cty Rt 10, Bath, NY 14810

Resolution #_____C-11_____
Former Owner: _____Ronald W Simmonds_____
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____159.06-02-061.000_____
Municipality:_____Bath Village_____
Highest Bidder: _____Kevin J. Harrison_____
Highest Bidder's Address:7100 Golf View, Bath, NY 14810
Consideration: $59,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Bryan Scott Ryan_____
Second Highest Bidder's Address: 3655 Wagner Rd., Bradford, NY 14810

Resolution #_____C-12_____
Former Owner: _____M Jane Scofield_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____159.10-01-062.100_____
Municipality:_____Bath Village_____
Highest Bidder: _____Thomas W. Hagadorn & Deborah F. Hagadorn
Highest Bidder's Address:33 Clubview Drive, Bath, NY 14810
Consideration: $80,000.00, together with buyers premium & recording fees
Second Highest Bidder:___George Eddy_____
Second Highest Bidder's Address: 3863 Pine Hill Rd., Corning, NY 14830

Resolution #_____C-13_____
Former Owner: _____Katherena Nickles_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____159.10-02-023.000_____
Municipality:_____Bath Village_____
Highest Bidder: _____Mitchell A. Lehman_____
Highest Bidder's Address:2798 Coates Rd., Penn Yan, NY 14527
Consideration: $24,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Edward Thompson_____
Second Highest Bidder's Address: 68 W. 4th Street, Corning, NY 14830

Resolution #_____C-14_____
Former Owner: _____Simonson Properties LLC
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____159.13-01-088.000_____
Municipality:_____Bath Village_____
Highest Bidder: _____Matilda Properties LLC___
Highest Bidder's Address:2 Denwood Terrace, Bath, NY 14810
Consideration: $22,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Dale A. Lane_____
Second Highest Bidder's Address: 1675 Oak Leaf Lane, Penn Yan, NY 14527

Resolution #_____C-15_____
Former Owner: _____Ronald W Simmonds_____
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____159.53-01-064.000_____
Municipality:_____Bath Village_____
Highest Bidder: _____Jennifer E. Barnett & Spencer T. Hill
Highest Bidder's Address:129 Burleigh Dr., Ithaca, NY 14850
Consideration: $57,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Brian Webster_____
Second Highest Bidder's Address: 2034 Spencer Hill Rd., Corning, NY 14830

Resolution #_____C-16_____
Former Owner: _____Tricia L Gerhart_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____134.20-01-035.000_____
Municipality:_____Bradford_____
Highest Bidder: _____Darrell Cameron_____
Highest Bidder's Address:5312 Nipher Rd., Bath, NY 14810
Consideration: $7,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Crystal Herrington_____
Second Highest Bidder's Address: 8945 County Rt 7, Avoca, NY 14809

Resolution #_____C-17_____
Former Owner: _____Cameron Valley Estates Corp
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____274.00-01-004.111_____
Municipality:_____Cameron_____
Highest Bidder: _____Paul W. Jayne_____
Highest Bidder's Address:1375 Gibson Rd., Dundee, NY 14837
Consideration: $70,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Donald Whiteside_____
Second Highest Bidder's Address: 23 Dakin St., Box 188, Mumford, NY 14511

Resolution #_____C-18_____
Former Owner: _____Cameron Valley Estates Corp
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____274.00-01-004.115_____
Municipality:_____Cameron_____
Highest Bidder: _____Corey M. Naar_____
Highest Bidder's Address:3960 County Rte 22, Cameron, NY 14819
Consideration: $3,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Tracey Bernd_____
Second Highest Bidder's Address: 4960 Cty Rte 125, Campbell, NY 14821

Resolution #_____C-19_____
Former Owner: _____Stephen Higbie & Denise Higbie
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____206.00-03-042.110_____
Municipality:_____Campbell_____
Highest Bidder: _____Paul W. Jayne_____
Highest Bidder's Address:1375 Gibson Rd., Dundee, NY 14837
Consideration: $10,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Charles Fink_____
Second Highest Bidder's Address: Box 667, Avoca, NY 14809

Resolution #_____C-20_____
Former Owner: _____Everett A Brazie_____
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____225.00-01-081.000_____
Municipality:_____Campbell_____
Highest Bidder: _____John H. Wiesner_____
Highest Bidder's Address:185 Margaret Street, Palmerton, PA 18071
Consideration: $500.00, together with buyers premium & recording fees
Second Highest Bidder:___None_____
Second Highest Bidder's Address: _____

Resolution #_____C-21_____
Former Owner: _____Randy O Shakoor_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____242.07-01-005.000_____
Municipality:_____Campbell_____
Highest Bidder: _____John H. Wiesner_____
Highest Bidder's Address:185 Margaret Street, Palmerton, PA 18071
Consideration: $200.00, together with buyers premium & recording fees
Second Highest Bidder:___Robert Berger Jr._____
Second Highest Bidder's Address: 8818 State Hwy, Campbell, NY 14821

Resolution #_____C-22_____
Former Owner: _____Alberto J Ortiz_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____261.00-01-007.000_____
Municipality:_____Campbell_____
Highest Bidder: _Charles Willis Fink & Daniel L. Grinols
Highest Bidder's Address:PO Box 667, Avoca, NY 14809
Consideration: $23,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Calvin Coots Jr._____
Second Highest Bidder's Address:8945 Rte 415, Campbell, NY 14821

Resolution #C-23
Former Owner: Kathy Wehrle
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 252.00-01-039.730
Municipality: Canisteo Town
Highest Bidder: Mike Palmer
Highest Bidder's Address: 9 North Street, Canisteo, NY 14823
Consideration: $1,400.00, together with buyers premium & recording fees
Second Highest Bidder: Michelle Messervey
Second Highest Bidder's Address: 6521 Whitford Rd., Alfred Station, NY 14803

Resolution #C-24
Former Owner: Randall Mattison
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 197.11-06-012.000
Municipality: Canisteo Village
Highest Bidder: Edward C. Frey & Sandra L. Frey
Highest Bidder's Address: 3596 County Route 70A, Hornell, NY 14843
Consideration: $10,500.00, together with buyers premium & recording fees
Second Highest Bidder: Mario Puorro
Second Highest Bidder's Address: 32 Russell St., Canisteo, NY 14823

Resolution #C-25
Former Owner: Elwin A Marlatt & Stacia M Marlatt
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 197.49-01-009.000
Municipality: Canisteo Village
Highest Bidder: Mario Puorro
Highest Bidder's Address: 32 Russell Street, Canisteo, NY 14823
Consideration: $10,000.00, together with buyers premium & recording fees
Second Highest Bidder: Mark L. Freeland
Second Highest Bidder's Address: 10 Blaine St., Hornell, NY 14843

Resolution #C-26
Former Owner: Francis A Burger
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 371.00-03-010.000
Municipality: Caton
Highest Bidder: Paul W. Jayne
Highest Bidder's Address: 1375 Gibson Rd., Dundee, NY 14837
Consideration: $10,000.00, together with buyers premium & recording fees
Second Highest Bidder: Glenford Rose Jr.
Second Highest Bidder's Address: 11216 River Rd., Corning, NY 14830

Resolution #C-27
Former Owner: Laverne Knickerbocker
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 371.00-03-013.000
Municipality: Caton
Highest Bidder: Donald Peterson
Highest Bidder's Address: 10019 Steamtown Rd., Lindley, NY 14858
Consideration: $10,000.00, together with buyers premium & recording fees
Second Highest Bidder: Paul W. Jayne
Second Highest Bidder's Address: 1375 Gibson Rd., Dundee, NY 14837

Resolution #C-28
Former Owner: Michelle C Wilson
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 372.00-02-011.000
Municipality: Caton
Highest Bidder: Clinton Gurnsey
Highest Bidder's Address: 107 Beartown Rd., Painted Post, NY 14870
Consideration: $1,000.00, together with buyers premium & recording fees
Second Highest Bidder: None
Second Highest Bidder's Address: _____

Resolution #C-29
Former Owner: Robert E Thomas & Barbara M Thomas
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 390.11-01-052.000
Municipality: Caton
Highest Bidder: Clinton Gurnsey
Highest Bidder's Address: 107 Beartown Rd., Painted Post, NY 14870
Consideration: $1,000.00, together with buyers premium & recording fees
Second Highest Bidder: None
Second Highest Bidder's Address: _____

Resolution #C-30
Former Owner: William C Saber
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 006.00-01-022.212
Municipality: Cohocton Town
Highest Bidder: Jesse L. Atkins
Highest Bidder's Address: 7314 Spaulding Dr., Apt 3, Bath, NY 14810
Consideration: $10,500.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Bidlack
Second Highest Bidder's Address: PO Box 23, Atlanta, NY 14808

Resolution #C-31
Former Owner: Betty B Johnson c/o Daniel Johnson Jr
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 017.00-01-013.000
Municipality: Cohocton Town
Highest Bidder: John W. Landino & Rosemarie Landino
Highest Bidder's Address: 11763 County Rte 38, Wayland, NY 14572
Consideration: $13,000.00, together with buyers premium & recording fees
Second Highest Bidder: John Curtis
Second Highest Bidder's Address: 8868 Pardee Hollow, Wayland, NY 14572

Resolution #C-32
Former Owner: James Shannahan
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 031.00-01-033.000
Municipality: Cohocton Town
Highest Bidder: Michael A. Palmer
Highest Bidder's Address: 4950 Deusenbery Rd., Cohocton, NY 14826
Consideration: $2,500.00, together with buyers premium & recording fees
Second Highest Bidder: Peter Kopilchak
Second Highest Bidder's Address: 8745 Longwell Rd., Hammondsport, NY 14840

Resolution #C-33
Former Owner: Richard M Hitt
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 043.17-01-060.200
Municipality: Cohocton Village
Highest Bidder: Crooker Trucking LLC
Highest Bidder's Address: 7624 St Rte 53, Bath, NY 14810
Consideration: $7,000.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Bidlack
Second Highest Bidder's Address: PO Box 23, Atlanta, NY 14808

Resolution #C-34
Former Owner: Edward Garrigues
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 056.05-02-015.000
Municipality: Cohocton Village
Highest Bidder: Michael J. Grammatico & Sarah J. Grammatico
Highest Bidder's Address: 386 Garden Dr., Batavia NY 14020
Consideration: $20,000.00, together with buyers premium & recording fees
Second Highest Bidder: Gregory W. McInnis
Second Highest Bidder's Address: 4810 Kirkwood Rd., Cohocton, NY 14826

Resolution #_____C-35_____
Former Owner: _____Secretary of HUD & National Home Management
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____317.43-01-029.000_____
Municipality:_____Corning City_____
Highest Bidder: _____John K. Ward & Deanna L. Ward
Highest Bidder's Address:43 Steuben St., Addison, NY 14801
Consideration: $22,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Steven Tarcza_____
Second Highest Bidder's Address: 3032 S. Oakwood Dr., Painted Post, NY 14870

Resolution #_____C-36_____
Former Owner: _____Ronald Wilson & April Wilson
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____317.52-01-020.000_____
Municipality:_____Corning City_____
Highest Bidder: _____Burton C. & Susan M. Smith
Highest Bidder's Address:PO Box 327, Campbell, NY 14821
Consideration: $12,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Jamie S. Spoor_____
Second Highest Bidder's Address: 33 Elm Street, 2F, Canisteo, NY 14823

Resolution #_____C-37_____
Former Owner: _____Ramon Guerrero & Leonor E Madera
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____318.14-03-041.000_____
Municipality:_____Corning City_____
Highest Bidder: _____Christopher E. Gabel_____
Highest Bidder's Address:364 W. Second St., Corning, NY 14830
Consideration: $16,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Syed Kamal Uddin_____
Second Highest Bidder's Address: 372 E. Thurston St., Elmira, NY 14901

Resolution #_____C-38_____
Former Owner: _____Katherine A Peterson_____
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____299.14-02-042.200_____
Municipality:_____Corning Riverside_____
Highest Bidder: _____Genevieve Lowrey & Robin W. Lowrey
Highest Bidder's Address:3310 Clark St Ext., Painted Post, NY 14870
Consideration: $100.00, together with buyers premium & recording fees
Second Highest Bidder:___None_____
Second Highest Bidder's Address: _____

Resolution #C-39
Former Owner: Albert H Goltry
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 318.18-03-076.000
Municipality: South Corning
Highest Bidder: Peter Mark Marchese
Highest Bidder's Address: 3759 Lee Rd., PO Box 1113, Corning, NY 14830
Consideration: $6,000.00, together with buyers premium & recording fees
Second Highest Bidder: Steven Pilgrim
Second Highest Bidder's Address: Box 393, Savona, NY 14879

Resolution #C-40
Former Owner: William J Winter
In Rem Index No. 86329, 2002 sale
Date of Tax Sale: July 14, 2010
Parcel #: 336.07-01-002.123
Municipality: South Corning
Highest Bidder: JPE Investments LLC
Highest Bidder's Address: 303 East High St., Apt 103, Painted Post, NY 14870
Consideration: $17,000.00, together with buyers premium & recording fees
Second Highest Bidder: Brian Webster
Second Highest Bidder's Address: 2034 Spencer Hill Rd., Corning, NY 14830

Resolution #C-41
Former Owner: William J Winter
In Rem Index No. 90918, 2004 sale
Date of Tax Sale: July 14, 2010
Parcel #: 336.07-01-002.125
Municipality: South Corning
Highest Bidder: Leon VanKurin Building & Remodeling LLC
Highest Bidder's Address: 44 River Rd., Corning, NY 14830
Consideration: $17,500.00, together with buyers premium & recording fees
Second Highest Bidder: Stanley Gridley
Second Highest Bidder's Address: 24418 Davis Rd., Corning, NY 14830

Resolution #C-42
Former Owner: Clayton J Kline & Sandra Kline
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 281.00-02-005.000
Municipality: Corning Town
Highest Bidder: Owen Cervoni & Sylvia Mayer
Highest Bidder's Address: 11873 Townley Hill Rd., Corning, NY 14830
Consideration: $9,500.00, together with buyers premium & recording fees
Second Highest Bidder: Peter Marchese
Second Highest Bidder's Address: PO Box 1113, Corning, NY 14830

Resolution #C-43
Former Owner: Michael R Melo
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 317.00-03-083.000
Municipality: Corning Town
Highest Bidder: Kathy S. Caslin
Highest Bidder's Address: 5449 Wilkinson Rd., Hector, NY 14841
Consideration: $1,000.00, together with buyers premium & recording fees
Second Highest Bidder: Mario Puorro
Second Highest Bidder's Address: 32 Russell St., Canisteo, NY 14823

Resolution #C-44
Former Owner: Nathan M Scouten
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 318.15-01-012.000
Municipality: Corning Town
Highest Bidder: George & Clare Ferenczy
Highest Bidder's Address: 111 East 2nd Street, Corning, NY 14830
Consideration: $24,000.00, together with buyers premium & recording fees
Second Highest Bidder: John Warner
Second Highest Bidder's Address: 3183 College Ave., Corning, NY 14830

Resolution #C-45
Former Owner: Robert M Dates Estate
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 336.10-03-006.000
Municipality: Corning Town
Highest Bidder: John H. Wiesner
Highest Bidder's Address: 185 Margaret Street, Palmerton, PA 18071
Consideration: $50.00, together with buyers premium & recording fees
Second Highest Bidder: None
Second Highest Bidder's Address: _____

Resolution #C-46
Former Owner: Robert E Thomas & Barabra M Thomas
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 353.00-03-028.000
Municipality: Corning Town
Highest Bidder: George Eddy & Sharon Eddy
Highest Bidder's Address: 3863 Pinehill Rd., Corning, NY 14830
Consideration: $8,000.00, together with buyers premium & recording fees
Second Highest Bidder: Diane Terwilliger
Second Highest Bidder's Address: 10215 Griswold Rd., Corning, NY 14830

Resolution #_____C-47_____
Former Owner: _____Pamela Rowland_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____026.00-01-005.300_____
Municipality:_____Dansville_____
Highest Bidder: _____Francis & Ellen Gendreau
Highest Bidder's Address:1329 Goose Creek Rd., Dansville, NY 14437
Consideration: $2,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Daryn Cheney_____
Second Highest Bidder's Address: 1926 Addison Back Rd., Addison, NY 14801

Resolution #_____C-48_____
Former Owner: _____Rudy Tarbell_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____038.00-01-041.100_____
Municipality:_____Dansville_____
Highest Bidder: _____Charles Willis Fink & Daniel L. Grinols
Highest Bidder's Address:PO Box 667, Avoca, NY 14809
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Daryn Cheney_____
Second Highest Bidder's Address: 1926 Addison Back Rd., Addison, NY 14801

Resolution #_____C-49_____
Former Owner: _____Karen Hammond_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____038.00-01-063.000_____
Municipality:_____Dansville_____
Highest Bidder: _____David S. Livingston_____
Highest Bidder's Address:5950 W. Lake Rd., Conesus, NY 14435
Consideration: $9,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Kevin P. Nelson_____
Second Highest Bidder's Address: 1612 Lehigh Station Rd., Henrietta, NY 14467

Resolution #_____C-50_____
Former Owner: _____Amy Jones_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____039.00-01-005.000_____
Municipality:_____Dansville_____
Highest Bidder: _____Mary Guarino_____
Highest Bidder's Address:1850 Manitou Rd., Spencerport, NY 14559
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder:___None_____
Second Highest Bidder's Address: _____

Resolution #_____C-51_____
Former Owner: _____Orlo G Cole & Dorothy Cole
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____298.08-01-003.000_____
Municipality:_____Erwin_____
Highest Bidder: _____William J. Thompson_____
Highest Bidder's Address:219 Victory Hwy., Painted Post, NY 14870
Consideration: $36,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Robert Matthews_____
Second Highest Bidder's Address: 25 E. Lamoka Ave., Savona, NY 14879

Resolution #_____C-52_____
Former Owner: _____Douglas T Gross & Karen E Gross
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____351.00-01-008.110_____
Municipality:_____Erwin_____
Highest Bidder: _Andrea J. Haradon & Elizabeth A. Hull
Highest Bidder's Address:PO Box 97, Corning, NY 14830
Consideration: $3,100.00, together with buyers premium & recording fees
Second Highest Bidder:___Larry E. Eccleston_____
Second Highest Bidder's Address: 2066 Indian Hills Rd., Painted Post, NY 14870

Resolution #_____C-53_____
Former Owner: _____Russell Wilt & Deborah Lafler
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____082.00-03-012.000_____
Municipality:_____Fremont_____
Highest Bidder: _____W. Randolph Warner_____
Highest Bidder's Address:5810 Goodale Rd., Canandaigua, NY 14424
Consideration: $11,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Bruce W. Aldridge_____
Second Highest Bidder's Address: 11 N. Main St., Cohocton, NY 14826

Resolution #_____C-54_____
Former Owner: _____Michael Terboss & Melodie Terboss
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____213.00-01-011.000_____
Municipality:_____Hartsville_____
Highest Bidder: _____Mark Freeland_____
Highest Bidder's Address:10 Blaine St., Hornell, NY 14843
Consideration: $3,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Jerome Breese_____
Second Highest Bidder's Address: 3000 Beeman Hlw, Addison, NY 14801

Resolution #C-55
Former Owner: Stephen A Hackett
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 281.00-01-033.200
Municipality: Hornby
Highest Bidder: Andrew D. Morrison
Highest Bidder's Address: PO Box 183, Pine City, NY 14871
Consideration: $3,500.00, together with buyers premium & recording fees
Second Highest Bidder: Glenford Rose Jr.
Second Highest Bidder's Address: 11216 River Rd., Corning, NY 14830

Resolution #C-56
Former Owner: Steuben 99 LLC, Coddington Agency
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 151.09-01-036.000
Municipality: Hornell City
Highest Bidder: Mario Puorro & Michael D. Palmer
Highest Bidder's Address: 32 Russell Street, Canisteo, NY 14823
Consideration: $6,000.00, together with buyers premium & recording fees
Second Highest Bidder: Elise A. McCollumn
Second Highest Bidder's Address: 11 N. Danbury Circle, Rochester, NY 14618

Resolution #C-57
Former Owner: Brian C Davis
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 151.19-04-041.000
Municipality: Hornell City
Highest Bidder: Col MAL Inc.
Highest Bidder's Address: 1228 Royal St., Unit 12, New Orleans, La 70116
Consideration: $9,000.00, together with buyers premium & recording fees
Second Highest Bidder: Elaine Rainey
Second Highest Bidder's Address: 318 W. Notch Rd., Boliver, NY 14715

Resolution #C-58
Former Owner: Walter A Hoffman III
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 151.19-04-058.000
Municipality: Hornell City
Highest Bidder: Col MAL Inc.
Highest Bidder's Address: 1228 Royal St., Unit 12, New Orleans, LA 70116
Consideration: $13,000.00, together with buyers premium & recording fees
Second Highest Bidder: Larry Switzer
Second Highest Bidder's Address: 4079 Turnpike Rd., Canisteo, NY 14823

Resolution #_____C-59_____
Former Owner: _____Michael L Snowden & Susan B Snowden
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____151.55-01-087.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____John J. & Barbara F. Lyng
Highest Bidder's Address:53 Center Street, Hornell, NY 14843
Consideration: $21,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Thomas Matacale_____
Second Highest Bidder's Address: 268 Main Street, Hornell, NY 14843

Resolution #_____C-60_____
Former Owner: _____Sheila M Meyers & Sheila Jackson
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____151.56-01-006.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Elaine Rainey_____
Highest Bidder's Address:9217-372 Ave. SE, Snoqualmie, WA 98065
Consideration: $13,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Larry Switzer_____
Second Highest Bidder's Address: 4079 Turnpike Rd., Canisteo, NY 14823

Resolution #_____C-61_____
Former Owner: _____John E Shaver & Mable J Shaver
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____151.64-02-020.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Mark Freeland_____
Highest Bidder's Address:10 Blaine St., Hornell, NY 14843
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Jerome Breese_____
Second Highest Bidder's Address: 3000 Beeman Hlw, Addison, NY 14801

Resolution #_____C-62_____
Former Owner: _____Gregory Phillips & Alice Phillips
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____151.71-01-018.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Syed Kamal Uddin_____
Highest Bidder's Address:372 E. Thurston St., Elmira, NY 14901-1245
Consideration: $19,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Darold C. Coddington___
Second Highest Bidder's Address: 2716 Route 248, Greenwood, NY 14839

Resolution #_____C-63_____
Former Owner: _____David P & Carolyn Tipton
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____151.80-01-050.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Larry & Darcy Switzer Jr.
Highest Bidder's Address:4079 Turnpike Rd., Canisteo, NY 14823
Consideration: $9,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Geraldine E. Rapino_____
Second Highest Bidder's Address: PO Box 22, Friendship, NY 14739

Resolution #_____C-64_____
Former Owner: _____Michael L Snowden_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____166.06-04-028.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Thomas Matacale_____
Highest Bidder's Address:268 Main Street, Hornell, NY 14843
Consideration: $33,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Michelle Messervey_____
Second Highest Bidder's Address: 6521 Whitford Rd., Alfred Station, NY 14803

Resolution #_____C-65_____
Former Owner: _____Michael L Snowden_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____166.06-04-032.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Thomas Matacale_____
Highest Bidder's Address:268 Main Street, Hornell, NY 14843
Consideration: $12,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Robert Matthews_____
Second Highest Bidder's Address: 25 E. Lamoka Ave., Savona, NY 14879

Resolution #_____C-66_____
Former Owner: _____Michael L Snowden & Susan B Snowden
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____166.10-01-060.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Route 36 Holdings LLC___
Highest Bidder's Address:20 East Avenue, Hornell, NY 14843
Consideration: $7,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Dennis Mullikin_____
Second Highest Bidder's Address: 28 E. VanScoter St., Hornell, NY 14843

Resolution #_____C-67_____
Former Owner: _____David C Murphy_____
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____166.10-02-054.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____John J. & Barbara F. Lyng
Highest Bidder's Address:53 Center Street, Hornell, NY 14843
Consideration: $23,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Thomas Matacale_____
Second Highest Bidder's Address: 268 Main Street, Hornell, NY 14843

Resolution #_____C-68_____
Former Owner: _____Penny Rae Hutcheson, Bernice Vincent-Life Use
In Rem Index No. 98375, 2007 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____166.26-02-034.000_____
Municipality:_____Hornell City_____
Highest Bidder: _____Mark Freeland_____
Highest Bidder's Address:10 Blaine St., Hornell, NY 14843
Consideration: $6,500.00, together with buyers premium & recording fees
Second Highest Bidder:___Raymond A. Stiles_____
Second Highest Bidder's Address: 1767 Cemetery Hill, Rexville, NY 14877

Resolution #_____C-69_____
Former Owner: _____Charles Henderson_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____164.07-01-012.000_____
Municipality:_____Almond Village_____
Highest Bidder: _____Jerome W. Breese_____
Highest Bidder's Address:3000 Beeman Hollow Rd., Addison, NY 14801
Consideration: $50.00, together with buyers premium & recording fees
Second Highest Bidder:___None_____
Second Highest Bidder's Address: _____

Resolution #_____C-70_____
Former Owner: _____Glenn Johnson_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____136.00-01-040.300_____
Municipality:_____Hornellsville_____
Highest Bidder: _____Michelle A. Messervey___
Highest Bidder's Address:6521 Whitford Rd., Alfred Station, NY 14803
Consideration: $44,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Cheryl E. Johnson_____
Second Highest Bidder's Address: 791 Rte 21, Hornell, NY 14843

Resolution #C-71
Former Owner: John Della Penna
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 139.08-01-003.000
Municipality: Howard
Highest Bidder: Jerome W. Breese
Highest Bidder's Address: 3000 Beeman Hollow Rd., Addison, NY 14801
Consideration: $5,500.00, together with buyers premium & recording fees
Second Highest Bidder: Sean Turner
Second Highest Bidder's Address: 7486 Hopkins Rd., Avoca, NY 14809

Resolution #C-72
Former Owner: Eleanor Jean Rawleigh
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 185.00-01-015.121
Municipality: Howard
Highest Bidder: Philip & Jennifer Willis
Highest Bidder's Address: 16400 Janan Dr., Tyler, Tx. 75707
Consideration: $6,000.00, together with buyers premium & recording fees
Second Highest Bidder: Gage N. Coon
Second Highest Bidder's Address: 6765 Cty Rte 10, Bath, NY 14810

Resolution #C-73
Former Owner: John Della Penna
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 325.08-01-028.000
Municipality: Jasper
Highest Bidder: Glenn L. White & Clemontine L. White
Highest Bidder's Address: 4241 Olmstead Rd., Woodhull, NY 14898
Consideration: $7,000.00, together with buyers premium & recording fees
Second Highest Bidder: Christopher Henry
Second Highest Bidder's Address: Box 51, Jasper, NY 14855

Resolution #C-74
Former Owner: Patricia Aldrich Johnson
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 387.00-01-011.110
Municipality: Lindley
Highest Bidder: Andrea J. Haradon & Elizabeth A. Hull
Highest Bidder's Address: PO Box 97, Corning, NY 14830
Consideration: $1,750.00, together with buyers premium & recording fees
Second Highest Bidder: Bruce Larrison
Second Highest Bidder's Address: 1024 Davis Rd., Corning, NY 14830

Resolution #C-75
Former Owner: Salvatore Croce
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 019.00-02-022.000
Municipality: Prattsburgh
Highest Bidder: Joy E. Goodsell
Highest Bidder's Address: 74 W. Lamoka Ave., Savona, NY 14879
Consideration: $21,000.00, together with buyers premium & recording fees
Second Highest Bidder: Robert Catlin
Second Highest Bidder's Address: 4435 Champlin Rd., Penn Yan, NY 14527

Resolution #C-76
Former Owner: Ernest O Diaz & Maria Elena Diaz
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 020.00-01-045.100
Municipality: Prattsburgh
Highest Bidder: Thomas T. Savage
Highest Bidder's Address: 4278 Rte 414, North Rose, NY 14516
Consideration: $15,000.00, together with buyers premium & recording fees
Second Highest Bidder: James Englert
Second Highest Bidder's Address: 8896 Wixson Rd., Hammondsport, NY 14840

Resolution #C-77
Former Owner: Judith Partridge
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 034.20-02-005.111
Municipality: Prattsburgh
Highest Bidder: Randy & Doris Bilby
Highest Bidder's Address: 3437 County Rt 3, Addison, NY 14801
Consideration: $250.00, together with buyers premium & recording fees
Second Highest Bidder: Peter Kopilchak
Second Highest Bidder's Address: 8745 Longwell Rd., Hammondsport, NY 14840

Resolution #C-78
Former Owner: Tracy Weldy
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 034.20-02-063.000
Municipality: Prattsburgh
Highest Bidder: Daniel P. Cook
Highest Bidder's Address: 355 St. Joseph St., Rochester, NY 14617
Consideration: $4,000.00, together with buyers premium & recording fees
Second Highest Bidder: Mark L. Freeland
Second Highest Bidder's Address: 10 Blaine St., Hornell, NY 14843

Resolution #C-79
Former Owner: Tonia Puccio
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 047.08-01-008.000
Municipality: Prattsburgh
Highest Bidder: Jeffrey L. & Jennifer Stratton
Highest Bidder's Address: 29 Chapel St., Prattsburgh, NY 14873
Consideration: $200.00, together with buyers premium & recording fees
Second Highest Bidder: None
Second Highest Bidder's Address:

Resolution #C-80
Former Owner: Tonia Puccio
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 047.08-01-078.000 & 047.08-01-080.100
Municipality: Prattsburgh
Highest Bidder: Jeremy N. Hagadone
Highest Bidder's Address: 3103 Hickock Rd., Corning, NY 14830
Consideration: $7,000.00, together with buyers premium & recording fees
Second Highest Bidder: Charles Fink
Second Highest Bidder's Address: Box 667, Avoca, NY 14809

Resolution #C-81
Former Owner: Hawkins Homes LLC
In Rem Index No. 86329, 2002 sale
Date of Tax Sale: July 14, 2010
Parcel #: 048.00-02-015.000
Municipality: Prattsburgh
Highest Bidder: Brandi Coville
Highest Bidder's Address: 10741 Gloades Corners Rd., Prattsburgh, NY 14873
Consideration: $4,500.00, together with buyers premium & recording fees
Second Highest Bidder: Peter Kopilchak
Second Highest Bidder's Address: 8745 Longwell Rd., Hammondsport, NY 14840

Resolution #C-82
Former Owner: Jonathan Hedge & Elmer Polmateer
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 023.00-01-010.000
Municipality: Pulteney
Highest Bidder: Matthew Douglas Applebee
Highest Bidder's Address: 8431 Ford Rd., Branchport, NY 14418
Consideration: $21,000.00, together with buyers premium & recording fees
Second Highest Bidder: Patrick Smith
Second Highest Bidder's Address: 1124D Hemlock St., Fort Dix, NJ 08640

Resolution #_____C-83_____
Former Owner: _____Eugene T Tully & Jane M Tully
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____023.00-01-037.000_____
Municipality:_____Pulteney_____
Highest Bidder: _____Mary & Ellen Ellis_____
Highest Bidder's Address:120 Halsey-Manor Rd., Manorville, NY 11949
Consideration: $1,300.00, together with buyers premium & recording fees
Second Highest Bidder:___Donald Stuckey_____
Second Highest Bidder's Address: 365 E. Third St., Corning, NY 14830

Resolution #_____C-84_____
Former Owner: _____Rosalind DCruz_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____311.04-01-025.000_____
Municipality:_____Rathbone_____
Highest Bidder: _____Mary Preston_____
Highest Bidder's Address:6595 County Route 21, Addison, NY 14801
Consideration: $600.00, together with buyers premium & recording fees
Second Highest Bidder:___David Sisson_____
Second Highest Bidder's Address: PO Box 955, Bath, NY 14810

Resolution #_____C-85_____
Former Owner: _____Pamela A Sweeting_____
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____344.00-03-011.000_____
Municipality:_____Troupsburg_____
Highest Bidder: _Andrea J. Haradon & Elizabeth A. Hull
Highest Bidder's Address:PO Box 97, Corning, NY 14830
Consideration: $28,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Barbara Towner_____
Second Highest Bidder's Address: PO Box 10, Addison, NY 14801

Resolution #_____C-86_____
Former Owner: _____Federal National Mortgage Assoc
In Rem Index No. 101381, 2008 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____368.00-01-022.112_____
Municipality:_____Tuscarora_____
Highest Bidder: _____Leonard T. & Amie L. Housel
Highest Bidder's Address:6142 State Rt 417, Addison, NY 14801
Consideration: $19,000.00, together with buyers premium & recording fees
Second Highest Bidder:___William Stewart_____
Second Highest Bidder's Address: 26 Tower Lane, Box 37, Nelson, PA 16940

Resolution #C-87
Former Owner: William J Winter
In Rem Index No. 86329, 2002 sale
Date of Tax Sale: July 14, 2010
Parcel #: 368.00-01-052.124
Municipality: Tuscarora
Highest Bidder: Robert J. O'Brien
Highest Bidder's Address: 210 South Loder Ave., Endicott, NY 13760
Consideration: $3,000.00, together with buyers premium & recording fees
Second Highest Bidder: Bruce Larrison
Second Highest Bidder's Address: 1024 Davis Rd., Corning, NY 14830

Resolution #C-88
Former Owner: Richard E Hubiak & Ann Hubiak
In Rem Index No. 98375, 2007 sale
Date of Tax Sale: July 14, 2010
Parcel #: 119.00-01-019.420
Municipality: Urbana
Highest Bidder: James Bianco
Highest Bidder's Address: 360 N. Long Beach Rd., Rockville Center, NY 11570
Consideration: $15,500.00, together with buyers premium & recording fees
Second Highest Bidder: Joanne Reed
Second Highest Bidder's Address: 7605 Knowles Hl Rd., Campbell, NY 14821

Resolution #C-89
Former Owner: Douglas A Snyder
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 131.13-01-003.000
Municipality: Urbana
Highest Bidder: William D. Olmsted
Highest Bidder's Address: 11082 W. Lake Rd., Hammondsport, NY 14840
Consideration: $12,000.00, together with buyers premium & recording fees
Second Highest Bidder: R.C. Fitzwater Jr.
Second Highest Bidder's Address: PO Box 95, Atlanta, NY 14806

Resolution #C-90
Former Owner: David Reeners
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 053.00-03-002.115
Municipality: Wayland Town
Highest Bidder: Charles Willis Fink & Daniel L. Grinols
Highest Bidder's Address: PO Box 667, Avoca, NY 14809
Consideration: $9,000.00, together with buyers premium & recording fees
Second Highest Bidder: Verdul Simeon
Second Highest Bidder's Address: 159 Grafton St., Brooklyn, NY 11212

Resolution #C-91
Former Owner: David Recklinghausen
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 082.00-01-011.000
Municipality: Wayland Town
Highest Bidder: Thomas & Bernice Simons
Highest Bidder's Address: 10997 Beals Rd., Cohocton, NY 14826
Consideration: $5,500.00, together with buyers premium & recording fees
Second Highest Bidder: Noel R. Bilby
Second Highest Bidder's Address: 3437 Co Rt 3, Addison, NY 14801

Resolution #C-92
Former Owner: Rochelle A Sulli & Nocholas J Sulli
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 003.17-02-034.000
Municipality: Wayland Village
Highest Bidder: Verdul Simeon
Highest Bidder's Address: 1964 Nostrand Ave., Apt 5I, Brooklyn. NY 11210
Consideration: $6,000.00, together with buyers premium & recording fees
Second Highest Bidder: Daniel Grinols
Second Highest Bidder's Address: 1161 Airport Rd., Hornell, NY 14843

Resolution #C-93
Former Owner: Nicholas W Bendzuz & Amanda L Wadsworth
In Rem Index No. 101381, 2008 sale
Date of Tax Sale: July 14, 2010
Parcel #: 015.05-02-006.000
Municipality: Wayland Village
Highest Bidder: Douglas Ralph Pulver
Highest Bidder's Address: 207 Mill Street, Wayland, NY 14572
Consideration: $6,500.00, together with buyers premium & recording fees
Second Highest Bidder: Christopher Lindner
Second Highest Bidder's Address: 59 University Ave., Atlanta, NY 14808

Resolution #C-94
Former Owner: George W Butler
In Rem Index No. 95453, 2006 sale
Date of Tax Sale: July 14, 2010
Parcel #: 392.00-01-007.140
Municipality: West Union
Highest Bidder: Randy & Doris Bilby
Highest Bidder's Address: 3437 County Rt 3, Addison, NY 14801
Consideration: $3,000.00, together with buyers premium & recording fees
Second Highest Bidder: Drew E. Heisey
Second Highest Bidder's Address: 719 McAllister Rd., Rexville, NY 14877

Resolution #_____C-95_____
Former Owner: _____James Thompson_____
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____072.00-01-009.212_____
Municipality:_____Wheeler_____
Highest Bidder: _____James Bianco_____
Highest Bidder's Address:360 N. Long Beach Rd., Rockville Center, NY 11570
Consideration: $12,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Barbara Towner_____
Second Highest Bidder's Address: PO Box 10, Addison, NY 14801

Resolution #_____C-96_____
Former Owner: _____Mary Santillo_____
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale:_____July 14, 2010_____
Parcel #: _____075.00-01-063.000_____
Municipality:_____Wheeler_____
Highest Bidder: _____Joy E. Goodsell_____
Highest Bidder's Address:74 W. Lamoka Ave., Savona, NY 14879
Consideration: $8,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Daryn Cheney_____
Second Highest Bidder's Address: 1926 Addison Back Rd., Addison, NY 14801

Resolution #_____C-97_____
Former Owner: _____Green Tree Credit LLC___
In Rem Index No. 95453, 2006 sale_____
Date of Tax Sale: _____July 14, 2010_____
Parcel #: _____345.00-01-034.300_____
Municipality:_____Woodhull_____
Highest Bidder: _____Daryn Cheney_____
Highest Bidder's Address:1926 Addison Bank Rd., Addison, NY 14801
Consideration: $4,000.00, together with buyers premium & recording fees
Second Highest Bidder:___Bruce Larrison_____
Second Highest Bidder's Address: 1024 Davis Rd., Corning, NY 14830

Vote: Roll Call – Adopted.

RESOLUTION NO. 107-10

Introduced by P. Donnelly. Seconded by C. Ferratella.

RECEIVING AND ACCEPTING THE JULY 26, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

June 14, 2010
New York State Association of Counties – Re: Potential funding for a county-based statewide public safety broadband communications network. A response on participation is needed by Wednesday, June 16, 2010. ***Referred to: Public Safety & Corrections Committee; and Jack Wheeler, Assistant County Administrator.***

June 16, 2010
National Interlock Service – Re: Information on the Ignition Interlock Plan. ***Referred to: Public Safety & Corrections Committee; and Eugene Greeley, Probation Director.***

Nixon Peabody LLP, Attorneys at Law – Re: Case 10-T-0019 Joint Petition of Fortuna Energy Inc. (Talisman Energy USA Inc.) and Corning Natural Gas Corporation response letter concerning the Town of Caton's request to delay the Compressor Project is unequivocally rejected. ***Referred: A.I.P. Committee; and Greg Heffner, Planning Director.***

June 21, 2010
New York State Association of Counties – Re: Letter to Governor Paterson urging to reject any efforts to re-allocate the recently enacted nursing home reimbursement methodology. ***Referred to***: ***Human Services, Health & Education Committee; and Dave McCarroll, HCF Administrator.***

June 23, 2010
NYS Office for the Aging – Re: Notification of approval for the State Aid under the New York State Long Term Care Ombudsman Program (State LTCOP) for the period of April 1, 2010 to March 31, 2011 and the Older Americans Act (OAA) Title VII program for the period January 1, 2010-December 31, 2010 . ***Referred to: Human Services, Health & Education Committee; and Linda Tetor, OFA Director.***

New York State Energy Research and Development Authority – Re: Fully executed State Energy Program Agreement in the amount of $76,725.50 which is provided from the American Recovery and Reinvestment Act of 2009. ***Referred to: Jack Wheeler, Assistant County Administrator***.

June 24, 2010
County of Fulton – Re: Letter from the County of Fulton urging all counties in New York state to adopt the "Truth in Taxation Law". ***Referred to: Steuben County Legislature.***

Greene County Legislature – Re: Green County Legislature passed a resolution opposing the proposed New York State Department of Environmental Conservation Part 247 Regulations on Outdoor Wood Boilers. ***Referred to: Steuben County Legislature.***

June 28, 2010
NYS Department of State – Re: Fully executed Local Government Efficiency (LGE) grant agreement for the Regional E-911 Planning Project. ***Referred to: Dave Hopkins, 911 Director; and Jack Wheeler, Assistant County Administrator.***

Office of Community Renewal – Re: Request for the Project Status Report on the NYS Community Development Block Grant (CDBG) Project #1115HR22-08 is due no later than July 15, 2010. ***Referred to: Amy Dlugos, Planning Department.***

Office of Community Renewal – Re: Request for the Project Status Report on the NYS Community Development Block Grant (CDBG) Project #1115HR4-09 is due no later than July 15, 2010. ***Referred to: Amy Dlugos, Planning Department.***

Nixon Peabody LLP, Attorneys at Law – Re: Case 10-T-0019 Joint Petition of Fortuna Energy Inc. (Talisman Energy USA Inc.) and Corning Natural Gas Corporation request to not delay a decision on this proceeding. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Department.***

Nixon Peabody LLP, Attorneys at Law – Re: Case 10-T-0019 Joint Petition of Fortuna Energy Inc. (Talisman Energy USA Inc.) and Corning Natural Gas Corporation request for the Commission not to entertain the Town of Caton's arguments further and a decision to be issued promptly. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Department.***

CSEA, Local 1000 AFSCME, AFL-CIO – Re: Request for the commencement of negotiations for the CSEA Steuben County Correction Officers, Dispatchers & Court Security Officers Unit #851-8700-01. ***Referred to: Joel Ordway, County Sheriff; Nancy Smith, Deputy Personnel Officer; and Fred Ahrens, County Attorney.***

July 7, 2010

NYS Veterans Affairs Commission – Re: Letter of concern on the New York State Veterans' Affairs Commission (VAC) regarding the competencies and resourcing of county and municipal Veteran Service Agencies. ***Referred to: Human Services, Health & Education Committee; and Dan McRae, Director of Veterans' Services.***

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $6,821 which represents the May 2010 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Deputy County Treasurer.***

July 8, 2010

NYS Office for the Aging – Re: Notification of receiving the final Title III allotments for FFY 2010 and prepared Area Agency on Aging (AAA) allocation schedules**. R*eferred to: Human Services, Health & Education Committee; and Linda Tetor, OFA Director.***

July 12, 2010

Office of Community Renewal – Re: Notification of 60-day expiration notice for the New York State Community Development Block Grant Project #1115HR22-08 must be completed and all funds expended by ***September 7, 2010. Referred to: Amy Dlugos, Planning Department.***

July 14, 2010

New York State Department of Environmental Conservation – Re: Keuka Lowlands Draft Unit Management Plan and Announcement of the Public Information Meeting scheduled for Thursday, August 5, 2010 from 2:00pm-4:00pm at the NYS DEC Office located at 7291 Coon Road Bath, NY. There will also be a half-hour presentation on the draft plan the same evening at 7:00pm followed by a questions and answer period. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Department.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 108-10

Introduced by P. McAllister. Seconded by G. Swackhamer.

PRESENTING LOCAL LAW TENTATIVELY NO FIVE FOR THE YEAR 2010, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1984 RELATING TO THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR AND DESIGNATING THE COUNTY ADMINISTRATOR AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES.

Pursuant to Article 5 of the County Law and Sections 15 and 16 of the Civil Service Law of the State of New York.

WHEREAS, it is the intent of the Legislature to have a Deputy County Administrator serve as the alter ego to and for the County Administrator and in the absence of the County Administrator or at the County Administrator's direction; and

WHEREAS, Local Law Tentatively No. Five for the Year 2010 amending Local Law No. Two for the Year 1984 is herewith presented so as to implement the legislature intent.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Five for the Year 2010, amending Local Law No. Two for the Year 1984, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2010

A Local Law to amend Local Law No. Two for the Year 1984 to authorize the appointment of a Deputy County Administrator and define the scope and authority of the Deputy County Administrator within the Office of the County Administrator.

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

Section 1. ~~Subdivision 16 of~~ Section 4. Powers and Duties, of Local Law No. Two for the Year 1984 is amended to read as follows:

16. Appoint a Deputy County Administrator, in the exempt class for the purposes of the Civil Service Law, who shall in the absence or inability of the County Administrator to act, or during a vacancy in the County Administrator's Office, have the powers of the County Administrator provided herein, and serve as alter ego to and in the place of the County Administrator during absences of the County Administrator or at the County Administrator's direction, and the County Administrator shall also appoint such assistants within the Office of County Administrator as may be authorized by the County Legislature.

17. The County Administrator shall have the authority to hire and fire any subordinate positions in the Department.

Section 2. It is herby resolved that Civil Service be and the same hereby is requested to allocate the position of County Administrator as Unclassified Service in the Civil Service.

Section 3. This Local Law shall be effective immediately upon its adoption by the County Legislature.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on August 23, 2010 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer and the County Treasurer.

Mr. Alger stated this resolution has come about as a result of the retirement of Greg Heffner who acted as Deputy County Administrator. He stated that he would like to designate Jack Wheeler and we also need to change the civil service language and classification for the County Administrator to allow the deputy to be exempt.

Mr. Weaver stated that in Local Law No. 2 of 1984, Section 6 says that in the absence of the Administrator, that the Chairman becomes the acting authority. Does that need to be changed? Mr. Alger replied no. This Local Law anticipates ongoing day-to-day. The Chairman would become the acting

authority in the case of a long illness, for example. The Deputy will be able to pick up some day-to-day and is not intended to be a long-term solution. The distinction is in the event of a vacancy in the position, which would indicate the County Administrator is gone. In that case, the Chairman would assume the duties.

Vote: Acclamation – Adopted.

RESOLUTION NO. 109-10

Introduced by P. McAllister. Seconded by S. Van Etten.

DESIGNATING THE COUNTY ADMINISTRATOR AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES, SAID COUNTY ADMINISTRATOR HAVING PREVIOUSLY BEEN DESIGNATED AS EXEMPT, AND DESIGNATING THE DEPUTY COUNTY ADMINISTRATOR AS EXEMPT.

Pursuant to Civil Service Law Sections 15 and 16, and Article 5 of the County Law of the State of New York.

WHEREAS, by Local Law Tentatively No. Five for the Year 2010, the County has elected to amend the powers and duties of the County Administrator in respect to the appointment of a Deputy County Administrator; and

WHEREAS, the position of "Deputy County Administrator" is hereby created and established; and

WHEREAS, by creation of the aforesaid position, it is the intent of this Legislature to have said Deputy serve as the alter ego to and for the County Administrator and in the absence of the County Administrator or at the County Administrator's direction; and

WHEREAS, by Resolution dated herewith there has been presented Local Law Tentatively No. Five for the Year 2010 for amendment of Local Law No. Two for the Year 1984 so as to reflect the within legislative intent.

NOW THEREFORE, BE IT

RESOLVED, Civil Service be, and the same hereby is, requested to allocate the office of County Administrator as Unclassified Service in the Civil Service; and be it further

RESOLVED, the office of Deputy County Administrator shall serve as alter ego to and in the place of the County Administrator during absences of the County Administrator or at the County Administrator's direction; and be it further

RESOLVED, said Deputy County Administrator shall serve at the pleasure of the County Administrator; and be it further

RESOLVED, Civil Service be, and the same hereby is, requested to allocate the office of Deputy County Administrator in the Exempt Class of Civil Service; and be it further

RESOLVED, the within Resolution shall be effective when and upon the final adoption of Local Law Tentatively No. Five for the Year 2010; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer, the County Treasurer, and the County Administrator.

Vote: Roll Call – Adopted.

RESOLUTION NO. 110-10

Introduced by J. Hauryski and L. Crossett. Seconded by B. Schu.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT, SENECA ROAD OVER THE CANISTEO RIVER, TOWN OF HORNELLSVILLE, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a project for the Bridge Replacement (BIN# 2016360) Seneca Road over the Canisteo River in the Town of Hornellsville, County of Steuben, P.I.N. 6754.55 (the" Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Steuben desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the Project.

NOW, THEREFORE, the Steuben County Legislature, duly convened does hereby

RESOLVE, that the Steuben County Legislature hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Steuben County Legislature hereby authorizes the County of Steuben to pay in the first instance 100% of the Federal and non-Federal share of the cost of Design and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of $400,000 will hereby be appropriated from the 2011 Steuben County Department of Public Works budget contingent upon Legislative approval and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full Federal and non-Federal share costs of the Project exceeds the amount appropriated above, the County of Steuben shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairperson of the Legislature of the County of Steuben be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of County of Steuben with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that one (1) certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and one (1) certified copy be forward to the Commissioner of Public Works, and it is further

RESOLVED, this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 111-10

Introduced by J. Hauryski. Seconded by D. Farrand.

AUTHORIZING AN AGREEMENT BY THE COUNTY OF STEUBEN TO MAINTAIN A CERTAIN COUNTY ROAD, CR 62, ROCK CREEK ROAD, WHICH IS A PORTION OF THE BRIDGE REPLACEMENT SR 248 OVER BENNETTS CREEK IN THE TOWN OF GREENWOOD, COUNTY OF STEUBEN, PROJECT DESIGNATED AS NEW YORK PROJECT PIN 6048.22.

WHEREAS, the New York State Department of Transportation has submitted to the County of Steuben a proposed agreement by which the County of Steuben is to maintain 0.025 centerline kilometers of a County road (shown as part numbered 2 on the Table of Maintenance) known as County Road 62 Rock Creek Road and to be designated as a portion of New York Project No. 6048.22 and said proposed agreement also provides for the County of Steuben to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Steuben will thereafter at its own cost and expense maintain the previously described portion of this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben shall maintain such road and guarantee the maintenance of such road when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it further

RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the State for construction of Highways and related projects under the provisions of Federal Highway Act; and be it further

RESOLVED, that this Legislature of the County of Steuben act through its Chairperson and Clerk which are hereby authorized to act for the County of Steuben and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Legislature of the County of Steuben for action, and that this Board furnish two certified copies of this resolution authorizing the Chairperson of the Steuben County Legislature and Clerk of this County of Steuben to execute the agreements on behalf of the county of Steuben such Chairperson and Clerk being fully authorized and directed to make and enter into agreements on behalf of the County of Steuben in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County thereto; and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to transmit two (2) certified copies of the foregoing resolution to the State Department of Transportation and one (1) certified copy of this resolution be forwarded to the Commissioner of Public Works.

Vote: Roll Call – Adopted.

RESOLUTION NO. 112-10

Introduced by P. McAllister and L. Crossett. Seconded by C. Ferratella.

FILING THE REPORT OF THE ADMINISTRATOR OF THE STEUBEN COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN AND THE COMMITTEE THEREON IN RELATION TO THE ESTIMATED COST FOR THE FISCAL YEAR 2011.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, an estimate of the cost is to be filed with this County Legislature on or before July 26, 2010 for the Budget Year 2011.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2011), a copy of which is attached hereto, as presented by the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan and by the Administration Committee is received, adopted and ordered to be incorporated into the 2011 Steuben County Budget; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Treasurer and the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan.

STEUBEN COUNTY SELF-INSURANCE PLAN
ANNUAL ESTIMATE OF EXPENSES
FISCAL YEAR BEGINNING JANUARY 1, 2011

Your Committee on Workers' Compensation Insurance respectfully submits the annual estimate of expenses for the Steuben County Self-Insurance Plan for the fiscal year beginning January 1, 2011 and ending December 31, 2011, pursuant to Section 67, Paragraph 1 of the Workers' Compensation Law.

APPROPRIATED BUDGET FOR 2011

Workers Compensation Fund Budget History			
Dept	Account	Account Title	2011 Budget
		Estimated Expenditures	
171006	51100000	SALARIES & WAGES	$52,000
171006	5298090	MACH & EQUIP - MISC	
171006	5402990	TELEPHONE - CHARGEBACKS	$300
171006	5403800	COPYING	$110
171006	5404100	MEMBERSHIPS & DUES	$100
171006	5405100	POSTAGE	$500
171006	5406000	OFFICE SUPPLIES	$1,000
171006	5407200	TRAINING & CONFERENCES	$1,000
171006	5407310	SAFETY TRAINING	$1,390
171006	5410100	INSURANCE	$100
172006	5410300	WC MEDICAL BENEFITS	$500,000
172006	5410310	WORKERS COMP PAYMENTS	$890,000
171006	5410320	EXCESS WC	$145,000
171006	5410331	WCB - VF60	$1,000
171006	5410332	WCB - VA60	$15,000
171006	5410335	WCB 151	$40,000
171006	5410336	WCB 15-8	$263,000
171006	5410337	WCB 25A	$110,000

171006	5410338	WCB IDP	$15,000
171006	5410339	WCB SPECIAL FUND	$75,000
172006	5410400	AWARDS & BENEFITS (IBNR)	$500,000
171006	5412970	MAINTENANCE IN LIEU/RENT	$1,300
171006	5420000	MEDICAL SERVICES	$18,000
171006	5420050	PHYSICALS-NON CO EMPLOYEE	
171006	5423310	PROFESSIONAL WITNESS	$500
171006	5423330	COURT APPEARANCES	$55,000
171006	5424210	INVESTIGATION EXPENSE	$9,500
171006	5430190	REHAB FEES	$35,000
171006	5444400	THIRD PARTY ADMINISTRATOR	$61,000
171006	5450999	MOTOR POOL CHARGEBACKS	$100
171006	5498000	DEPRECIATION EXPENSE	$1,000
171006	5499000	OTHER EXPENSES	$850
171006	5810000	NYS EMPLOYEES RETIREMENT	$5,000
171006	5830000	SOCIAL SECURITY	$3,950
171006	5840000	WORKERS' COMPENSATION	$1,800
171006	5860000	GROUP MEDICAL INSURANCE	$16,500
			$2,820,000
		Estimated Revenue	
	42222000	Participant Fees	$2,600,000
	42401000	Interest	$10,000
	42701000	Refund Prior Year Expenses	$210,000
			$2,820,000

Vote: Roll Call – Adopted.

RESOLUTION NO. 113-10

Introduced by P. McAllister/L. Crossett. Seconded by D. Creath.

FILING THE TABLE OF APPORTIONMENT RELATIVE TO THE SHARES OF THE PARTICIPATING MEMBERS OF THE STEUBEN COUNTY SELF-INSURANCE WORKERS' COMPENSATION PLAN FOR 2011.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, on July 26, 2010 this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2011 of the Steuben County Self-Insurance Workers' Compensation Plan; and

WHEREAS, the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan, based on the number of members and the estimated cost for the year 2011, has caused a Table of Apportionment to be developed.

NOW THEREFORE, BE IT

RESOLVED, that the Table of Apportionment for the participating members of the Steuben County Self-Insurance Plan for Workers' Compensation for the year 2011 is hereby received and adopted and filed herewith; and be it further

RESOLVED, this resolution together with said Table of Apportionment shall serve as due and proper notice of their liability to the plan for the year 2011; and be it further

RESOLVED, that any participating member may elect to pay its share direct to the Steuben County Treasurer by notifying the Clerk of the Steuben County Legislature or the Administrator of the Self-Insurance Plan not later than October 1, 2010, otherwise the respective share will be levied upon the taxable real property comprising the territory of such member; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Treasurer, Director of the Steuben County Real Property Tax Service Agency, and 35 certified copies to the Administrator of the Steuben County Self-Insurance Workers' Compensation Plan for distribution to the Town/Village Clerks of the participating members.

2011 Workers Compensation Apportionment

STEUBEN COUNTY	**$2,029,362**
T/ADDISON	**$12,529**
T/AVOCA	**$29,698**
T/BATH	
T/BRADFORD	**$8,860**
T/CAMERON	**$13,312**
T/CAMPBELL	**$37,260**
T/CANISTEO	**$16,478**
T/CATON	
T/COHOCTON	
T/DANSVILLE	**$19,447**
T/FREMONT	**$9,169**
T/GREENWOOD	**$8,061**
T/HARTSVILLE	**$6,159**
T/HORNBY	**$12,665**
T/HORNELLSVILLE	**$25,070**
T/HOWARD	**$18,279**
T/JASPER	**$14,429**
T/LINDLEY	**$11,516**
T/PRATTSBURG	**$25,052**
T/PULTENEY	**$29,920**
T/THURSTON	**$15,087**
T/TROUPSBURG	**$12,381**
T/TUSCARORA	**$32,640**
T/WAYLAND	
T/WEST UNION	**$8,099**
T/WHEELER	**$19,579**
T/WOODHULL	**$18,998**
TOWN TOTAL	**$404,688**

V/ADDISON	**$39,133**
V/ARKPORT	**$7,090**
V/AVOCA	**$6,241**
V/BATH	
V/CANISTEO	**$34,194**
V/COHOCTON	**$17,783**
V/NORTH HORNELL	**$7,080**
V/PAINTED POST	**$36,590**
V/WAYLAND	**$17,838**
VILLAGE TOTAL	**$165,949**

Vote: Roll Call – Adopted.

RESOLUTION NO. 114-10

Introduced by B. Schu and L. Crossett. Seconded by D. Farrand.

AUTHORIZING THE ACCEPTANCE OF $130,207 FOR THE FISCAL YEAR 2009 STATE HOMELAND SECURITY PROGRAM.

WHEREAS, Steuben County has identified the risks associated with the effects of terrorism; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of incident; and

WHEREAS, Steuben County has identified the need for additional resources, education and training; and

WHEREAS, the New York State Office of Homeland Security is responsible for the assignment of administration of grant allocation provided by the Federal Government; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2009 grant funds in the amount of $130,207 under the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents.

NOW THEREFORE, BE IT

RESOLVED, the County Administrator be authorized to enter into an agreement with the New York State Office of Homeland Security to accept funding in the amount of $130,207 for implementation of the SHSP to support response, education, prevention and planning for terrorist incidents; and be it further

RESOLVED, the County Administrator, and the Director of Emergency Management are authorized and directed to execute the requisite documentation to effectuate this grant and agreement; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized to establish a revenue account for the purpose of accepting the grant funding from the Federal Government and the New York State Office of Homeland Security; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized to appropriate such revenue to the appropriate accounts within the budget of the Steuben County Office of Emergency Management for the purpose of fulfilling the aforementioned grant; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the New York State Office of Homeland Security, 1220 Washington Avenue, State Office Building 7A, Albany NY 12226; the County Treasurer; and the Director of Emergency Management

Mr. Weaver commented some of this money is funding the I Am Responding program and badge program. My concern is how these will be funded when there is no funding available? Hopefully this will not be an extra burden for the County. Mr. Sprague stated that he shares Mr. Weaver's concerns. His intent is to keep funding these with grants. Once we implement the ID system, there will be annual maintenance and card replacement costs, and we may ask departments to pay for the updates. With regard to the I Am Responding program, if the grant goes away, he would look at other sources for funding. It will be easier to fund this program ongoing once it is implemented. A big part of this program addresses how we notify people.

Mr. Swackhamer commented the question of what happens when the funding goes away came up in the Finance Committee meeting. We cannot continue to pick up new programs and fund them with County dollars.

Vote: Roll Call – Adopted.

RESOLUTION NO. 115-10

Introduced by D. Creath. Seconded by D. Farrand.

AUTHORIZING A PUBLIC HEARING ON EIGHT-YEAR REVIEWS OF AGRICULTURAL DISTRICT NO. 3, AGRICULTURAL DISTRICT NO. 4, AND AGRICULTURAL DISTRICT NO. 17.

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

WHEREAS, Agricultural District No. 3, located in the Towns of Prattsburgh and Pulteney, Steuben County, New York was certified on November 30, 1975; and

WHEREAS, Agricultural District No. 4, located in the Towns of Bath, Wheeler, and Urbana, Steuben County, New York was certified on January 6, 1976; and

WHEREAS, Agricultural District No.17, located in the Towns of Avoca, Bath, Howard, Prattsburgh, and Wheeler, Steuben County, New York was certified on April 22, 1985; and

WHEREAS, pursuant to said Law said Districts are now being reviewed; and

WHEREAS, the Clerk of the Legislature did file a copies of the Notices of Review in the Steuben County Clerk's office and did properly publish and have posted the thirty day (30) Notices as required by Law, and the affidavits of publication and posting of the Notices of Review of the Agricultural Districts having been received and filed on behalf of this Legislature; and

WHEREAS, upon completion of the thirty day review period, any and all proposals filed were referred to the Steuben County Agricultural and Farmland Protection Board and said Board did file written reports with this County Legislature, containing their recommendations and any proposed modifications concerning the same. Said reports being hereby approved, ratified, and confirmed by this County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, a Public Hearing on the review of said Agricultural Districts together with any modification thereof set forth in the reports of the Agricultural and Farmland Protection Board shall be held by this County Legislature at the Legislative Chambers at 3 East Pulteney Square, in the Village of Bath, New York, on the 23rd day of August, 2010, at 10:00 a.m.; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Clerk; William Brown, Chairman, Steuben County Agricultural and Farmland Protection Board, 9230 W Waneta Lake Road, Hammondsport, NY 14840; the Planning Director; and James Grace, Cooperative Extension Agent.

Vote: Acclamation – Adopted.

RESOLUTION NO. 116-10

Introduced by P. McAllister and L. Crossett. Seconded by B. Schu.

AMENDING THE INVESTMENT POLICY OF THE COUNTY OF STEUBEN.

Pursuant to Article 5 of the County Law of the State of New York and Article 10 of the General Municipal Finances Law.

WHEREAS, this Legislature reviewed and adopted on November 24, 2008, revisions to the Investment Policy of Steuben County pertaining to the amount of investment in each depository; and

WHEREAS, it is desirable to add a new provision to the Policy relative to collateral for deposits and to readjust the amount of investments in certain depositories.

NOW THEREFORE, BE IT

RESOLVED, that the Investment Policy reviewed and revised July 2010, to be filed with the Clerk of the Legislature, and the same hereby is, adopted by the Steuben County Legislature, effective immediately, as follows:

Article VIII of said Policy "COLLATERALIZING OF DEPOSITS" is amended to provide a new paragraph "4." as follows:

> **"An 'irrevocable letter of credit' issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, for the payment of 100 percent of the aggregate amount of public deposits and investments from the County and agreed-upon interest, if any."**

AND BE IT FURTHER RESOLVED, that the amounts authorized for deposit or investment with the listed banks are shown in Appendix B of the aforesaid Investment Policy, as follows:

Appendix B
Authorized Banking and Investment Entities

	Maximum Percentage (Of Total Cash & Investments)
Bank of America	25%
Five Star Bank	25%
Steuben Trust Company	35%
Community Bank, NA	**35%**
First State Bank	25%
Chemung Canal Trust	**35%**
M&T Bank & Trust	25%
J.P. Morgan Chase	35%
North Fork Bank – Mattituck, NY	15%
Key Bank	15%
HSBC	15%
Cooperative Liquid Assets Securities	10%
Morgan-Stanley/Dean Witter	10%

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Steuben County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 117-10

Introduced by P. McAllister. Seconded by S. Van Etten.

APPOINTING THE ACTING STEUBEN COUNTY ATTORNEY AND SETTING THE SALARY.

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

WHEREAS, the position of Steuben County Attorney will be vacant on July 30, 2010; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Administration Committee of the Steuben County Legislature, in accordance with its responsibility, has diligently conducted a search for eligible candidates; and

WHEREAS, the Administration Committee has recommended that David English of Corning, New York, be appointed as the Acting Steuben County Attorney; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Acting County Attorney at $99,000.00 per annum (Management Grade L).

NOW THEREFORE, BE IT

RESOLVED, that David English of Corning, New York, is hereby appointed as Acting Steuben County Attorney, effective August 2, 2010, at a salary of $99,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, the County Treasurer and the Personnel Officer.

Mr. Alger commented that he has a spreadsheet with these appointments and the anticipated savings will be $300,000. This is part of our strategy for the upcoming budget.

Vote: Roll Call – Adopted.

RESOLUTION NO. 118-10

Introduced by P. McAllister. Seconded by All Legislators Present

APPOINTING THE STEUBEN COUNTY CLERK OF THE LEGISLATURE AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Steuben County Clerk of the Legislature; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Administration Committee of the Steuben County Legislature, in accordance with its responsibility, has diligently conducted a search for eligible candidates; and

WHEREAS, the Administration Committee has recommended that Brenda K. Mori of Pulteney, New York, be appointed as the Steuben County Clerk of the Legislature; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Clerk of the Legislature at $55,000.00 per annum (Management Grade D).

NOW THEREFORE, BE IT

RESOLVED, that Brenda K. Mori of Pulteney, New York, is hereby appointed as Steuben County Clerk of the Legislature, effective July 26, 2010, at a salary of $55,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, the County Treasurer and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 119-10

Introduced by P. McAllister. Seconded by D. Farrand.

APPOINTING THE STEUBEN COUNTY PERSONNEL OFFICER AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Steuben County Personnel Officer; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Administration Committee of the Steuben County Legislature, in accordance with its responsibility, has diligently conducted a search for eligible candidates; and

WHEREAS, the Administration Committee has recommended that Nancy B. Smith of Corning, New York, be appointed as the Steuben County Personnel Officer; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Personnel Officer at $80,000.00 per annum (Management Grade H).

NOW THEREFORE, BE IT

RESOLVED, that Nancy B. Smith of Corning, New York, is hereby appointed as Steuben County Personnel Officer, effective July 26, 2010, at a salary of $80,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, the County Treasurer and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 120-10

Introduced by P. McAllister. Seconded by S. Van Etten.

PROVISIONALLY APPOINTING THE STEUBEN COUNTY DIRECTOR OF RECORDS MANAGEMENT AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Steuben County Director of Records Management; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Administration Committee of the Steuben County Legislature, in accordance with its responsibility, has diligently conducted a search for eligible candidates; and

WHEREAS, the Administration Committee has recommended that Julie Cummings of Hammondsport, New York, be provisionally appointed as the Steuben County Director of Records Management; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Director of Records Management at $45,000.00 per annum (Management Grade C).

NOW THEREFORE, BE IT

RESOLVED, that Julie Cummings of Hammondsport, New York, is hereby provisionally appointed as Steuben County Director of Records Management, effective July 26, 2010, at a salary of $45,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, County Treasurer, and Personnel Officer.

Mr. Alger stated that Julie Cummings is presently in the clerical position and she is being promoted. We anticipate that she will be retiring in September. We would like to reorganize and bring it in under another department.

Vote: Roll Call – Adopted.

RESOLUTION NO. 121-10

Introduced by D. Creath and P. McAllister. Seconded by D. Farrand.

PROVISIONALLY APPOINTING THE STEUBEN COUNTY PLANNING DIRECTOR AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Steuben County Planning Director; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Agriculture, Industry and Planning Committee and Administration Committee of the Steuben County Legislature, in accordance with its responsibility, have diligently conducted a search for eligible candidates; and

WHEREAS, the Agriculture, Industry and Planning Committee and Administration Committee have recommended that Amy Dlugos of Prattsburgh, New York, be provisionally appointed as the Steuben County Planning Director; and

WHEREAS, it is the recommendation of the Agriculture, Industry and Planning Committee and Administration Committee to set the salary of the Planning Director at $73,000.00 per annum (Management Grade G).

NOW THEREFORE, BE IT

RESOLVED, that Amy Dlugos of Prattsburgh, New York, is hereby provisionally appointed as Steuben County Planning Director, effective July 26, 2010, at a salary of $73,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, County Treasurer, and Personnel Officer.

Mr. Alger explained this is provisional pending a civil service examination.

Vote: Roll Call – Adopted.

RESOLUTION NO. 122-10

Introduced by P. Donnelly. Seconded by All Legislators Present.

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO SIGNIFICANTLY REDUCE UNFUNDED MANDATES THAT CAUSE LOCAL PROPERTY TAX INCREASES PRIOR TO IMPOSING A CAP ON LOCAL PROPERTY TAXES.

WHEREAS, Governor David A. Paterson and numerous State Legislators are supportive of a cap on local property tax levies of 4%, or 120% of inflation, whichever is less; and

WHEREAS, New York State has done little to control the costs of unfunded State mandates, which have been driving County property tax levels for decades; and

WHEREAS, without significant reform, such a cap would be impractical to implement as State mandates and fixed costs represent approximately 85% of County expenditures, and these State costs increase substantially each year, well over the proposed 4% cap. Some notable examples include:

- County payments to the NYS Retirement System are expected to rise 40% in 2011.
- The local cost of Medicaid increases 3% each year.
- The State continues to shift its costs to Counties in the 2009-10 and 2010-11 State budgets.
- New York State currently owes Steuben County over $7.2 million, overdue for State services rendered by the County.
- During the 2010 legislative session, the State shifted over $100 million in costs to Counties for delivering State services locally in child welfare and youth detention programs, representing yet another unfunded mandate; and

WHEREAS, Counties are mandated by the State to use local tax dollars to pay for State programs such as Medicaid, early intervention services, pre-school special education services, public assistance, child welfare, youth detention, jails and numerous other programs; and

WHEREAS, the property tax cap proposal does nothing to reduce or eliminate the current mandates; and

WHEREAS, the property tax cap proposal allows local boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to local governments, but also unfairly shifting blame to local leaders for tax increases that are actually caused by the State; and

WHEREAS, the Steuben County Legislature has, through responsible financial and budgetary actions and policies, stabilized and decreased full-value property tax rates from $10.29 to $8.75 per thousand since 2005, without the "benefit" of a State-imposed property tax cap.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature urges the Governor and Legislature of the State of New York to reject a local property tax cap unless it is coupled with significant reductions in unfunded, State-mandated programs that cause local property tax increases; and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Richard Calabrese, President, InterCounty Association of Western New York, c/o Ontario County Board of Supervisors, 20 Ontario Street, Canandaigua, NY 14424.

Mr. Alger stated what is under consideration is a proposed cap on property taxes of 4 percent or 120 percent of inflation, whichever is less. With the current state of the economy, this equates to a cap of 1 percent this year. That would only allow us to raise taxes up to $400,000. Medicaid alone next year will see an increase of $500,000. What the State is saying is that while Medicaid will go up 3 percent each year, property tax will be capped at $400,000. They really need to take a second look at this. This is just shifting State costs to local government.

Vote: Acclamation – Adopted.

Motion to adjourn made by Mr. Farrand, seconded by Mr. Schu and duly carried.

REGULAR MEETING
Morning Session
Monday, August 23, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of August, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present except for Legislator Ferratella.

Mr. Nichols provided the Invocation and the Pledge of Allegiance was led by Mr. Roush.

Chairman Donnelly asked Karen Monroe to come forward. She read the following nomination for Employee of the Month:

Mike Flint has worked closely with the Office of Community Services for the past four years, ensuring our IT technical needs are satisfied. His knowledge, attitude and creativity have been essential in ensuring that our electronic records in the Anasazi software system are maintained accurately and efficiently. While the Anasazi system is a comprehensive program, at times we have needs the program cannot handle. Mike has been able to write programs that access the Anasazi data in order to provide information or functionality needed in order to ensure compliance with regulatory agencies, or efficiency in operations. One example of this is a program he wrote that interfaces an appointment call reminder system with scheduled appointments within Anasazi. This kind of innovation has reduced no shows and enhanced client services. He has written programming that reminds clinicians of unresolved services or non-final approved progress notes in a timely manner. This ensures compliance with regulations and reduces the financial risk during site-reviews and audits. Mr. Flint is very active in his community and has coached his daughter's Cinderella Softball team. He always goes above and beyond in everything he does and his efforts are noted by many other County departments. Mike always puts forth a positive, interested attitude and is a pleasure to work with. Mike is a valuable member of our Anasazi team and we are lucky to have him. ***CONGRATULATIONS MIKE!***

Chairman Donnelly presented certificates of appreciation and plaques in recognition of the following individuals' retirements from Steuben County with 20 – 29 years of service: Julie Cummings, Records with 20 years of service; Gary Pruyn, Youth Bureau with 21 years of service; Jeni Paquette, Information Technology with 22 years of service; Frank Paddock, Public Works with 24 years of services; Mary Lisi, Sheriff's Department with 25 years of service; Janice Pruden, Social Services with 27 years of service; Mike McNally, Public Works with 28 years of service and Don McCaig, Public Works with 29 years of service.

Julie Cummings stated that she really appreciates the fact that she had a chance to work for Steuben County and really enjoyed her 20 years of working with Ken Sherer in Records.

Gary Pruyn stated thank you very much. It has been an honor and a privilege to serve the youth of Steuben County.

Chairman Donnelly presented certificates of appreciation and plaques in recognition of the following individuals' retirements from Steuben County with 30 – 39 years of service: Linda Losey, Youth Bureau with 30 years of service; Karen Miller, Treasurer's Office with 30 years of service; Barb Yawger, Social Services with 30 years of service; Maureen Risley, Social Services with 31 years of service; Judy Schuck, Social Services with 31 years of service; Janet Gressel, Personnel with 31 years of service; James Wheeler, Public Works with 32 years of service; Martha Sanford, Social Services with 32 years of

service; Darrell Hoad, Public Works with 33 years of service; Linda Day, Social Services with 35 years of service; Bob Steiniger, Sheriff's Department with 35 years of service; Sheila Wagner, Personnel with 36 years of service; Sandra Morrison, Social Services with 36 years of service; Linda Tetor, Office for the Aging with 36 years of service; Lenolee Spraker, Public Works with 36 years of service; Lois Goltry, Information Technology with 38 years of service, and Keith Davis, Public Works with 38 years of service.

Judy Schuck stated thank you. She stated that she also wants to applaud the Department of Social Services and the related service agencies that help with our Foster Care and Adoption programs.

Martha Sanford stated the past 32 years of working for Steuben County have been a very important part of my life.

Linda Tetor stated thank you for your support of me, my department and to the seniors of Steuben County. It has been a pleasure.

Lenolee Spraker stated it has been a wonderful time, but her best times have been working for Public Works.

Chairman Donnelly asked Donna Hatch to come forward. Donna Hatch is the Director of the Real Property Tax Service Agency. He presented her with a Certificate of Appreciation and a Plaque in recognition of her retirement following 43 years of service to Steuben County. Mrs. Hatch stated that she has been saving County Directories ever since she started in 1967. She has worked with numerous Legislators over the years and thanked them for the opportunity to give service to the County. It has been a good time. She stated that in the years she has worked for the County there have been 12 Chairman of the Legislature, 4 County Treasurers, IT Directors and Clerks of the Legislature; 3 County Clerks and County Attorneys, 2 County Administrators and 1,000 town assessors. She thanked her staff; everyone has been a great team.

Chairman Donnelly commented that this month the total number of years of service for those people who came to the meeting totals 818 years. There were many others who were unable to attend today's meeting, and their years of service total 507. Overall, total years of services for retirements for August are 1,325.

Chairman Donnelly opened the floor for comments by members of the public.

Ira Hale, Canisteo, stated that today he is here as Boy Scout Leader of the Five Rivers Boy Scout Council and Program Director for the Hornell Cub Scout Day Camp that was held the first week of August at Kanakadea Park in Hornell. He thanked the Legislature and Commissioner Spagnoletti for allowing us to hold our day camp for four days at no cost. He also thanked the workers at Kanakadea Park for the wonderful job they do. In addition, he thanked Sheriff Ordway for the donation of a BMX bicycle, helmet and bike lock.

There being no further public comment, Chairman Donnelly declared the opportunity for public comment closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon Local Law Tentatively No. Five for the Year 2010, Amending Local Law No. Two for the Year 1984, to authorize the appointment of a Deputy County Administrator and define the scope and authority of the Deputy County Administrator within the Office of the County Administrator. Chairman Donnelly asked if anyone wished to address the

Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon the Agricultural District within the Towns of Prattsburgh and Pulteney, New York, known as Agricultural District No. 3; the Agricultural District within the Towns of Bath, Wheeler and Urbana, New York, known as Agricultural District No. 4; and the Agricultural District within the Towns of Avoca, Bath, Howard, Prattsburgh and Wheeler, New York, known as Agricultural District No. 17, to consider the recommendations of the County Planning Board and the Agricultural and Farmland Protection Board, and any proposed modifications to the District. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing.

Brad Hall, Prattsburgh, stated that he lives in North Prattsburgh on the County line. What will this actually mean?

Mrs. Dlugos explained every eight years we canvass all of the members of the agricultural district and ask them to respond and indicate if they would like to continue to be in the agricultural district or if they have properties they would like to add or remove. There is a map of the agricultural district in the Planning Department available for review. There were only a few minor changes to the District and it, essentially, will remain the same for another eight years. These three districts are being consolidated into one large district that will be known as Agricultural District No. 3. This will be forwarded to the NYS Department of Agriculture and Markets.

There being no further comment, Chairman Donnelly closed the Public Hearing.

Motion adopting the minutes of the July 26, 2010 meeting made by Mr. Farrand, seconded by Mr. Nichols and duly carried.

Chairman Donnelly asked if there were any reports of Standing Committees. Mr. Creath reported that the AIP Committee meeting for September has been scheduled for Monday, September 13, 2010, due to the Labor Day Weekend. The meeting will be held at 9:00 a.m.

Chairman Donnelly announced that we have been informed by the Attorney General's Office that they will not present their presentation on Local Government Consolidation for any less than 30 people. He referred this back to the AIP Committee for their consideration.

RESOLUTION NO. 123-10

Introduced by L. Crossett. Seconded by S. Van Etten.

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "A" for the consideration offered, the Steuben Deputy County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof; and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be; and be it further

RESOLVED, that certified copies of this resolution contained in Schedule "A" shall be forwarded to the Steuben County Treasurer, the Director of the Steuben County Real Property Tax Service Agency, the Chairman of the Board of Assessors of the appropriate municipality, and the grantee(s).

SCHEDULE "A"

Resolution No.	A-1
Former Owner	Bert M Welch & Barbara J Welch
In Rem Index No.	101381, 2008 sale
Parcel No.	017.15-02-050.000
Municipality	Cohocton Town
Grantee(s)	Town of Cohocton
Grantee(s) Address	PO Box 327, Cohocton, NY 14826
Consideration	$1,700.00 together with $185.00 recording fees

Resolution No.	A-2
Former Owner	Edward Garrigues
In Rem Index No.	101381, 2008 sale
Parcel No.	056.05-02-009.000
Municipality	Cohocton Village
Grantee(s)	Village of Cohocton
Grantee(s) Address	PO Box 330, Cohocton, NY 14826
Consideration	$1,165.84 together with $310.00 recording fees

Resolution No.	A-3
Former Owner	Edward L Garrigues
In Rem Index No.	101381, 2008 sale
Parcel No.	056.05-02-020.000
Municipality	Cohocton Village
Grantee(s)	Village of Cohocton
Grantee(s) Address	PO Box 330, Cohocton, NY 14826
Consideration	$13,873.11 together with $310.00 recording fees

Resolution No.	A-4
Former Owner	Edward L Garrigues
In Rem Index No.	101381, 2008 sale
Parcel No.	056.05-02-019.000
Municipality	Cohocton Village
Grantee(s)	Village of Cohocton
Grantee(s) Address	PO Box 330, Cohocton, NY 14826
Consideration	$13,872.50 together with $310.00 recording fees

Resolution No.	A-5
Former Owner	Edward Garrigues
In Rem Index No.	101381, 2008 sale
Parcel No.	056.05-02-017.000
Municipality	Cohocton Village
Grantee(s)	Village of Cohocton
Grantee(s) Address	PO Box 330, Cohocton, NY 14826
Consideration	$6,003.81 together with $310.00 recording fees

Resolution No.	A-6
Former Owner	Michael L Snowden
In Rem Index No.	101381, 2008 sale
Parcel No.	151.64-03-006.000
Municipality	Hornell City
Grantee(s)	City of Hornell
Grantee(s) Address	82 Main Street, Hornell, NY 14843
Consideration	$1,111.30 together with $310.00 recording fees

Resolution No.	A-7
Former Owner	John L Hoad
In Rem Index No.	98375, 2007 sale
Parcel No.	151.55-02-042.000
Municipality	Hornell City
Grantee(s)	City of Hornell
Grantee(s) Address	82 Main Street, Hornell, NY 14843
Consideration	$6,183.28 together with $185.00 recording fees

Resolution No.	A-8
Former Owner	Simeon Verdul
In Rem Index No.	101381, 2008 sale
Parcel No.	151.19-02-041.000
Municipality	Hornell City
Grantee(s)	City of Hornell
Grantee(s) Address	82 Main Street, Hornell, NY 14843
Consideration	$6,275.86 together with $185.00 recording fees

Resolution No.	A-9
Former Owner	Harriet Morseman & Joseph E Bacon
In Rem Index No.	101381, 2008 sale
Parcel No.	384.00-01-021.000
Municipality	Tuscarora
Grantee(s)	Town of Tuscarora
Grantee(s) Address	1094 Gill Road, Addison, NY 14801
Consideration	$640.00 together with $185.00 recording fees

Resolution No.	A-10
Former Owner	Robert M Schultz Attn: Mark E Schultz
In Rem Index No.	101381, 2008 sale
Parcel No.	340.00-01-017.000
Municipality	West Union
Grantee(s)	Town of West Union
Grantee(s) Address	1328 St Rte 248, Rexville, NY 14877
Consideration	$1,212.00 together with $310.00 recording fees

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 124-10

Introduced by P. Donnelly. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE AUGUST 23, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

July 16, 2010
New York State Association of Counties – Copy of letter to Honorable Christopher Collins requesting to reconsider his current decision and assume the advocacy position in establishing a County Government Efficiency Task Force. ***Referred to: Mark Alger, County Administrator.***

July 19, 2010
New York State Association of Counties – Re: Highlighting elements of the retirement fund and the process on how the New York State Comptroller uses to set annual employer contributions rates. ***Referred to: Mark Alger, County Administrator.***

July 20, 2010
Village of Bath Police Department – Re: Letter thanking the Steuben County Sherriff's Office for their assistance at a crime scene on Sunday, June 20, 2010. ***Referred to: Public Safety and Corrections Committee; and Sheriff Ordway.***

July 22, 2010
James Bacalles, NYS Assembly – Re: Correspondence letter on the Autism Spectrum Disorder Bill (S.7000/A.10372). ***Referred to: Mark Alger, County Administrator.***

July 26, 2010
James Bacalles, NYS Assembly – Re: Correspondence letter on the concerns of the State forcing local Social Service districts to pay for Federal disallowances in Medicaid Administrative Costs. ***Referred to: Mark Alger, County Administrator.***

July 28, 2010
NYS Office of Probation and Correctional Alternatives – Re: Notification of approval of Steuben County's submitted Ignition Interlock Program Plan. ***Referred to: Public Safety & Corrections Committee; Eugene Greeley, Probation Director; and Sheriff Ordway.***

July 30, 2010
NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the quarterly SFY 2010-2011 Statewide Mass Transportation Operating Assistance (STOA) payments. ***Referred to: Amy Dlugos, Planning Director.***

Emergency Medical Services Training, Administration & Resources – Re: 2nd Quarter Report for 2010 and an invoice for payment in the amount of $1,406.25. ***Referred to: Human Services, Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.***

August 2, 2010
NYS Department of Health – Re: Medicaid Local Share Caps for the 2010-2011 State Fiscal Year. ***Referred to: Human Services, Health & Education Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Tammy Hurd-Harvey, Deputy Treasurer.***

August 3, 2010
Steuben County Industrial Development Agency – Re: Notice of public hearing for Steuben County Industrial Development Agency and Corning Property Management Corporation on the Glass Research Capabilities Project. The hearing is scheduled for Tuesday, August 24, 2010 at 1:00pm, at the Erwin Town Hall, located at 117 West Water Street, Painted Post, New York, 14870. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

August 9, 2010
New York State Office of Parks, Recreation & Historic Preservation – Re: Notification of Approval for the 2009-2010 Phase III of the Snowmobile Trail Development and Maintenance State Aid. ***Referred to: Amy Dlugos, Planning Director.***

Ms. Trula Thompson, Bradford NY – Re: Letter in opposition of the Natural Gas Drilling in the Southern Tier. ***Referred to: Patrick Donnelly, Steuben County Legislature Chairman; and Amy Dlugos, Planning Director.***

NYS Office for the Aging – Re: Notification of Grant Awards for the Community Services for the Elderly (CSE) Program, Expanded In-Home Services for the Elderly Program (EISEP), the Congregate Services Initiative (CSI) Program, the Supplemental Nutrition Assistance Program (SNAP), the AAA Transportation Program, the Health Insurance Information, Counseling and Assistance Program (HIICAP), and your Caregiver Resource Center (CRC) for the period of April 1, 2010-March 31, 2011. **R*eferred to: Human Services, Health & Education Committee; and Linda Tetor, OFA Director.***

August 11, 2010
Continuing Developmental Services, Inc. – Re: Announcement of new program entitled "Warrior Salute" which assists returning Veterans, as well as their family members, with the transition from active military service to the mainstream of their civilian communities. ***Referred to***: ***Dan McRae, Director of Veterans Services***.

August 12, 2010
Office of Community Renewal – Re: Approval of Request for Release of Funds on the New York State Community Development Block Grant (CDBG) Project #115HR4-09. ***Referred to: Amy Dlugos, Planning Director.***

Vote: Acclamation – Adopted.

W I T H D R A W N

RESOLUTION NO. 125-10

Introduced by P. McAllister. Seconded by B. Schu.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2010, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1984, RELATING TO THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR AND DESIGNATING THE COUNTY ADMINISTRATOR AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on July 26, 2010 County of Steuben Local Law Tentatively No. Five for the Year 2010, amending Local Law No. Two for the Year 1984 relating to the powers and duties of the County Administrator and designating the County Administrator as Unclassified for Civil Service purposes, and this Legislature by resolution, preliminarily adopted said Local Law on July 26, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on August 23, 2010; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on August 23, 2010, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Five for the Year 2010, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2010

A Local Law to amend Local Law No. Two for the Year 1984 to authorize the appointment of a Deputy County Administrator and define the scope and authority of the Deputy County Administrator within the Office of the County Administrator.

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

Section 1. ~~Subdivision 16 of~~ Section 4. Powers and Duties, of Local Law No. Two for the Year 1984 is amended to read as follows:

16. Appoint a Deputy County Administrator, in the exempt class for the purposes of the Civil Service Law, who shall in the absence or inability of the County Administrator to act, or during a vacancy in the County Administrator's Office, have the powers of the County Administrator provided herein, and serve as alter ego to and in the place of the County Administrator during absences of the County Administrator or at the County Administrator's direction, and the County Administrator shall also appoint such assistants within the Office of County Administrator as may be authorized by the County Legislature.

17. The County Administrator shall have the authority to hire and fire any subordinate positions in the Department.

Section 2. It is hereby resolved that Civil Service be and the same hereby is requested to allocate the position of County Administrator as Unclassified Service in the Civil Service.

Section 3. This Local Law shall be effective immediately upon its adoption by the County Legislature.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on August 23, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Five for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer, the County Administrator and the County Treasurer.

Mr. Alger explained the purpose of this is to allow for a deputy appointed by the County Administrator. This is being done to satisfy the State Civil Service Commission. This will be a procedure by which they would authorize a deputy for the department and allow that individual to serve at the discretion of the County Administrator.

Mr. Swackhamer asked how will the powers correspond between the Chairman of the Legislature and Deputy County Administrator in the absence of the County Administrator? Mr. Alger replied there is a section that defines the roles for an Acting County Administrator. This was not intended to change that.

Mr. Swackhamer asked how can we have two laws on the books that don't agree with one another? One states that the Chairman of the Legislature will take over and this local law says that the Deputy County Administrator will take charge. If the County Administrator leaves, who will be in power? Mr. Alger replied that is up to the Legislature. Currently it states that the Chairman of the Legislature will be acting County Administrator for no more than six months. The Deputy County Administrator does not automatically succeed to the position of County Administrator as that is still within the purview of the Board. We need to clarify that language.

Mr. Weaver stated if you read the Local Law, it is saying that the Deputy County Administrator and the Chairman of the Legislature are to do the same thing at the same time. That is conflicting and we need to clear that up at once.

Mr. Swackhamer asked is there a certain date this has to be done by? Mr. Alger replied no. Mr. Swackhamer asked can we table this? Mr. Alger replied that he would prefer if they withdraw this resolution and we could rewrite it.

Mr. McAllister and Mr. Schu withdrew their motion and second and the resolution was withdrawn.

RESOLUTION NO. 126-10

Introduced by P. McAllister. Seconded by D. Farrand.

PRESENTING LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2010, RELATIVE TO RESIDENCY REQUIREMENTS FOR THE OFFICE OF DEPUTY CLERK OF THE LEGISLATURE FOR THE COUNTY OF STEUBEN.

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

RESOLVED, there is hereby presented to each member of this Steuben County Legislature of the County of Steuben Local Law Tentatively No. Six for the Year 2010, relative to residency requirements for the Office of Deputy Clerk of the Legislature for the County of Steuben, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2010

A LOCAL LAW relative to residency requirements for the Office of Deputy Clerk of the Legislature for the County of Steuben.

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

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within Local Law to modify the qualifications to hold the Office of Deputy Clerk of the Legislature, by dispensing with the requirement that they reside in the County of Steuben.

SECTION 2: QUALIFICATIONS OF OFFICE

In the County of Steuben, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the Office of Deputy Clerk of the Legislature for the County of Steuben, provided that such person resides in the State of New York and in a county contiguous to the County of Steuben.

SECTION 3: EFFECTIVE DATE

This Local Law shall become effective immediately upon passage.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on September 27, 2010, at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Clerk of the Legislature and the Personnel Officer.

Mr. Hanna asked how often does this happen? Mr. Alger replied the last time was four years ago. We don't do this routinely. This is something that requires consideration by the Board and we don't do it lightly.

Mr. Nichols stated that he is in favor of this. Is this just for the one individual or would it carry over after that? Mr. Alger replied this is only for the person appointed to the position.

Mr. Farrand commented when we had this request for the Deputy Treasurer position my complaint was that if something happened to the elected official, the Deputy Treasurer would not be able to take over that position. In this particular case, the individual has held a position within the department for quite some time and now is being promoted. The person they report to is appointed by us, not elected. He stated that he is more concerned when this happens for a deputy of an elected position rather than this one.

Mr. Hanna stated I understand that we are doing this because of retirements. Do you foresee any other positions where this may happen? Mr. Alger replied not in the immediate future. This is an individual, case by case discussion. We have had a few over the years, but generally the Legislature is reluctant to do it.

Mr. McAllister stated at the Administration Committee, what went into consideration was that this person started out being a resident in the County, married and then moved across the County line. This individual also has quite a bit of experience with the County, and is most qualified for the position.

Vote: **Acclamation – Adopted.**

RESOLUTION NO. 127-10

Introduced by D. Creath. Seconded by G. Swackhamer.

MODIFYING, ADOPTING, AND CONSOLIDATING AGRICULTURAL DISTRICTS NO. 3, NO. 4, AND NO. 17 AS A RESULT OF THE EIGHT YEAR REVIEWS OF SAID DISTRICTS.

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

WHEREAS, pursuant to the procedures and timetable set forth by the Department of Agriculture and Markets, the County Agricultural and Farmland Protection Board has filed their recommendations, relative to the eight year reviews of these Agricultural Districts with this Legislature; and

WHEREAS, said districts are adjacent to one another and similar in composition; and

WHEREAS, this Legislature did hold Public Hearings on the proposed modifications to said districts recommended by the Agricultural and Farmland Protection Board on August 23, 2010.

NOW THEREFORE, BE IT

RESOLVED, that District No. 3, District No. 4, and District No. 17 shall be consolidated into one district called District No. 3; and be it further

RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature does find as follows:

(1) Within the district as recommended to be modified, the number of participating farms and farm acreage thereof is consistent with and substantially furthers the objective of encouraging and protecting viable farming in the area, for which the district was originally created; and,

(2) The district has since its creation been of substantial assistance to a majority of participating farmers in maintaining an active farm economy in the area; and

(3) Continuation of this district is consistent with the County's important agricultural economy and predominantly rural pattern of development; and

(4) The district deters local government adoption of land use regulations unduly restrictive of normal farm activities, supports orderly patterns of community development, and helps to sustain active farming for its important economic and environmental values;

AND BE IT FURTHER RESOLVED, that in accordance with Section 303-a of the Agriculture and Markets Law of the State of New York, this Legislature has deliberated on said District and modifications, and does hereby adopt the proposed modifications of Agricultural District No. 3 in the County of Steuben for a period of eight years; and be it further

RESOLVED, that the Clerk of this Legislature be, and she hereby is, directed to submit said proposal to the Commissioner of Agriculture and Markets with such reports, maps, materials, and documentation as required by law; and be it further

RESOLVED, that the Clerk of this Legislature shall forward certified copies of this resolution to Commissioner of the New York State Department of Agriculture and Markets, 10B Airline Dr., Albany, NY 12235; Steuben County

Planning Director; William Brown, Chairman of the Steuben County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Rd., Hammondsport NY 14840; Director of the Steuben County Real Property Tax Service Agency; and James Grace, Cornell Cooperative Extension, Steuben County Office Building, Bath, NY 14810.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 128-10

Introduced by P. McAllister and L. Crossett. Seconded by G. Roush.

AUTHORIZING THE CLOSING OF THE CAPITAL PROJECT ENTITLED MAINFRAME REPLACEMENT AND TRANSFERRING THE BALANCE TO THE CAPITAL PROJECT ENTITLED LOCAL GOVERNMENT EFFICIENCY INFORMATION TECHNOLOGY CONSOLIDATION GRANT.

WHEREAS, the Mainframe Replacement Capital Project has been completed and contains an unexpended balance; and

WHEREAS, the ongoing Capital Project for the Local Government Efficiency Information Technology Consolidation Grant will need additional funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to close and transfer funds to the following capital projects:

Close:

1680H2	Mainframe Replacement	$6,575.05

Transfer to:

1680H3	LGE I.T. Consolidation Grant	$6,575.05

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 129-10

Introduced by P. McAllister. Seconded by B. Schu.

AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH RELPH BENEFIT ADVISORS FOR HEALTH BENEFIT MANAGEMENT SERVICES.

WHEREAS, with growing complexities of new health care regulations and the increasing cost of providing quality health insurance options to employees, the management of these benefits has grown progressively difficult; and

WHEREAS, to confront these issues, Steuben County solicited proposals (RFP #GC-10-010-P) for health benefit management services to assist the County in brokering administrative costs of private insurance companies, developing effective claims management practices and reviews, and establishing a framework for employee wellness; and

WHEREAS, Relph Benefit Advisors proposed the most thorough and cost-effective solution with most services provided in house.

NOW THEREFORE, BE IT

RESOLVED, the County Administrator is hereby authorized to enter into an agreement with Relph Benefit Advisors for health benefit management services; and be it further

RESOLVED, the County Administrator is authorized to expend a maximum of $37,000 in 2010 for such services, with fees in subsequent years being derived from the actual savings that Relph Benefit Advisors are able to secure; and be it further

RESOLVED, the Deputy County Treasurer is hereby authorized to issue payment for these services from the Accrued Health Insurance account; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator, Deputy County Treasurer, and Relph Benefit Advisors, 1150 Pittsford-Victor Road - Suite G, Pittsford, NY 14534.

Mr. Weaver asked what is the term of this agreement? Mr. Alger replied this is a one-year agreement that we can renew annually.

Mr. Swackhamer asked when they make a recommendation, does that still have to be negotiated? Mr. Alger replied yes. That is set by contract and is negotiated by the Union. There are some things that we could do administratively, for example, providing a wellness program that would be optional. That would not change the benefit. We hope to be more aggressive negotiating with Excellus on the administrative cost of the program.

Vote: **Roll Call – Adopted**

RESOLUTION NO. 130-10

Introduced by P. McAllister. Seconded by R. Nichols.

AUTHORIZING THE ACTING COUNTY ATTORNEY TO ENTER INTO AN AGREEMENT WITH THE LAW OFFICE OF THOMAS W. REED II, PLLC FOR LABOR RELATIONS LEGAL SERVICES.

WHEREAS, recent retirements in the Office of the Steuben County Attorney have created the need for temporary assistance in certain aspects of department operations including Labor Relations; and

WHEREAS, Steuben County solicited competitive proposals from prospective law firms (RFP # GC-10-011-P); and

WHEREAS, the Law Office of Thomas W. Reed II, PLLC proposed the most comprehensive service offering that best matched the requirements of the department.

NOW THEREFORE, BE IT

RESOLVED, the Acting County Attorney is hereby authorized to enter into an agreement with the Law Office of Thomas W. Reed II, PLLC to secure general municipal legal support on an as-needed basis until December 31, 2010; and be it further

RESOLVED, the Acting County Attorney is authorized to pay the Law Office of Thomas W. Reed II, PLLC a flat rate of $125 per hour for services rendered; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Acting County Attorney, the County Administrator, and the Law Office of Thomas W. Reed II, PLLC, 88 Tioga Ave., P.O. Box 1540, Corning, NY 14830.

<u>Vote:</u> Roll Call – Adopted. Yes – 8908, No – 451, Absent 513
(No – Mr. Weaver, Absent – Mrs. Ferratella)

Motion to adjourn made on the motion of Mr. Van Etten, seconded by Mr. Farrand and duly carried.

REGULAR MEETING
Morning Session
Monday, September 27, 2010
Legislative Chambers
Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 27th day of September, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present except Legislator Crossett.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Mr. Swackhamer.

The Clerk of the Legislature read the following Memoriam:

IN MEMORIAM

DEWITT T. BAKER, D.V.M.

1921 – 2010

The death of our former colleague, DeWitt "Doc" Baker, who passed away on September 3, 2010, is acknowledged by this Legislature with deep sadness.

Doc was born on March 1, 1921 to Harry and Ina Baker. Doc married Yvonne Furey on February 22, 1946. He was a graduate of Ithaca High School and the Cornell University of Veterinary Medicine. Doc was a staff member at the New York State Veterinary College of Cornell University from 1944 until 1955. During World War II, while attending college, he earned the rank of Lieutenant in the U.S. Army. In 1955, he moved to Corning to join Dr. John D. Murray's veterinary practice. Together they built the Corning Animal Hospital, where he practiced until his retirement in 1986.

Doc proudly served on the Board of Trustees of Corning Community College and as a member of the Corning-Painted Post School Board. He was elected Town of Corning Supervisor and held that position until 1993.

In 1988, Doc was elected as Steuben County Legislator representing the residents of Caton, Corning and Hornby in District 13. During Doc's tenure on the Legislature he held leadership positions as Chair of the Agriculture, Industry & Planning Committee, Public Safety & Corrections Committee and Finance Committee; Vice Chairman of the Legislature from 1994 to 2000, and Chairman of the Legislature from 2000 to 2004.

Doc additonally lent his expertise and leadership to a wide variety of ad hoc committees, advisory boards and outside associations during his tenure on the Legislature. He served as a member of the Fish & Wildlife Management Act Board from 1990 to 1993; Southern Tier Central Regional Planning & Development Board member from 1993 to 2007; Air Service Task Force member from 1994 to 2005; member of the Steuben County Conference & Visitors' Bureau Board of Directors from 1994 to 2000 serving also as a member of their Executive Board from 1998 to 2000; member of the Cooperative Extension Board of Directors from 1996 to 2005; member of the Local Emergency Planning Committee from 2001 to 2007; Alternatives to Incarceration Advisory Board member from 2004 to 2007; 911 Advisory Board member from 2003 to 2007; Voting member of the InterCounty Association of Western New York from 1988 to 2007; and also served on the New York State Association of Counties' Standing

Committee on Public Safety from 2003 to 2007. Doc always served with honor and distinction, and represented the Legislature with dignity and professionalism.

Doc will be remembered as a member of the Legislature who was always fair-minded. He considered the impact of his decisions on all of the residents of the County, not just the few. He worked tirelessly to find balance in the most difficult of situations. He was a dedicated public servant who was always generous to his community with his time, talents and support. His dedication to the County was so apparent, that he was nominated and inducted into the Steuben County Hall of Fame in 2004.

The members of this Steuben County Legislature respectfully move that the above "Memoriam" be spread upon the minutes of this meeting and that the Clerk of the Legislature forward a copy of this Memoriam to his wife Yvonne, and daughters Margot Doucette and Kathleen Bliss, as an expression of the sympathy felt by this Legislature on the passing of their loved one.

Adopted by rising silent affirmation.

Chairman Donnelly asked Anne Collson to come forward. Ms. Collson is an employee in the Law Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly asked Michelle Mills to come forward. Ms. Mills is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 25 years of service to Steuben County.

Chairman Donnelly asked Frederica Smith to come forward. Ms. Smith is an employee in the Department of Social Services. He presented with her a Certificate of Appreciation and a plaque in recognition of her retirement following 25 years of service to Steuben County.

Chairman Donnelly opened the floor for comments by members of the public.

Fred Lewis of Howard, NY, stated that the retirement of Fred Ahrens couldn't go unnoticed by *The Leader*, and it did not. He raised his eyebrows when he read that the County was contracting with his law firm. Mr. Lewis stated that he finds it hard to believe that this has taken place. I questioned, and thought there would be some explanation in the paper, as to why this Board took the stance they did on the $15.00 lunch issue. He has searched the minutes and the papers. I don't understand why the Board did not make a response to the public. When the issue was salary raises, low and behold, Mr. Ahrens received a raise. For what? It seems to me that the Board has lost their way with regard to communicating with the public.

Chairman Donnelly thanked Mr. Lewis for his comments. As there were no further comments by members of the public, he declared the opportunity for public comment closed.

The Clerk of the Legislature read the Office Notice of Public Hearing and submitted for filing Proofs of Publication and Proof for Posting for the Public Hearing Upon Steuben County Local Law Tentatively No. Six for the Year 2010, relative to residency requirements for the Office of Deputy Clerk of the Legislature for the County of Steuben. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion approving the minutes of the previous month's meeting made by Mr. Van Etten, seconded by Mr. Farrand and duly carried.

Mrs. Mori announced the student interns will be observing the October Legislative meeting and lunch will follow.

Mr. Isaman stated that Mr. Peaslee has asked him to help with the United Way campaign this year. On your desks, you will find a packet including a pledge card. Last year we raised over $31,000 and we are asking all employees and Legislators to help. The campaign runs from October 4th – October 22nd. Thank you for your help.

Mr. Creath stated that he is the County representative on the Corning Community College Board. The college is doing fairly well. With the downturn of jobs, college enrollment has increased and our enrollment has peaked. The college has a capital budget of $100 million to complete their five-year master plan. This is a 50-year old campus that is not energy efficient, does not have air conditioning and is in need of upgrades. Now community colleges will be allowed to borrow through the New York State Dormitory Authority, which will be another source of capital funding. The college has raised $12 million from scholarships and endowment funds to maintain their athletic programs. For the next couple of years, the college appears to be stable and is not facing any dire financial problems.

Mr. Donnelly reminded everyone that a special Public Safety & Corrections meeting will be held today at 1:30 p.m. for the purpose of taking public comments on the proposed Local Law with regard to secondhand dealers.

RESOLUTION NO. 131-10

Introduced by G. Swackhamer. Seconded by S. Van Etten.

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

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

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

RESOLVED, the Steuben County Treasurer is further authorized and directed to make the necessary cancellations, charges, deductions, and adjustments with respect to the parcels contained in Schedule "B", and be it further

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

SCHEDULE "A"

Resolution No.	A-1
Name	William Rude Trust
Parcel No.	364.05-02-018.000
Municipality	Woodhull Town
Disposition	Correction & Refund

SCHEDULE "B"

Resolution No.	B-1
Name	JPE Property Inc
Parcel #	336.07-01-002.123
Municipality	South Corning
Disposition	Correcting July 26, 2010 Resolution # C-40
	due to corporate name change.
	Previous name JPE Investments LLC.

Vote: Roll Call – Adopted.

RESOLUTION NO. 132-10

Introduced by P. Donnelly. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE SEPTEMBER 27, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

August 13, 2010
Steuben County Industrial Development Agency – Re: A Notice of Public Hearing is scheduled for Monday, August 23, 2010 at 10:00am, located at the Town Court Facility, 19 Main Street, Atlanta, New York 14808. The public hearing is to discuss the Canandaigua Power Partners Project. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

August 16, 2010
Board of Supervisors of Fulton County – Re: Copy of passed board resolution demanding the State Legislators reduce unfunded mandates that cause local property tax increases prior to imposing a cap on local property taxes.
Referred to: Steuben County Legislature.

Science Discovery Center- Re: Asking for suggestions on how to get more visibility and State funding to launch "Science Center without Walls" in more school districts. ***Referred to: Patrick Donnelly, Steuben County Legislature Chairman.***

August 19, 2010
NYS Office for the Aging – Re: Notification of the Grant Award (NGA) for the federal fiscal year 2010 (FFY 2010) on the Nutrition Services Incentive Program (NSIP). ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

NYS Office for the Aging – Re: Notification of approval for the final State Aid allocations under the New York State Long Term Care Ombudsman Program (State LTCOP) for the period of April 1, 2010 to March 31, 2011. ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

August 23, 2010

NYS Department of Health – Re: Revised Medicaid Local Share Cap Schedule for the 2010-2011 State Fiscal Year. ***Referred to: Human Services/Health & Education Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Tammy Hurd-Harvey, Deputy Treasurer.***

New York State Association of Counties – Re: Enacted 2010-2011 State Budget Impact on Counties. ***Referred to: Mark Alger, County Administrator.***

August 25, 2010

Southern Tier Library System – Re: Thank you letter for the funding provided by Steuben County to Libraries and Reading Centers in 2010 and a request of $99,500 in 2011. ***Referred to: Finance Committee; and Human Services/Health & Education Committee.***

August 26, 2010

Allegany County Board of Legislators – Re: Certified copy of resolution #168-10 approving the Inter-Municipal Agreement with Steuben and Schuyler Counties to contract for a study to determine the possibility of Shared Services. ***Referred to: Public Safety & Corrections Committee; Dave Hopkins, 911 Director; and Jack Wheeler, Assistant County Administrator.***

August 30, 2010

New York State Department of Environmental Conservation – Re: Notification of sufficient evidence to commence an enforcement action against Lodge II Hotel, LLC for violations of Article 17 of the Environmental Conservation Law (ECL) which occurred at the Tractor Supply Company located at 3148 Silverback Lane in the Town of Erwin. ***Referred to***: ***Amy Dlugos, Steuben County Environmental Management Council.***

NYS Office for the Aging – Re: Notification of Grant Award and approved application for the Retired and Senior Volunteer Program (RSVP) for the period from April 1, 2010-March 31, 2011. ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

New York State Housing Trust Fund Corporation – Re: The Steuben County Housing Rehabilitation Program, Project #1115HR108-10 has been awarded a $200,000 New York State Community Development Block Grant (NYSCDBG). ***Referred to: Amy Dlugos, Planning Director.***

September 7, 2010

Office of Community Renewal – Re: Grant Agreement for the New York State Community Development Block Grant (CDBG) Project #1115HR108-10. ***Referred to: Amy Dlugos, Planning Director.***

New York State Office of Children & Family Services – Re: Approval of Steuben County's Resource Allocation Plan (RAP) for 2010. ***Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Gary Pruyn, Youth Bureau Director.***

Office of Community Renewal – Re: On-site monitoring visit is scheduled for September 10, 2010 at 10:00am involving the New York State Community Development Block Grant; Project #1115HR22-08. ***Referred to: Amy Dlugos, Planning Director.***

Western Regional Off-Track Betting Corporation - Re: Check in the amount of $5,001 representing the July 2010 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Deputy County Treasurer.***

Finger Lakes Health Systems Agency – Re: 2011 Budget Request in the amount of $24,682. ***Referred to: Finance Committee; and Mark Alger, County Administrator.***

Corning Community College – Re: Notification of the new county chargeback rate ($2,665 per FTE) and an estimate of the total chargeback's (Jan-Dec 2011 Operating 3,521,231/Capital 414,552). ***Referred to: Human Services/Health & Education Committee; Finance Committee; and Tammy Hurd-Harvey, Deputy Treasurer.***

New York State Association of Counties – Re: Notification of 2011 NYSAC Membership Dues for Steuben County. ***Referred to: Finance Committee; and Mark Alger, County Administrator.***

September 9, 2010

Office of Community Renewal – Re: **REVISED** Grant Agreement for the New York State Community Development Block Grant (CDBG) Project #1115HR108-10. ***Referred to: Amy Dlugos, Planning Director.***

Empire Pipeline, Inc. – Re: Notification of filed application (Tioga County Extension Project) on the authorization to construct approximately 16 miles of 24-inch diameter natural gas pipeline in Steuben County, New York and Tioga County, Pennsylvania, an interconnection with Tennessee Gas Pipeline ("TGP Interconnect") in the Town of Hopewell, New York, and the replacement of 1.3 mile section of Empire's existing 24-inch diameter pipeline in the Town of Victor. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

September 13, 2010

State of New York Department of Transportation – Re: Notification of a consolidated public hearing which is pursuant to Section 91 of the Railroad Law is scheduled at the Bath Village Hall Courtroom, located at 118 Liberty Street, Bath New York on Thursday, September 30, 2010 at 9:30am pertaining to case #38079 & case #38080. ***Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.***

September 14, 2010

Mercy Flight Central – Re: 2011 Budget Request in the amount up to $5,000. ***Referred to: Human Services/Health & Education Committee; Finance Committee; Public Safety & Corrections Committee; and Tammy Hurd-Harvey, Deputy Treasurer.***

Joyce Baxter, Kanona, NY- Re: Letter concerning the Finger Lakes Animal Shelter. ***Referred to: Patrick Donnelly, Legislature Chairman.***

September 15, 2010

United States Environmental Protection Agency, Region 2 – Re: Motor Vehicle Waste Disposal Well Requirements for Municipal Facilities. ***Referred to: Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; Ken Isaman, Risk Manager; and Amy Dlugos, Steuben County Environmental Management Council.***

September 16, 2010

James Murphy, Bath, NY – Re: Compliment letter on his recent stay at the Steuben County Health Care Facility. ***Referred to: Steuben County Legislature; and Dave McCarroll, HCF Administrator.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 133-10

Introduced by P. McAllister. Seconded by D. Farrand.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2010, RELATIVE TO RESIDENCY REQUIREMENTS FOR THE OFFICE OF DEPUTY CLERK OF THE LEGISLATURE FOR THE COUNTY OF STEUBEN.

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

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on August 23, 2010, County of Steuben Local Law Tentatively No. Six for the Year 2010, relative to residency requirements for the Office of Deputy Clerk of the Legislature for the County of Steuben, and this Legislature by resolution, preliminarily adopted said Local Law on August 23, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on September 27, 2010; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on September 27, 2010, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Six for the Year 2010, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SIX FOR THE YEAR 2010

A LOCAL LAW relative to residency requirements for the Office of Deputy Clerk of the Legislature for the County of Steuben.

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

SECTION 1: LEGISLATIVE INTENT

It is the intent of the within Local Law to modify the qualifications to hold the Office of Deputy Clerk of the Legislature, by dispensing with the requirement that they reside in the County of Steuben.

SECTION 2: QUALIFICATIONS OF OFFICE

In the County of Steuben, no provision of law, New York State or otherwise, requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he/she shall be chosen or within which his/her official functions are required to be exercised, shall prevent a person from holding the Office of Deputy Clerk of the Legislature for the County of Steuben, provided that such person resides in the State of New York and in a county contiguous to the County of Steuben.

SECTION 3: EFFECTIVE DATE

This Local Law shall become effective immediately upon passage.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on September 27, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Six for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Clerk of the Legislature and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 134-10

Introduced by P. McAllister. Seconded by B. Schu.

PRESENTING LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2010, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1984 RELATING TO THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR AND DESIGNATING THE COUNTY ADMINISTRATOR AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES.

Pursuant to Article 5 of the County Law and Sections 15 and 16 of the Civil Service Law of the State of New York.

WHEREAS, it is the intent of the Legislature to have a Deputy County Administrator serve as the alter ego to and for the County Administrator and in the absence of the County Administrator or at the County Administrator's direction; and

WHEREAS, Local Law Tentatively No. Seven for the Year 2010, amending Local Law No. Two for the Year 1984, is herewith presented so as to implement the Legislature's intent.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Seven for the Year 2010, amending Local Law No. Two for the Year 1984, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2010

A Local Law to amend Local Law No. Two for the Year 1984 to authorize the appointment of a Deputy County Administrator and define the scope and authority of the Deputy County Administrator within the Office of the County Administrator.

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

Section 1. ~~Subdivision 16 of~~ Section 4. Powers and Duties, of Local Law No. Two for the Year 1984 is amended to read as follows:

16. Appoint a Deputy County Administrator, in the exempt class for the purposes of the Civil Service Law, who shall in the absence or inability of the County Administrator to act, or during a vacancy in the County Administrator's Office, have the powers of the County Administrator provided herein, and serve as alter ego to and in the place of the County Administrator during absences of the County Administrator or at the County Administrator's

direction, and the County Administrator shall also appoint such assistants within the Office of County Administrator as may be authorized by the County Legislature.

17. The County Administrator shall have the authority to hire and fire any subordinate positions in the Department.

Section 2. Section 6. Acting County Administrator is amended to read as follows:

The Chairman … event neither the County Administrator nor the Deputy County Administrator is present in the County and able to perform and exercise

…

The Acting County Administrator … or until either the County Administrator or Deputy County Administrator shall be present in the County and able to resume the performance and exercise of such powers and duties, or a new … .

Section 3. It is hereby resolved that Civil Service be and the same hereby is requested to allocate the position of County Administrator as Unclassified Service in the Civil Service.

Section 4. This Local Law shall be effective immediately upon its adoption by the County Legislature.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on October 25, 2010 at 10:00 A.M. in the Steuben County Legislative Chambers, 3 East Pulteney Square in the Village of Bath, New York; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator, Personnel Officer and the County Treasurer.

Mr. Weaver asked if the Local Law could be distributed to the Legislators so that everyone knows what the law says? Mr. Alger replied we discussed this quite extensively, but we can distribute it.

Mr. McAllister commented this was discussed at length during the Administration Committee meeting. If the County Administrator is absent or out for any reason, then the duties will fall upon the Assistant Administrator. If both the County Administrator and Assistant Administrator are out, then the duties of the position will fall upon the County Chairman. This clears up ambiguities that were in the previous proposal.

Vote: Acclamation – Adopted.

RESOLUTION NO. 135-10

Introduced by P. McAllister. Seconded by C. Ferratella.

DIRECTING THE DIRECTOR OF THE COUNTY REAL PROPERTY TAX SERVICE AGENCY TO SUBMIT A LIST OF CHARGES BY ASSESSING UNIT FOR THE REAL PROPERTY SYSTEM VERSION 4 (RPS V4) TO THE COUNTY TREASURER TO BE INCLUDED IN THE TOTAL COUNTY CHARGE BACKS FOR EACH TOWN AND CITY.

Pursuant to County Law, Section 233a.

WHEREAS, the Administration Committee has approved the report of RPS V4 charges by assessing unit which includes an annual charge for the New York State Office of Real Property Services License Fee and a fee for county support of this system; and

WHEREAS, the Real Property Tax Service Agency has paid the assessing units' annual license fee charge to the State for this fiscal year.

NOW THEREFORE, BE IT

RESOLVED, the list of charges be forwarded to the County Treasurer to be included in the report of total Town and City chargebacks for the next tax levy; for Towns, the chargebacks will be added to the town tax levy and tax rate and for Cities, the chargeback will be added to the cities share of the county tax levy and tax rate, both payable to the County Treasurer; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, the Director of Real Property Tax Service Agency and to each Town and City.

RPS V4 CHARGEBACKS FOR 1/1/11 TAX LEVY

Swis	Municipality	Parcel Count	ORPTS License Fee	County Support Fee	Total Chargeback	ORPS License Fee Schedule	
4603	Corning City	4,290	$1,500	$200	$1,700		
4606	Hornell City	3,811	$1,300	$200	$1,500		
4620	Addison	1,281	$1,000	$200	$1,200		
4622	Avoca	1,330	$1,000	$200	$1,200		
4624	Bath	5,044	$1,500	$200	$1,700	Number of Parcels	Fee
4626	Bradford	545	$850	$200	$1,050	0-500	$750
4628	Cameron	744	$850	$200	$1,050	501-1000	$850
4630	Campbell	1,583	$1,000	$200	$1,200	1001-2000	$1,000
4632	Canisteo	2,036	$1,200	$200	$1,400	2001-3000	$1,200
4634	Caton	1,289	$1,000	$200	$1,200	3001-4000	$1,300
4636	Cohocton	1,827	$1,000	$200	$1,200	4001-6000	$1,500
4638	Corning Town	3,269	$1,300	$200	$1,500		
4640	Dansville	1,261	$1,000	$200	$1,200		
4642	Erwin	3,221	$1,300	$200	$1,500		
4644	Fremont	770	$850	$200	$1,050		
4646	Greenwood	725	$850	$200	$1,050		
4648	Hartsville	563	$850	$200	$1,050		

4650	Hornby	979	$850	$200	$1,050
4652	Hornellsville	2,422	$1,200	$200	$1,400
4654	Howard	1,186	$1,000	$200	$1,200
4656	Jasper	845	$850	$200	$1,050
4658	Lindley	1,013	$1,000	$200	$1,200
4660	Prattsburgh	1,865	$1,000	$200	$1,200
4662	Pulteney	1,693	$1,000	$200	$1,200
4664	Rathbone	766	$850	$200	$1,050
4666	Thurston	986	$850	$200	$1,050
4668	Troupsburg	909	$850	$200	$1,050
4670	Tuscarora	862	$850	$200	$1,050
4672	Urbana	1,974	$1,000	$200	$1,200
4674	Wayland	2,277	$1,200	$200	$1,400
4676	Wayne	1,599	$1,000	$200	$1,200
4678	West Union	532	$850	$200	$1,050
4680	Wheeler	1,009	$1,000	$200	$1,200
4682	Woodhull	1,136	$1,000	$200	$1,200
		55,642	$34,700	$6,800	$41,500

Steuben County
Real Property Tax Service Agency
3 E. Pulteney Square
Bath, NY 14810

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-10

Introduced by J. Hauryski. Seconded by D. Farrand.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A LEASE FOR 49.12± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

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

WHEREAS, the Steuben County Department of Public Works has the need at various times for gravel for its operations; and

WHEREAS, Wayne Mitchell has agreed to sell the gravel to the Steuben County Department of Public Works for $1.25/cubic yard, bank measure, with a price adjustment every 5 years per the Consumer Price Index; and

WHEREAS, the minimum payment to Wayne Mitchell shall be $2,500 per year, as long as the gravel meets Section 304-2 of the NYSDOT material specification for sub-base course material; and

WHEREAS, this agreement is valid for 15 years; and

WHEREAS, only Steuben County Department of Public Works or its assignees will have use of this gravel pit; and

WHEREAS, Steuben County Department of Public Works will provide a County insurance certificate and a hold harmless agreement to Wayne Mitchell; and

WHEREAS, Steuben County Department of Public Works will obtain and maintain the required permits, and reclaim the property at closure of the pit; and

WHEREAS, the trees and stumps will become the property of Wayne Mitchell when the land is cleared; and

WHEREAS, the Public Works Committee of the Steuben County Legislature has approved this lease/purchase agreement with Wayne Mitchell.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to enter into the lease/purchase agreement with Wayne Mitchell for $1.25/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; County Treasurer; County Auditor; County Real Property Tax Director; County Risk Manager; and Mr. Wayne Mitchell, PO Box 319, Avoca, NY 14809.

Vote: Roll Call – Adopted.

RESOLUTION NO. 137-10

Introduced by J. Hauryski. Seconded by B. Schu.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A LEASE FOR 41± ACRES OF LAND IN AVOCA FOR THE PURPOSE OF PURCHASING GRAVEL.

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

WHEREAS, the Steuben County Department of Public Works has the need at various times for gravel for its operations; and

WHEREAS, John Strait has agreed to sell the gravel to the Steuben County Department of Public Works for $1.25/cubic yard, bank measure, with a price adjustment every 5 years per the Consumer Price Index; and

WHEREAS, the minimum payment to John Strait shall be $2,500 per year, as long as the gravel meets Section 304-2 of the NYSDOT material specification for sub-base course material; and

WHEREAS, this agreement is valid for 15 years; and

WHEREAS, only Steuben County Department of Public Works or its assignees will have use of this gravel pit; and

WHEREAS, Steuben County Department of Public Works will provide a County insurance certificate and a hold harmless agreement to John Strait; and

WHEREAS, Steuben County Department of Public Works will obtain and maintain the required permits, and reclaim the property at closure of the pit; and

WHEREAS, the trees and stumps will become the property of John Strait when the land is cleared; and

WHEREAS, the Public Works Committee of the Steuben County Legislature has approved this lease/purchase agreement with John Strait.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works is authorized and directed to enter into the lease/purchase agreement with John Strait for $1.25/cubic yard, bank measure; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; County Treasurer; County Auditor; County Real Property Tax Director; County Risk Manager; and Mr. John R. Strait, 3980 County Rd 6, Avoca, NY 14809.

Vote: Roll Call – Adopted.

RESOLUTION NO. 138-10

Introduced by P. McAllister/G. Swackhamer. Seconded by G. Roush.

AUTHORIZING THE CLOSING OF CAPITAL PROJECT ENTITLED RPT NAD83 CONVERSION AND TRANSFERRING THE BALANCE TO THE CAPITAL PROJECT ENTITLED RPTS CITRIX SYSTEM.

WHEREAS, the Mainframe Replacement Capital Project has been completed and contains an unexpended balance; and

WHEREAS, the ongoing Capital Project for the RPTS Citrix System will need additional funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to close and transfer funds to the following capital projects:

Close:

1355H2	RPT NAD83 Conversion	$32,148.05

Transfer to:

1355H3	RPTS Citrix System	$32,148.05

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and the Director of Real Property Tax Service Agency.

Mr. Van Etten stated that he is going to vote no on this resolution, and he has nothing against the Citrix project, because it is a good project to centralize assessments. His problem with this is that it never seems like we have the complete scope and cost of a project before we vote on it. We find the money from another project and transfer it over. He would like to know that the project will cost $55,000 in the beginning. It seems like we move money around and he doesn't like that, so for that reason he will be voting no.

Vote: Roll Call – Adopted. (Yes – 6658, No – 2609, Absent – 605)
(Legislators Hanna, Ryan, Swackhamer, Van Etten and Weaver opposed. Legislator Crossett was absent.)

RESOLUTION NO. 139-10

Introduced by P. McAllister/G. Swackhamer. Seconded by M. Hanna.

AUTHORIZING THE CLOSING OF CAPITAL PROJECT ENTITLED COMMUNITY SERVICES COMPUTER/SOFTWARE AND TRANSFERRING THE BALANCE TO THE CAPITAL PROJECT ENTITLED LOCAL GOVERNMENT EFFICIENCY I.T. CONSOLIDATION GRANT.

WHEREAS, the Community Services Computer/Software Capital Project has been completed and contains an unexpended balance; and

WHEREAS, the ongoing Capital Project for the Local Government Efficiency I.T. Consolidation Grant will need additional funds.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to close and transfer funds to the following capital projects:

Close:

4310H1	Community Services Computer/Software	$17.83

Transfer to:

1680H3	LGE I.T. Consolidation Grant	$17.83

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and Assistant County Administrator.

Vote: Roll Call – Adopted. (Yes – 7710, No – 1557, Absent – 605)
(Legislators Ryan, Van Etten and Weaver opposed. Legislator Crossett was absent.)

RESOLUTION NO. 140-10

Introduced by P. McAllister/G. Swackhamer. Seconded by D. Creath.

AUTHORIZING THE APPROPRIATION OF $25,000 FOR ADDITIONAL COSTS ASSOCIATED WITH THE NICHOL INN CLEAN-UP TO BE FUNDED WITH EXCESS REVENUES FROM THE REAL PROPERTY TAX FORECLOSURE AUCTION.

WHEREAS, the costs related to the clean-up of the Nichol Inn site have exceeded the existing capital project budget; and

WHEREAS, the 2010 real property tax foreclosure auction generated revenues in excess of the amount budgeted.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to appropriate and transfer funds in the following manner:

995000	5936000	Provisions for Capital Projects	$25,000.00
136400	41051000	Sale of Tax Acquired Property	$25,000.00
1364H1	5250000	Nichol Inn, Capital Projects	$25,000.00
13641H1	45031900	Nichol Inn, Inter-fund Transfers	$25,000.00

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer.

Mr. Farrand asked what is the total cost? Mr. Donnelly replied $225,000. Mr. Farrand asked how long has this project been going on? Mr. Alger replied since 1995.

Mr. Nichols asked are we coming to closure on this or not? Mr. Alger replied we think so. We are waiting for the Department of Environmental Conservation (DEC) to give their final authorization to end this project. We have cleaned it up, tested it and as far as we know, the project is finished.

Mr. Spagnoletti commented for a number of years we were directed to use a method of extracting gas from the soil and re-circulating it to clean up the contamination. We convinced them that was not a good idea and went to the excavation process. He believes we are in the final stages of cleaning this up.

Mr. Alger explained with the excavation process, all of the contaminated soil has been removed.

Mr. Farrand asked once we get a clean bill of health, will we be able to sell this property? Mr. Alger replied it is currently County property. The Town of Pulteney is interested in the property and has been for the entire time it has been under remediation. There may be other interest as well.

Mrs. Ferratella asked did we receive any funding from the Brownfield Program? Mr. Alger replied yes, we did receive a Brownfield grant. Mr. Orcutt stated we received 90 percent funding of the cleanup and 50 percent funding for the demolition of the building.

Mr. Alger explained we have had this property in our possession and have a considerable amount of money invested. When we acquired this particular property, we did not realize that it was contaminated.

Vote: Roll Call – Adopted.

RESOLUTION NO. 141-10

Introduced by D. Creath. Seconded by R. Weaver.

ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL.

WHEREAS, Steuben County has been awarded $200,000 by the New York State Office of Community Renewal (DHCR), as part of the Community Development Block Grant Small Cities Program; and

WHEREAS, the purpose of said grant is to fund activities by Arbor Development, Inc. to provide for housing rehabilitation activities, including the replacement of defective residential wells and septic systems for low and moderate income residents of Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby accept the CDBG Small Cities grant of $200,000 from the Office of Community Renewal; and be it further

RESOLVED, that the Chairman of the Legislature and the Steuben County Planning Director, as appropriate, are hereby authorized to sign all documents necessary to accept and administer said grant; and be it further

RESOLVED, that the Steuben County Planning Department is hereby authorized to carry out all activities necessary to administer said grant; and be it further

RESOLVED, that the Steuben County Treasurer is hereby authorized to modify the 2010 and 2011 Steuben County Budgets to account for said grant; and be it further

RESOLVED that certified copies of this resolution be distributed to Jeffrey Eaton, Executive Director, Arbor

Development, Inc., 16 W. William Street, Bath, NY 14810; the Planning Director and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 142-10

Introduced by T. Ryan. Seconded by S. Van Etten.

AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH JAN & BEV'S HOME CARE, INC. FOR DIRECTOR SERVICES FOR PUBLIC HEALTH & NURSING SERVICES.

WHEREAS, recent retirements of senior personnel within Steuben County Public Health and Nursing Services has created the need for transitional supervisory assistance, specifically for the position of Director of Patient Services/Public Health; and

WHEREAS, Steuben County has received a proposal from Jan & Bev's Home Care, Inc. for the provision of these services at cost-effective rates.

NOW THEREFORE, BE IT

RESOLVED, the County Administrator is hereby authorized to enter into an agreement with Jan & Bev's Home Care, Inc. for Director Services on an as-needed basis during departmental transition; and be it further

RESOLVED, the County Administrator is authorized to pay Jan & Bev's Home Care, Inc. a rate of $49.50 per hour for services rendered, $3.50 for on-call services, and $0.45 per mile for travel; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Jan & Bev's Home Care, Inc., 102 N Main Street, Wellsville, NY 14895 and the County Administrator.

Mr. Weaver asked is there a time frame for this contract? Mr. Alger replied we expect it to last about a year.

Vote: Roll Call – Adopted.

RESOLUTION NO. 143-10

Introduced by P. McAllister/G. Swackhamer. Seconded by G. Roush.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER A TOTAL OF $17,045 FROM THE CONTINGENCY FUND TO VARIOUS LINE ITEMS WITHIN THE COUNTY MOTOR POOL AND RISK MANAGER'S 2010 BUDGET.

WHEREAS, the County Risk Manager's 2010 Budget lacks sufficient funds to pay invoices for consultants; and

WHEREAS, the County Risk Manager's personal services, retirement, health insurance, telephone and safety training line items lack sufficient funds for the balance of the fiscal year; and

WHEREAS, the 2010 County Motor Pool's Vehicle Repair account lacks sufficient funds for the balance of the fiscal year.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to transfer a total of $17,045 from the Contingency Fund to line items within the County Motor Pool and Risk Manager's 2010 Budget as follows:

From:	199000 5 499000	$2,500	Contingency Fund
To:	164000 5 450000	$2,500	Motor Pool Vehicle Repair
From:	199000 5 499000	$3,805	Contingency Fund
To:	171000 5 110000	$3,805	Risk Management Wages
From:	199000 5 499000	$1,300	Contingency Fund
To:	171000 5 810000	$1,300	Risk Management Retirement
From:	199000 5 499000	$5,640	Contingency Fund
To:	171000 5 860000	$5,640	Risk Management Health
From:	199000 5 499000	$500	Contingency Fund
To:	171000 5 402990	$500	Risk Management Phone
From:	199000 5 499000	$500	Contingency Fund
To:	171000 5 407310	$500	Risk Management Safety Training
From:	199000 5 499000	$2,800	Contingency Fund
To:	171000 5 421100	$2,800	Consultant/Professionals

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 144-10

Introduced by P. McAllister. Seconded by C. Ferratella.

DESIGNATING THE ACTING DIRECTOR OF THE STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY.

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

WHEREAS, the position of Director of the Steuben County Real Property Tax Service Agency became vacant on September 4, 2010; and

WHEREAS, it is necessary to designate an Acting Director; and

WHEREAS, the Administration Committee has recommended that Wendy Flaitz of Bath, New York, be designated as the Acting Director of the Steuben County Real Property Tax Service Agency; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Acting Director of the Steuben County Real Property Tax Service Agency at $55,000.00 per annum (Management Grade F).

NOW THEREFORE, BE IT

RESOLVED, that Wendy Flaitz of Bath, New York, is hereby designated as the Acting Director of the Steuben County Real Property Tax Service Agency, effective September 27, 2010, at a salary of $55,000.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, the County Treasurer and the Personnel Officer.

Vote: Roll Call – Adopted.

Mrs. Hatch introduced Wendy Flaitz who has worked in the department for over 30 years and is well qualified. She stated I strongly support your decision today.

RESOLUTION NO. 145-10

Introduced by T. Ryan/P. McAllister. Seconded by D. Farrand.

APPOINTING THE DIRECTOR OF THE STEUBEN COUNTY OFFICE FOR THE AGING AND SETTING THE SALARY.

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

WHEREAS, there exists a vacancy for the position of Director of the Steuben County Office for the Aging; and

WHEREAS, it is necessary to fill such vacancy; and

WHEREAS, the Human Services, Health & Education and Administration Committees have recommended that Michael A. Keane of Painted Post, New York, be appointed as the Director of the Steuben County Office for the Aging; and

WHEREAS, it is the recommendation of the Human Services, Health & Education and Administration Committees to set the salary of the Director of Aging at $59,874.00 per annum (Management Grade E).

NOW THEREFORE, BE IT

RESOLVED, that Michael A. Keane of Painted Post, New York, is hereby appointed as the Director of the Office for the Aging, effective September 27, 2010, at a salary of $59,874.00 per annum; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Administrator, the County Treasurer and the Personnel Officer.

Vote: Roll Call – Adopted.

Mrs. Tetor introduced Mike Keane. He has worked for the agency for 25 years and she is delighted that he will be the new Director.

RESOLUTION NO. 146-10

Introduced by P. Donnelly. Seconded by G. Swackhamer.

SETTING THE DATE AND TIME FOR THE NOVEMBER 2010 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for November 2010, on Monday, November 29, 2010, at 3:00 P.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York; and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated; and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Vote: Acclamation – Adopted.

RESOLUTION NO. 147-10

Introduced by P. Donnelly. Seconded by D. Farrand.

SETTING THE TIME FOR THE DECEMBER 2010 MEETING OF THE STEUBEN COUNTY LEGISLATURE.

BE IT RESOLVED, the regular meeting of the Steuben County Legislature be, and the same hereby is, established for December 2010, on Monday, December 20, 2010, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, and be it further

RESOLVED, the date and time of any Public Hearings arising by virtue of the within meeting which are inconsistent with this resolution be and the same hereby are amended to reflect the date and time above-stated, and be it further

RESOLVED, the Clerk of this Legislature shall forward the necessary, proper and legal notice of the above meeting to all County Legislators and department heads of the County of Steuben.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Weaver, seconded by Mr. Van Etten and duly carried.

Motion to Adjourn Executive Session and reconvene in Regular Session made by Mr. Roush, seconded by Mr. Weaver and duly carried.

Motion to Adjourn made by Mr. Swackhamer, seconded by Mr. Farrand and duly carried.

REGULAR MEETING
Morning Session
Monday, October 25, 2010
Legislative Chamber, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 25th day of October, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present except Legislator McAllister.

Mr. Swackhamer provided the Invocation and the Pledge of Allegiance was led by Mrs. Ferratella.

Chairman Donnelly asked James Duquette to come forward. Mr. Duquette is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of his 10 years of service to Steuben County.

Chairman Donnelly asked Crystal Woodworth to come forward. Ms. Woodworth is an employee in the 911 Department. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Donnelly asked Betty McCaslin to come forward. Ms. McCaslin is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Donnelly asked Eileen Higgins to come forward. Ms. Higgins is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Richard McCandless stated this semester there are 21 students participating in the Youth in Government Program. He introduced this year's Student Interns.

Chairman Donnelly opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

Susan Payne, consultant to the Steuben County Industrial Development Agency, stated that she is here today to present the 2011 – 2013 Steuben County Economic Development Plan. This is the first time in County history that a County-wide economic development plan has been assembled by the efforts of partners throughout the County, region and State. The goal of the plan is to increase support of existing businesses, attract new businesses, develop and enhanced business environment, and promote regional collaboration. The following five strategic priorities were identified: 1) Retain and grow Steuben County's economic base, 2) Enhance Steuben County's economic infrastructure, with an emphasis on existing population centers, to support the expansion of existing businesses and new business development, 3) Proactively manage the development of the natural gas industry and leverage the County's natural and agricultural resources for the development of other green energy sectors such as wind and biomass, 4) Leverage the innovation and creativity taking place among entrepreneurs, area businesses, college and universities to stimulate both new product development and the commercialization path for innovation and technology in areas ranging from ceramics and high-level technology to value-added agricultural products, and 5) Expand the service sector industries such as tourism, call centers, and professional services. Ms. Payne stated the continued success of this plan relies on the continued participation of the Steuben County IDA and all of the partner organizations. We will now finalize the implementation plan and it will begin January 1, 2011.

Mr. Creath asked do you expect this plan to be self-funded through the IDA? Chairman Donnelly replied for the foreseeable future, this will be funded through the IDA. Mr. Creath commented this is a great plan. Do you anticipate this to be a merging of efforts? Ms. Payne replied this will be a merging of efforts, but not the merging of agencies. We will have a central location for information for all of the agencies to work with.

Mrs. Ferratella asked have you identified any roadblocks with regard to being able to accomplish this plan? Ms. Payne replied potential roadblocks are being able to secure financial resources and locating physical infrastructure. Another thing that was recommended is to facilitate and make the process easier in the area of regulatory compliance. It is our recommendation that the economic development agency work closely with businesses and regulatory agencies directly. That will be one of the most difficult challenges.

Mr. Hanna asked how do you measure the success of this plan? Ms. Payne replied we will have an annual performance progress report that will be prepared and distributed. When you receive your copy of the plan, you will see that for each strategy there is a responsible lead agency.

Mr. Nichols commented if funding is not secured for projects, then nothing will happen. You have to have funding to build infrastructure. The main thing is that if there is no funding to expand infrastructure for industry and agriculture, our youth will leave after they are trained. Ms. Payne stated the key is for groups to continue to work together. Everyone understands that they need to be proactive and those partnerships will be the key to the success of this plan. Chairman Donnelly thanked Ms. Payne for her presentation.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Seven for the Year 2010, Relating to the Powers and Duties of the County Administrator and Designating the County Administrator as Unclassified for Civil Service Purposes. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Motion approving the minutes of the September 27, 2010 meeting made by Mr. Weaver, seconded by Mr. Ryan and duly carried.

Mr. Alger presented the NYSAC 9 for 90 presentation. The premise of this is that there are 9 mandated activities that account for 90 percent of the County level property taxes statewide. Those 9 programs are Medicaid, Public Assistance/Safety Net, Child Welfare Protective/Preventive Services, Special Education/Pre-K, Indigent Defense, Probation, Pension, Early Intervention and Youth Detention. Mr. Alger explained, a percent of a county's budget is dedicated to Medicaid. Being such a large program, that is shared differently by the counties as well as the services that provided in the county. For example, we have the largest road/bridge program and our share is much higher than that of other counties our size. One of the messages that the counties are getting across is that it is very easy to cap property taxes, but the State needs to realize they have control over the things that control county budgets. We are the preacher of the State; we implement State programs. The State could cap State programs which would help reduce property taxes. In 2009 Steuben County's share was $30 million and in 2011 it will be $42 million. Considering the amount of taxes we have raised over that period of time, we are cutting local programs to fund State programs.

Mr. Sherer stated that Steuben County was chosen as the sole recipient of the 2010 New York State Excellence in Government Records award. He and Mrs. Hunter had the honor and privilege of attending a banquet in Albany to accept this award. He stated that he would like to thank the Legislature for the

unending support during his 22 years as Records Manager. Mr. Sherer thanked Mr. Alger for his support of the department and presented him and the Legislature with the award.

RESOLUTION NO. 148-10

Introduced by L. Crossett. Seconded by G. Roush.

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

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

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

RESOLVED, as it appears to be in the best interest of the County to sell the properties listed on Schedule "B" for the consideration offered, the Steuben County Treasurer is hereby authorized and directed to convey and deliver a County Tax Deed to the grantee(s) upon receipt of the consideration indicated within thirty (30) days from the date hereof, and be it further

RESOLVED, the said grantee(s) must accept the parcel "as is" together with the obligation of removing any persons, if any, claiming any interest in the parcel if need be, and be it further

RESOLVED, the Steuben County Treasurer is further authorized and directed to make the necessary cancellations, charges, deductions, and adjustments with respect to the parcels contained in Schedule "C", and be it further

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

SCHEDULE "A"

Resolution No.	A-1	Resolution No.	A-2
Name	John & Teresa Lyons	Name	Francis & Colleen Argentieri
Parcel No.	296.00-01-009.100	Parcel No.	136.00-02-021-142
Municipality	Addison Town	Municipality	Hornellsville Town
Disposition	Refund (per Court Order)	Disposition	Correction

SCHEDULE "B"

Resolution No.	B-1
Former Owner	Winifred P. & Norma M. Hargrove
In Rem Index No.	98375, 2007 sale
Parcel No.	318.00-02-014.000
Municipality	Corning Town
Grantee(s)	Cornerstone Homes, Inc.
Grantee(s) Address	11801 Harrington Drive, Corning, NY 14830
Consideration	$0, together with $310.00 recording fees

Resolution No.	B-2 (Rescinding July 26, 2010 Resolution No. 106-10, C-55)
Former Owner	Stephen A. Hackett
In Rem Index No.	98375, 2007 sale
Parcel No.	281.00-01-033.200
Municipality	Hornby Town
Grantee(s)	Elwyn H. & Ethelyn Eaton
Grantee(s) Address	3860 Hornby Rd, Corning, NY 14830
Consideration	$1,000.00, together with $185.00 recording fees

Resolution No.	B-3 (Rescinding July 26, 2010 Resolution No. 106-10, C-21)
Former Owner	Randy O. Shakoor
In Rem Index No.	101381, 2008 sale
Parcel No.	242.07-01-005.000
Municipality	Campbell Town
Grantee(s)	David W. Folmar
Grantee(s) Address	4819 Savona-Campbell Rd, Campbell, NY 14821
Consideration	$100.00, together with $310.00 recording fees

Resolution No.	B-4
Former Owner	Edward Allen & Virginia Allen
In Rem Index No.	101381, 2008 sale
Parcel No.	302.00-01-003.000
Municipality	Greenwood Town
Grantee(s)	Edward Allen & Virginia Allen
Grantee(s) Address	170 State Route 417, Andover, NY 14806
Consideration	$6,383.72, together with $185.00 recording fees

Any and all liens and/or judgments filed against the party of the second part, which had not been satisfied prior to the County obtaining title, will be reinstated with the recording of this deed.

SCHEDULE "C"

Resolution No.	C-1
Name	A. Nichols Properties Inc.
Parcel #	166.06-01-050.000
Municipality	Hornell City
Disposition	Correcting August 24, 2009 Resolution No. 109-09, B-45 to correct the name that was inadvertently erroneous in Original County Deed. Previous name Nichols Property Inc.

Vote: Roll Call – Adopted.

RESOLUTION NO. 149-10

Introduced by P. Donnelly. Seconded by S. Van Etten.

RECEIVING AND ACCEPTING THE OCTOBER 25, 2010, COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

September 17, 2010

Steuben County Industrial Development Agency – Re: Notice of public hearing for Corning Property Management Corporation on the Integrated Die Manufacturing Capacity Expansion Project. The hearing is scheduled for Wednesday, September 29, 2010 at 10:00am, at the Erwin Town Hall, Kitchen Room, 117 West Water Street, Painted Post, New York. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the second quarter SFY 2010-2011 Statewide Mass Transportation Operating Assistance (STOA) payments. ***Referred to: Amy Dlugos, Planning Director.***

Susan Payne – Re: Draft of the Steuben County Economic Development Plan. ***Referred to: Mark Alger, County Administrator; and Amy Dlugos, Planning Director.***

September 22, 2010

New York State Archives – Re: Steuben County was selected as the recipient of the 2010 William H. Kelly Annual Archives Award for Excellence in Local Government Archival Program Development. ***Referred to: Administration Committee; Jack Wheeler, Assistant County Administrator; and Judith Hunter, County Clerk.***

September 23, 2010

NYS Office for the Aging – Re: Third and final notification of Grant Award (NGA) for the federal fiscal year 2010 (FFY 2010) Nutrition Services Incentive Program (NSIP). ***Referred to: Human Services/Health & Education Committee; and Linda Tetor, OFA Director.***

September 27, 2010

New York State Association of Counties (NYSAC) – Re: Announcement of recent endorsement of ProAct Inc, to administer employee prescription programs for New York's local governments. ***Referred to: Jack Wheeler, Assistant County Administrator.***

Harris Beach, PLLC, Attorneys at Law – Re: Canandaigua Power Partners II, LLC (Dutch Hill) and Steuben County Industrial Development Agency – Distribution of Second Supplement to PILOT Agreement and application for Real Property Tax Exemption. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Deputy County Treasurer; Wendy Flaitz, Acting RPTSA Director; and Dave English, Acting County Attorney.***

Harris Beach, PLLC, Attorneys at Law – Re: Canandaigua Power Partners, LLC (Cohocton) and Steuben County Industrial Development Agency – Distribution of Third Supplement to PILOT Agreement and application for Real Property Tax Exemption. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Deputy County Treasurer; Wendy Flaitz, Acting RPTSA Director; and Dave English, Acting County Attorney.***

September 28, 2010

Finger Lakes SPCA, Inc. – Re: Request for funding in the amount of $39,000 to help support the 2011 Animal Cruelty Program. ***Referred to: A.I.P. and Finance Committees; Amy Dlugos, Planning Director; and Tammy Hurd-Harvey, Deputy County Treasurer.***

September 29, 2010

New York State Division of Homeland Security and Emergency Services – Re: Letter in appreciation of Steuben County's participation in the Southern Tier Regional Tabletop Hurricane David Exercise Pilot Project held on September 8, 2010. ***Referred to: Public Safety & Corrections Committee; and Michael Sprague, EMO Director.***

September 30, 2010

Sheen Housing – Re: Bishop Sheen Ecumenical Housing Foundation's (Sheen Housing) 2009-2010 Annual Report. ***Referred to: Clerk of the Legislature; and Amy Dlugos, Planning Director.***

October 1, 2010

New York State Office for the Aging – Re: Notification of Grant Award and approved application for the Medicare Improvements for Patients and Providers Act (MIPPA) for the period of June 1, 2010 through May 31, 2011. ***Referred to: Human Services/Health & Education Committee; and Michael Keane, OFA Director.***

Harris Beach PLLC, Attorneys at Law – Re**: S**teuben Tobacco Asset Securitization Corporation's amended by-laws and the Corporation's Disposition Guidelines. ***Referred to: Administration Committee; Dave English, Acting County Attorney; Amy Dlugos, Planning Director; and Tammy Hurd-Harvey, Acting County Treasurer.***

October 4, 2010

Western Regional Off-Track Betting Corporation - Re: Check in the amount of $5,146 representing the August 2010 retained surcharge revenues for Steuben County**.** ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Acting County Treasurer.***

New York State Association of Counties – Re: A copy of the New York State Association of Counties (NYSAC) 2010-2011 County Policy Platform. ***Referred to: Clerk of the Legislature.***

New York State Association of Counties – Re: A copy of the final report on the New York State Association of Counties (NYSAC) Presidential Commission on the State Takeover of Medicaid. ***Referred to: Mark Alger, County Administrator.***

October 6, 2010

Michael Hanna – Re: Request for ruling on conflict of interest. ***Referred to: Finance Committee; David English, Acting County Attorney; Mark Alger, County Administrator; and Patrick Donnelly, Legislature Chairman.***

NYS Department of State – Re: Notification of the eligibility to apply for reimbursements on certain costs associated with the provisions of the Wireless 911 Services. ***Referred to***: ***Public Safety & Corrections Committee; and Dave Hopkins, 911 Director.***

October 12, 2010

Legislator Michael Hanna, District 5 - Re: Letter on the recent actions taken by the Yates County Legislature and the Keuka Lake Association on hydraulic fracturing in Keuka Lake and Finger Lakes watersheds. ***Referred to: Steuben County Legislature.***

New York State Office for the Aging – Re: Revised Notifications of Grant Awards (NGAs) for the CSE, CSI, EISEP,SNAP, State Transportation, State LTCOP, State HIICAP and CRC programs for the period of April 1, 2010 through March 31, 2011. ***Referred to: Human Services/Health & Education Committee; and Michael Keane, OFA Director.***

NYS Department of Transportation – Re: The 2009 Annual Report for the Federal Section 5311 Operating Assistance Project for Steuben County has been accepted. A payment voucher in the amount of $142,500 for the 2010 project will be forwarded to the State Comptroller's Office for payment. ***Referred to: Amy Dlugos, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 150-10

Introduced by L. Crossett. Seconded by B. Schu.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2010, AMENDING LOCAL LAW NO. TWO FOR THE YEAR 1984 RELATING TO THE POWERS AND DUTIES OF THE COUNTY ADMINISTRATOR AND DESIGNATING THE COUNTY ADMINISTRATOR AS UNCLASSIFIED FOR CIVIL SERVICE PURPOSES.

Pursuant to Article 5 of the County Law and Sections 15 and 16 of the Civil Service Law of the State of New York.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on September 27, 2010, County of Steuben Local Law Tentatively No. Seven for the Year 2010, amending Local Law No. Two for the Year 1984 relating to the powers and duties of the County Administrator and designating the County Administrator as Unclassified for Civil Service purposes, and this Legislature by resolution, preliminarily adopted said Local Law on September 27, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on October 25, 2010; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on October 25, 2010, at 10:00 A.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Seven for the Year 2010, as hereinafter set forth be, and the same hereby is, finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. SEVEN FOR THE YEAR 2010

A Local Law to amend Local Law No. Two for the Year 1984 to authorize the appointment of a Deputy County Administrator and define the scope and authority of the Deputy County Administrator within the Office of the County Administrator.

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

Section 1. ~~Subdivision 16 of~~ Section 4. Powers and Duties, of Local Law No. Two for the Year 1984 is amended to read as follows:

16. Appoint a Deputy County Administrator, in the exempt class for the purposes of the Civil Service Law, who shall in the absence or inability of the County Administrator to act, or during a vacancy in the County Administrator's Office, have the powers of the County Administrator provided herein, and serve as alter ego to and in the place of the County Administrator during absences of the County Administrator or at the County Administrator's direction, and the County Administrator shall also appoint such assistants within the Office of County Administrator as may be authorized by the County Legislature.

17. The County Administrator shall have the authority to hire and fire any subordinate positions in the Department.

Section 2. Section 6. Acting County Administrator is amended to read as follows:

The Chairman … event neither the County Administrator nor the Deputy County Administrator is present in the County and able to perform and exercise

…

The Acting County Administrator … or until either the County Administrator or Deputy County Administrator shall be present in the County and able to resume the performance and exercise of such powers and duties, or a new … .

Section 3. It is hereby resolved that Civil Service be and the same hereby is requested to allocate the position of County Administrator as Unclassified Service in the Civil Service.

Section 4. This Local Law shall be effective immediately upon its adoption by the County Legislature.

NOTE GUIDE: Additions are underlined; deletions by ~~strikethrough~~.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on October 25, 2010 at 10:00 A.M. at the Legislative Chambers, Village of Bath, New York; and be it further

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

RESOLVED, within twenty (20) days after the final adoption by this County Legislature of said County of Steuben, Local Law Tentatively No. Seven for the Year 2010, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, the Clerk of the Legislature, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two County official newspapers within ten (10) days after such Local Law has become effective; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator, Personnel Officer and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 151-10

Introduced by L. Crossett. Seconded by D. Creath.

DIRECTING THE FILING OF THE TENTATIVE BUDGET AND THE BUDGET MESSAGE WITH THE CLERK OF THE LEGISLATURE, MAKING PROVISIONS FOR THE CONDUCT OF COUNTY GOVERNMENT FOR THE FISCAL YEAR 2011, AND FIXING THE TIME AND PLACE FOR THE PUBLIC HEARING ON THE TENTATIVE BUDGET.

Pursuant to Sections 354, 355, 356 and 359 of the County Law.

WHEREAS, the Budget Officer shall prepare and the Finance Committee shall present the Steuben County Tentative Budget and the Budget Message for the Fiscal Year 2011 with its recommendations to this Steuben County Legislature, which Tentative Budget and Budget Message together with copies, shall be filed with the Clerk of the Legislature on or before November 15, 2010.

NOW THEREFORE, BE IT

RESOLVED, the Tentative Budget and the Budget Message setting forth the appropriations for the conduct of County Government for the Fiscal Year 2011, shall be filed with the Clerk of this County Legislature on or before November 15, 2010, and shall be received and filed with this Legislature by filing same with the Clerk thereof as the official record of the filing of the same and that said Tentative Budget shall serve as the proposed appropriation resolution; and be it further

RESOLVED, the Public Hearing on the Tentative Budget for Steuben County for the Fiscal Year 2011, as herein filed, shall be held on November 29, 2010, at 6:00 P.M. in the Legislative Chambers, Bath, New York, and the Clerk of this Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 359 of the County Law in the two official newspapers of the County; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 152-10

Introduced by L. Crossett. Seconded by S. Van Etten.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2010, for the Budget Year of 2011, for the Marsh Ditch Watershed Protection District shall be held on November 29, 2010 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Attorney for the Watershed District, to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the County Treasurer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 153-10

Introduced by L. Crossett. Seconded by D. Farrand.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, that the Public Hearing on the Assessment Roll for the Year 2010, for the Budget Year of 2011 for the Upper Five Mile Creek Watershed Protection District shall be held on November 29, 2010 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the President of the Board of Managers for said Watershed District, to the Director of Real Property Tax Service Agency, and the County Treasurer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 154-10

Introduced by L. Crossett. Seconded by C. Ferratella.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT.

Pursuant to Section 270 of the County Law and upon the recommendation of the Administration Committee.

RESOLVED, the Public Hearing on the Assessment Roll for the Year 2010, for the Budget Year of 2011, for the Lamoka/Waneta Lakes' Protection and Rehabilitation District shall be held on November 29, 2010 at 6:00 P.M. in the Legislative Chambers, County Office Building, East Pulteney Square in the Village of Bath, New York and the Clerk of the Legislature is hereby authorized and directed to publish the Notice of Public Hearing as required by Section 270 of the County Law in the two official newspapers of the County, and the Clerk is further directed to forward a certified copy of this resolution to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the County Treasurer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 155-10

Introduced by P. Donnelly. Seconded by R. Nichols.

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 26, 2010.

Pursuant to Section 206-a of the County Law and the current agreement between the County of Steuben and the Civil Service Employees' Association, Inc.

WHEREAS, the County of Steuben, by contractual agreement with the employees of Steuben County has declared the day after Thanksgiving day to be a holiday for all employees, with the exception of the County Clerk, the County Treasurer, the Clerk of this Legislature, and the Sheriff's Office; and

WHEREAS, this County Legislature feels because of the lack of the traditional business volume on the day after Thanksgiving, coupled together with the savings of energy costs and unnecessary payroll expenses that it would be in the best interest of the County, the taxpayers and its employees to close all of the offices of Steuben County on the day after Thanksgiving, November 26, 2010.

NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 26, 2010, to be a County holiday pursuant to the present contract with the Civil Service Employees' Association, Inc.; and be it further

RESOLVED, that all of the department heads, in particular the County Clerk, the County Treasurer, the Clerk of this Legislature, and the Sheriff, are directed to close their respective offices on said date; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Clerk; County Treasurer; Clerk of the Legislature; and the Sheriff.

Vote: Acclamation – Adopted.

RESOLUTION NO. 156-10

MEMORIALIZING THE COMMISSIONER OF AGRICULTURE AND THE GOVERNOR'S ADVISORY COUNCIL ON AGRICULTURE TO DEVELOP A CONSOLIDATED AGRICULTURAL AND FARMLAND PROTECTION PLAN TO HELP GUIDE THE STATE'S EFFORTS IN SUPPORTING ITS AGRICULTURAL INDUSTRY AND PROTECTING AGRICULTURAL LAND.

WHEREAS, New York farmers play a key role in protecting New York's land, water and other natural resources, as they are stewards to approximately 7.5 million acres of land or approximately 25% of the land in New York State; and

WHEREAS, New York farmers are a significant partner in enhancing water quality, mitigating the impacts of climate change, providing wildlife habitat and improving the overall health of the state's environment; and

WHEREAS, farms and related food and agribusinesses are a significant element of New York's economy, generating a $23 billion economic impact annually in New York and providing jobs for thousands of New Yorkers; and

WHEREAS, New York has nationally recognized programs to help farmers protect land and water including the Environmental Protection Fund, Agricultural Nonpoint Source Program, the Agricultural Environmental Management Program, Soil and Water Conservation Districts and the Farmland Protection Program; and

WHEREAS, the FY 2010-2011 Executive Budget Proposal would reduce funding for the Environmental Protection Fund by 35%, as well as a drastic funding reduction of more than 50% to the Farmland Protection Program; and

WHEREAS, proposed cuts to the Farmland Protection Program hurt New York's ability to leverage federal conservation funds; and

WHEREAS, progress must be made in building state and local capacity to complete farmland protection projects more quickly; and

WHEREAS, the consolidation of a unified vision for the conservation of farmers and farmland and the establishment of a mutually agreed upon set of long-term goals in this area is essential to securing future funding.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben calls for the continued implementation and funding of the Environmental Protection Fund, the Agricultural Nonpoint Source Program, the Agricultural Environmental Management Program, and the Farmland Protection Program; and be it further

RESOLVED, that the County of Steuben calls for the Commissioner of Agriculture and Governor's Advisory Council on Agriculture to be authorized to develop a Consolidated State Agricultural and Farmland Protection Plan consistent with locally adopted plans to help guide the State's efforts in supporting its agricultural industry, soil and water conservation districts and protecting agricultural land including an emphasis on long-term goals; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Minority Leader, Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 909 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 926 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., 105 E. Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Senator Darrel J. Aubertine, Chairman, Rural Resources Commission, 903 Legislative Office Building, Albany, NY 12247; Patrick Hooker, New York State's Agriculture Commissioner, Department of Agriculture & Markets, 10B Airline Dr., Albany, NY 12235; James Vincent, Chair of the Governor's Advisory Council on Agriculture, 6992 Tower Hill Road, Byron, NY 14422; and all others deemed necessary and proper.

Vote: Acclamation – Adopted.

A M E N D E D

RESOLUTION NO. 157-10

Introduced by D. Creath. Seconded by J. Hauryski.

MEMORIALIZING FEDERAL AND STATE REPRESENTATIVES IN OPPOSITION TO THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD REGULATORY PROPOSAL BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; DOCKET ID NO. EPA-R03-OW-2010-0736, AND REQUESTING A MORATORIUM ON REGULATORY IMPLEMENTATION OF THE CHESAPEAKE BAY TOTAL MAXIMUM DAILY LOAD IN NEW YORK STATE.

WHEREAS, clean water and healthy watersheds are a priority for New York farmers, which play a critical role in proven and successful local efforts to conserve and protect New York's natural resources; and

WHEREAS, the United States Environmental Protection Agency, Region 3, is implementing a Chesapeake Bay Total Maximum Daily Load (TMDL), which imposes new and costly federal regulations on approximately 19 counties, 650,000 residents and 2,000 New York family farms within the New York portion of the Chesapeake Bay Watershed area; and

WHEREAS, New York accounts for 10 percent of the total watershed area, which is 76 percent forested and home to 4 percent of the total population in the watershed with agriculture representing 21 percent of the business sector; and

WHEREAS, while the federally-designed TMDL was intended to limit nitrogen, phosphorous and sediment discharges into the Chesapeake Bay Watershed, it is now projected to cost New York State as much as $250 million over the next 15 years without being able to satisfy the Environmental Protection Agency's (EPA) regulatory goal; and

WHEREAS, the EPA's proposed TMDL regulation imposes disproportionately heavier restrictions for water quality in New York in order to help other states meet their overall TMDL goal, while ignoring New York's excellent record of environmental accomplishments over the past 25 years using State and Local conservation efforts and forces unrealistic costs on the businesses, governments and residents within the Watershed area; and

WHEREAS, even if the other states achieve their EPA mandated allocations by 2025, their water would still contain higher nutrient loads per acre than New York's current 2010 load per acre because of progressive natural resource management programs like New York State's Agricultural Environmental Management Program; and

WHEREAS, even with the elimination of animal agriculture and utilizing every best management practice available in the Watershed area, New York would still not be able to meet EPA's TMDL allocation; and

WHEREAS, the EPA's discriminatory, regulatory process disproportionately burdens our farm communities with costly mandates, weakens our rural economies, disrupts local food systems and provides no additional water quality protection for the Chesapeake Bay Watershed; and

WHEREAS, we oppose the EPA increasing its federal regulatory control and usurping state and local jurisdiction and authority in order to impose their TMDL, instead of working collaboratively with State agriculture and environmental protection agencies, Soil and Water Conservation Districts and local communities to address the Chesapeake Bay Watershed water quality concerns; and

WHEREAS, in order to satisfy EPA's regulatory goals without confirmation of water quality improvement, the EPA has not ensured realistic delivery of needed funding and technical assistance and has not provided regulatory flexibility to allow for implementation of continually improving on-farm practices in response to site-specific environmental variables; and

WHEREAS, each and every day farmers across New York work to improve their environmental sustainability, recognizing that appropriate natural resource management is critical to maintaining success of their businesses for future generations; supporting farmers in these endeavors is how government can best aid agriculture in protecting water quality; and

WHEREAS, the County supports state and locally driven collaborative initiatives which effectively use federal environmental funds and specifically address areas of high environmental risk and employ a farm-specific focus, such as NYS Department of Agriculture and Market's Agricultural Environmental Management Program; and

WHEREAS, EPA is requiring each State within the Chesapeake Bay Watershed to develop a Watershed Implementation Plan (WIP), and

WHEREAS, the New York State WIP, as dictated by EPA allocations, will impose new limits on the Waste Water Treatment Plants (WWTP) within the Watershed, and

WHEREAS, New York State does not benefit economically from recovery of the Bay, yet will be required to spend an estimated $250 million to retrofit and rebuild WWTP's to meet EPA required allocations, and

NOW THEREFORE, BE IT

RESOLVED, that while Steuben County fully supports responsible efforts to improve water quality in the Chesapeake Bay Watershed and protect our State's environment and natural resources, we object to the unfair and unattainable mandate the Chesapeake Bay TMDL forces upon our local governments, local communities and family farms; and be it further

RESOLVED, Steuben County urges Congressional and State representatives to intercede with EPA and enact superseding legislation, if required, to delay implementation of the Chesapeake Bay TMDL and request the EPA report to them on their response and adaptations regarding the aforementioned concerns; and be it further

RESOLVED, the Clerk of the Legislature shall forward a copy of this resolution to President Barack Obama, The White House, 1600 Pennsylvania Avenue N.W., Washington, D.C. 20500; Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; U.S. Senator Charles E. Schumer, 100 State Street, Room 3040, Rochester, NY 14614; U.S. Senator Kirsten Gillibrand, Kenneth B. Keating Federal Office Building, 100 State Street, Room 4195, Rochester, NY 14614; Senator George H. Winner, Jr., 105 East Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 East Steuben Street, Bath, NY 14810; Patrick J. Hooker, Commissioner, NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235; Commissioner, NYS Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-1011; Lisa P. Jackson, Administrator, U.S. Environmental Protection Agency; Ariel Rios Building, 1200 Pennsylvania Avenue N.W., Washington, D.C. 20460; Assemblyman Robert Sweeney, Chairman, Standing Committee on Environmental Conservation, Legislative Office Building 625, Albany, NY 12248; Senator Antoine M. Thompson, Chairman, Senate Standing Committee on Environmental Conservation, Legislative Office Building 902, Albany, NY 12247; Honorable Nick J. Rhall, II, Chairman, Committee on Natural Resources, U.S. House of Representatives, 1324 Longworth House Office Building, Washington, D.C. 20515; Honorable Grace F. Napolitano, Chairwoman, Water & Power Sub-Committee, U.S. House of Representatives, 1522 Longworth House Office Building, Washington, D.C. 20515; Honorable Debbie Stabenow, Chairwoman, U.S. Senate Sub-Committee on Water & Power, 304 Dirksen Senate Building, Washington, D.C. 20510; Honorable Jeff Bingaman, Chairman, U.S. Senate Committee on Energy & Natural Resources, 304 Dirksen Senate Building, Washington, D.C. 20510; and Judith Enck, Administrator, Region 2, U.S. Environmental Protection Agency, 290 Broadway, New York, NY 10007-1866.

Mr. Creath stated the AIP Committee held a special meeting this morning relative to this and they recommended making an amendment to the resolution to include a paragraph relative to waste water treatment.

Motion to amend Resolution No. 157-10 to include a paragraph relative to waste water treatment made by Mr. Creath, seconded by Mr. Farrand and duly carried.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officers' Law, Article 7§ 105.1.E. Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law made by Mr. Swackhamer, seconded by Mr. Farrand and duly carried.

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

Motion to Adjourn made by Mr. Van Etten, seconded by Mr. Swackhamer and duly carried.

SPECIAL MEETING
Morning Session
Monday, November 15, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben, convened in Special Session in the Legislative Chambers, Bath, NY on Monday, November 15, 2010 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present.

The Invocation was provided by Mr. Swackhamer and the Pledge of Allegiance led by Mr. Walsh.

Mark Alger, County Administrator, presented the following 2011 Budget Message.

PRESENTATION OF BUDGET MESSAGE

INTRODUCTION

Today I am here to present the Tentative 2011 Steuben County Budget. Once again we are including Federal Stimulus Funding (ARRA) for Medicaid. As you know, Congress extended the Federal Medicaid Assistance Percentage (FMAP) increase until June 2011. As a result, Steuben County will receive approximately $1.4 Million in ARRA Medicaid Funding for 2011. The funding is a benefit for 2011 but results in a net loss of a like amount in 2012, resulting in an estimated $1.9 Million increase in Medicaid for 2012 when the annual $500,000 increase is added to it.

Other highlights include a net reduction of 100 positions from the 2009 & 2010 budgets. We have been holding all vacancies outside the mandated staffing areas for the last two years. With the 2010 early retirement incentive, we reduced forces by 85 people that coupled with 15 other vacant positions ended with a net reduction of 100 positions from the budget. Some of the remaining vacancies are budgeted for 2011. The estimated budget reduction from the retirement program is $4.2 Million.

The construction budget for Public Works is set at the same level as 2010 ($5,392,000). Also, we are seeing significant increases in the Jail and Sheriff departments, Community Colleges, Department of Social Services; particularly Medicaid and Child Care; and Retirement Costs.

The largest increases for 2011 are the Department of Social Services and the Retirement costs. The Department of Social Services increase is $2.7 Million or 9.6%. While Retirement rates increased from 11% to 16.3% resulting in a $1.5 Million gross impact. What needs to be recognized is these two impacts will be with us for some time. We can project at least a $2.0 Million increase next year in the Department of Social Services' budget with everything except Medicaid remaining the same. The expectation is retirement rates are likely to increase a like amount next year resulting in another $1 Million to $1.5 Million impact. Additionally, we need to continue to closely monitor events in Albany, as the new Governor is facing a large state budget deficit.

I want to thank all of those who once again have made this budget process work. The Finance Committee with Chairman Larry Crossett, Vice Chairman Gary Swackhamer and committee members, Don Creath, Gary Roush, and Scott Van Etten, as well as the Legislative Chairman, Pat Donnelly, are to be commended. I would also like to recognize the committee chairmen for their assistance, Pat McAllister, Joe Hauryski, Tom Ryan, Don Creath, and Brian Schu, all contributed to the success of the process. I would point out the key role the Deputy County Treasurer, Tammy Hurd-Harvey has had in the preparation of this budget. Without the Treasurer's Office, this would be a much more difficult task. I would also be remiss if I didn't recognize Assistant Administrator, Jack Wheeler for his help and analysis

of various items. We also called upon the Personnel Officer, Nancy Smith for assistance with the personnel impacts. I want to once again acknowledge the efforts of the Commissioners of Social Services and Public Works, Kathy Muller and Vince Spagnoletti. Every County department has cooperated to arrive at this budget. I should also note every department was cut in the preparation of the 2011 budget.

The first look at the budget in May of 2010 contained over a 25% tax increase. That is the reason we began early in 2010 to prepare the 2011 budget. I suggest we continue early budget discussions and closely monitor 2011 expenditures. As a result, we have already begun preparations of the 2012 budget. An early start on budget discussions provides direction to routine activities throughout the year. Spending constraints and funding availability dictate how we view each expenditure. Budget information and management is an ongoing team effort. The department heads are key to its success. This year the budget provides for 2.5% to 3.4% salary increase for managers based upon performance. The total cost is approximately $173,772 or 0.3% of the tax levy. The department heads are the individuals making the day-to-day decisions on how to save or how to improve operations.

Budget Goals

The Budget Goals that have been established for 2011 are as follows:

1. Minimize any property tax impact through careful review of expenditures and maximizing alternative revenues
2. Provide sufficient funding for Public Works Construction
3. Provide sufficient funds for State mandated Medicaid and Social Services' programs
4. Meet the County's retirement payment obligations

Total Budget

The total proposed budget for 2011 is $ 182,530,569, representing a decrease of $725,773 in total expenditures. The areas of increase include your Enterprise Fund, Health Care Facility up 3%; DSS up 9.64%; Community Colleges up 7.8%; and Public Safety up 6.01%; General Government decreased 5.25%; Health 1.6%; Public Works 6.58%; Culture and Recreation 6.5% and Home and Community Services 1.48%.

The County budgets for the past five years are as follows:

2007	$164,889,796
2008	$180,880,633
2009	$179,497,241
2010	$183,256,342
2011 (Proposed)	$182,530,569

The average increase in expenditures between 2007 and 2011 is 2.1%. The 0.4% decrease anticipated from 2010 to 2011 is a result of a decrease in various segments of the budget, contractuals, personal services and fringe benefits to offset the large increase in Social Services and retirement costs. The majority of the decrease is directly attributed to cuts in staffing. The 100 less budgeted positions results in a payroll decrease of approximately $3.00 Million compared to 2010's salary schedule. With fringe benefits, the total reduction is $4.18 Million. Without the actions the Legislature took earlier in 2010; we would be facing a very large tax impact.

MAJOR CHANGES BY DEPARTMENT

Highways

The total proposed budget for transportation stands at $24,530,612 compared to $25,919,413 in 2010, with a County cost decrease of $1,236,961 or -6.6%. The Finance Committee is proposing that we budget $900,000 next year to replace key pieces of major equipment and $14,600 in small equipment funding. My recommendation again for 2011, is that only replacement equipment be purchased. The budget contains $285,000 in capital projects for the Bath Landfill. This year the Highway Construction Projects totaling $5,392,000 have been set up as capital projects totaling $4,215,000 and $1,177,000 within the general repairs budget. This is a robust program for the County considering the difficult budget times we are facing.

Department of Social Services

The total 2011 County cost for the Department of Social Services increased as a result of the loss Medicaid FMAP Stimulus funding. The Medicaid appropriation has increased from $19.9 Million to $20.3 Million for 2011; which reflects the increase of $500,000 in local cost for Medicaid and the IGT. Additionally, we are budgeting an $828,000 increase in Child Care for children in custody of the County. This represents a 33% increase in this cost. We've seen our number of children in custody increase by approximately 50% in the current year.

I would also note several concerns with the major welfare programs. TANF and SafetyNet are both decreased in 2011 to appropriations of $3.3 Million and $3.4 Million respectively. While the current expenditure rates and caseloads indicate these amounts are sufficient further erosion of the local economy may impact these numbers. As is always the case, these are our best estimates at this time. With the other increases in Department of Social Services' programs these reductions were taken.

Sheriff/Jail

The Sheriff's Department and Jail budgets are both impacted by the increase in salaries and fringe benefits resulting in an 11.3% increase in the Sheriff's department and a 5.4% increase in the Jail. The Jail budget anticipates approximately 50 federal or other county inmates at $90.00 per day rate. That totals approximately $114,500 in additional revenues. The increase helps to offset the increased costs of salary adjustments and fringe benefits. It's critical the Sheriff continues his solid working relationship with the Federal Marshals to maintain the revenue stream. At this time, we are projecting $1.7 Million for boarding in prisoners.

Health Care Facility

The 2011 budget continues to be directly impacted by reductions in Medicaid reimbursement enacted by the state. The continuation of the Intergovernmental Transfer (IGT) allows the County to recover half of the Medicaid rate cuts. At this point, we have anticipated a total of $1 Million in IGT revenues. We have yet to receive the IGT for 2009 and anticipate the 2010 payments won't be received until June of next year at the earliest. As the losses continue, it's only a matter of time until a direct county tax levy subsidy will be required. There are still several unknowns in the future of the facilities finances. The first is the new base rate which will be established based upon the operations for the first year. That rate has not been set. We are currently engaging Freed Maxick & Battaglia to conduct the base year audit.

COUNTY REVENUES

Sales Tax

The 2010 sales tax receipts are up slight compared to 2009. While certainly not a full recovery, the modest growth is encouraging. We are only projecting a slight increase of $250,000 for 2011. A total collection after adjustments continues to grow in the 2-3% range.

Budgeted sales tax revenues for the last five years are as follows:

2007	$23,500,000
2008	$24,450,000
2009	$25,450,000
2010	$25,450,000
2011	$25,700,000

Fund Balance

The tentative budget includes a General Fund appropriation of $3.9 Million for 2011. The Fund Balance will be critical as we learn more about the impact of State decisions on our 2011 budget. We will be receiving about $1.4 Million in FMAP assistance in 2011 which will not be available in 2012. As a result, we should anticipate a $2.0 Million increase in Medicaid for 2012.

Real Property Taxes

The reduction in the County's share of Medicaid in 2011 has resulted in our ability to maintain the services to residents with a minimal increase in property taxes for 2011. The tax levy is proposed to increase 2.24% with the full value tax rate of $8.76 for 2011 representing a 1 cent increase for 2011. This translates to one dollar for a home assessed for $100,000.

The property tax collections and average full value rate for the last five years are as follows:

	Tax Levy	Rate Per Thousand
2007	$41,322,313	$9.54
2008	$42,591,089	$9.30
2009	$43,798,265	$8.76
2010	$44,996,816	$8.75
2011	$46,004,435	$8.76

CONCLUSION

These are very difficult budget times. Federal and State level budgets are constantly changing. We must be ever vigilant in monitoring changes to our reimbursements and responsibilities. With the election of a new Governor, we can expect a new strategy in Albany for balancing the State Budget. The new Governor will inherent a 9 Billion dollar deficit. Cuts and shifts will likely be part of the State's strategy.

Additionally, the continued discussion of a property tax cap must begin to include mandate relief or it will shift even more funds away from local priorities like highways. As I've presented before, the (9) State mandates NYSAC has identified account for over 90% of the County tax levy. When you look at the chart, 3 year's growth from 30 Million local dollars to 42 Million it is obvious counties are sacrificing local priorities to pay for state programs. Residents need to realize they are paying property taxes for NYS programs, not County programs. I can't emphasize enough the impact state requirements have on the County property tax levy and budget.

Our proposed 2011 budget accounts for these impacts and does it with as little disruption to residents as possible. We've begun our budget work every year in the first quarter of the year. Next year will be no exception. Facing a 2 Million dollar increase in Medicaid and potentially another 30% increase in pensions premiums, the 2012 budget will not be any easier to craft. In fact, it will likely be harder. In 2010 to prepare for the current proposed budget, we offered early retirement incentives in recognition of the need to reduce payroll. We had a total of 85 people retire with an estimated budgetary savings of approximately $2.2 Million. In the end, the retirements coupled with not having vacancies filled for the last 2 years we are removing funding for a total of 100 positions and payroll reductions of $2.99 Million. Without the reductions taxes would have been negatively impacted.

The plan also includes the consolidation of the Continuing Day Treatment Program with the Mental Health Clinic. The consolidation eliminates three positions which will result in layoffs next year. The continued erosion of state revenues for these services directly impacts our ability to afford the services. This represents in a small way what will be common once a property tax cap is enacted. Local programs will have to be cut to make up for the reduced local funds available.

We have continued our commitment to the Public Works five year Construction program. Once again, allocating approximately 5.4 Million to construction related lines for 2011. This is the second year we will be identifying the proposed highway construction projects within the capital projects. This is being done to provide a clearer picture of the project work anticipated to be complete in 2011.

Social Service Programs, particularly Medicaid and Child Care are tremendously impacting the 2011 budget. Medicaid was expected and must be anticipated to impact again in 2012. The Child Care was not anticipated, but is increasing over $828,000 in 2011. This is a direct result of taking more children into care and the severity of their problems. The caseload increased approximately 50% in the last year and the complexity of the cases has further impacted the cost of care and treatment. Additionally we reduced the two major Welfare programs TANF and Safety Net for 20011 from 3.7 to 3.3 and 3.8 to 3.4 respectively. These programs provide the safety net for families when unemployment runs out. Based upon current projections, these numbers are believed to be sufficient. If we have dramatic changes in employment locally that could change and change significantly.

The other major driver of the 2011 budget has been the continued increase in pension costs. The average pension rate is going up from roughly 11% to 16.3%. That represents about a 30% increase, or about $1.5 Million. We have been told there will likely be no stability in this rate until 2015. In the mean time, the rate continues to climb and has been projected to reach as high as 32% over the next several years.

Finally, I want to offer you some thoughts on the process we've been through this year. We planned and projected early. We implemented several changes, consolidating two departments, reducing staff in many departments, cutting expenses virtually in every department. Probably the least discussed but hard to overlook change is the number of long term department heads we lost in the last year. We have not replaced all of them at this point and the replacements will bring different strengths to the table. But the institutional knowledge and experience cannot be replaced. This is a very diverse organization which is dependent upon the knowledge, skills and abilities of its department heads. They make the County programs succeed or fail.

In conclusion, we've formulated a plan based upon the best information we currently have, knowing it will be subject to change. We must be ready for the change and react as quickly as possible, once we know what the changes are. The New York State Association of Counties has aggressively represented our interests in Albany and has to date, been successful in preventing shifts in mandated programs costs from the state to counties. In repeating what I said last year, we must stand ready to make reductions in non-mandated programs when the time comes. These will not be easy decisions; cuts will impact various interest groups and hurt constituents. But we must reduce programs that are not mandated to maintain a stable tax rate.

Mark R. Alger
County Administrator / Budget Officer

Chairman Donnelly asked does anyone have any questions about Mr. Alger's presentation?

Mr. Creath asked how much money is available in the Contingency Fund? Mr. Alger replied we have $1.3 million. This year we have only spent $20,000, although we do have a couple of items upcoming for the November Legislative meeting.

Mr. Van Etten stated we are pulling out $3.9 million from the $39 million and that is higher than last year. Mr. Alger replied it is higher than last year, but not unsustainable. Mr. Van Etten commented that this morning he heard on the radio how Chemung County has $17 million in their General Fund and that is a record for them. Have we always been at $39 million? Mr. Alger replied that during 2003 – 2005 our Fund Balance went down to $12 million - $15 million at the most. The Medicaid cap helped us get back to where we are. The Fund Balance has been built up over the last seven to eight years.

RESOLUTION NO. 158-10

Introduced by P. McAllister. Seconded by S. Van Etten.

PRESENTING LOCAL LAW TENTATIVELY NO. EIGHT FOR THE YEAR 2010, ESTABLISHING THE ANNUAL SALARIES OF CERTAIN ELECTED OR APPOINTED OFFICIALS AND DEPARTMENT HEADS OF THE COUNTY OF STEUBEN WHO HAVE A FIXED TERM OF OFFICE FOR THE FISCAL YEAR 2011.

Pursuant to Sections 200, 201 and 214 of the County Law and Sections 10, 20 and 24 of the General Municipal Law of the State of New York.

WHEREAS, pursuant to the Steuben County Management Evaluation and Salary Plan, as revised, Management employees, with the exception of elected positions, had performance evaluations conducted; and

WHEREAS, pursuant to the Plan, all salary adjustments for Management employees are based upon the reviews conducted pursuant to said Plan; and

WHEREAS, the Administration Committee has approved salaries for all Management employees, except Legislators, based upon performance evaluations; and

WHEREAS, the Administration Committee has reviewed and studied the evaluations pursuant to the Plan concerning the salaries of certain elected or appointed officials of the County of Steuben who have a fixed term of office for the Fiscal Year 2011, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Eight for the Year 2010, establishing the annual salaries of such appointed officials for the Fiscal Year 2011.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Eight for the Year 2010, establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2011, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. EIGHT FOR THE YEAR 2010

A LOCAL LAW establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2011.

Be it enacted by the Legislature of the County of Steuben as follows:
SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the "Steuben County Management Evaluation and Salary Plan", Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or

appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2011, or with the first county payroll after July 1, 2011 if specifically set forth, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2011 as follows, to wit:

TITLE	2010 SALARY	2011 SALARY
Clerk of Legislature	$ 55,000	$ 56,870 (effective 07/01/2011)
Commissioner, Public Works	$ 89,709	$ 92,760
Commissioner, Social Services	$ 86,550	$ 89,493
Commissioners, Election	$ 45,000	$ 46,530
County Auditor	$ 44,883	$ 46,641
County Clerk	$ 54,218	$ 56,622
Personnel Officer	$ 80,000	$ 82,720 (effective 07/01/2011)
Public Defender	$ 75,881	$ 78,940
Sheriff	$ 76,526	$ 79,128

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the Steuben County Legislature, a Public Hearing shall be held at the Special Legislative Meeting on November 29, 2010, at 6:00 P.M. or such other date and time that may be adjourned, at Steuben County Offices, 3 East Pulteney Square, Bath, New York 14810, and the Local Law is subject to a permissive referendum of the qualified electors of the County of Steuben by filing of a legal petition within forty-five (45) days after its final adoption, with the Clerk of the Legislature of the County of Steuben protesting such Local Law; and be it further

RESOLVED, the Clerk of the Legislature shall cause a notice of said Public Hearing to be posted at the Courthouses in the municipalities of Bath, Corning and Hornell, have said notice published for one insertion in the two official newspapers of the County, and shall cause such posting and publication to be completed at least five (5) days prior to the date heretofore set forth for the Public Hearing, with proof of posting and publication to be filed in the Office of the Clerk of the Legislature; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, Personnel Officer, and all appointed and elected officials mentioned above.

Mr. Weaver commented that he noticed there are two who will be getting their increase mid-year. Will they continue to get increases mid-year? Mr. Alger replied when we make appointments early in the year we don't like to do automatic adjustments. We do the salary adjustment in July following the appointment, then they are put on the January schedule.

Mrs. Ferratella asked why are some of the percentages of increase above the maximum? Mr. Alger replied there is an administrative adjustment. Mrs. Smith explained the individuals are rated on performance, however if they are below the midpoint, there is an administrative adjustment.

Mr. Hanna asked what is an administrative adjustment? Mrs. Smith explained if an individual's salary is $1,000 below the midpoint, their salary is adjusted 1 percent. If they are $500 below the midpoint, then their salary is adjusted .5 percent.

Mr. Farrand commented that he is not in favor of any raises at all. He has senior citizens in his district who are getting a zero percent increase in their Social Security benefit. With the economic times in my area due to layoffs by Alstom and potential layoffs at St. James, he cannot justify giving raises to department heads and he recommends voting no.

Mr. Weaver stated that from a management standpoint it is difficult to retain good help. We are an employer and at some point the department heads need to be rewarded.

Mr. Ryan commented that he would credit our professionals with being just that, professionals. They will rise to the occasion even if they don't get a raise.

Mr. Weaver commented it's tough to work every day and not get a financial reward.

Mr. Van Etten stated that last year we gave a 1.6 percent raise because of the economic times. This year he pushed for a 2 percent increase. This proposal has 3.4 percent as the maximum based upon performance. The reason he agreed to that is by losing 100 employees from the payroll, we are expecting the people who are left to do more work with less people. The Union is getting an increase of 3.4 percent, as well as increments. You get a compression issue when the workforce gets closer and closer to management salaries. He is not in favor of handing out money when it is not necessary, but this year we need to make it right. Next year, we may not give again.

Mr. Farrand stated the average income in the County is $26,000. The department heads are making $45,000 – $80,000. Yes, they are good quality people; but when looking at the roads conditions in my area, my constituents think we don't care about them. I welcome any Legislator to ride the roads in my area. Mr. Swackhamer called for a point of order; we are talking about raises, not roads.

<u>Vote:</u> Acclamation – Adopted. (Legislators Farrand and Ryan were opposed.)

BUDGET WORKSHOP

Motion restoring the $100,000 in bridge funding to the cities of Corning and Hornell using surplus funds made by Mr. Swackhamer. Seconded by Mr. Ryan.

Mr. Hanna asked why is the amount $100,000? Is this repetitive every year? Mr. Alger replied this was started back in 1999. Mr. Donnelly commented historically, town and village bridges have been taken over by the County for maintenance. Mr. Alger stated the $100,000 is split, 60 percent to Hornell and 40 percent to Corning.

Mr. Hanna asked what is the cost to repair a bridge? Mr. Weaver replied the City of Hornell is doing work on the Grant Street Bridge which is $2 million. The local share results in a $200,000 expense to the City. The 60 percent bridge funding that is designated for Hornell will go toward the cost of this bridge. The City does not have any county roads so we don't receive the benefit of having our roads being taken care of by the County.

Mr. Roush stated he is opposed to giving $100,000 for the bridges. The Cities are funded differently than the townships and they keep a quarter of the sales tax that is generated. The Towns have to distribute the sales tax they collect.

Mr. Hauryski commented that each year the cities provide the Commissioner of Public Works with a bill that itemizes all work items and the cost associated with them. This is not money that we just hand over. They have to provide an itemized bill before the Treasurer will cut a check.

Mr. Crossett commented there are 14 villages that also do not have the benefit of the County doing their roadwork; not just the cities.

Mr. Nichols asked do bridges over a certain length get federal funding? Mr. Spagnoletti replied typically the larger bridges, over 25 feet, will receive federal funding. The County has taken over ownership of 135 town/village bridges. Mr. Nichols asked so if the cities have a bridge longer than 25 feet, the County pays the local share? Mr. Alger replied the cities would pay the local share.

Mrs. Ferratella stated that she has two issues with this. The first is that next year we need to study and review the details of this program to see what has changed. The second, is that she doesn't think that it is fair to take the $100,000 away within a month or two of the cities doing their budgets.

Mr. Van Etten commented when this was started in 1999 it was assumed that it would be a temporary program. Last year Mr. Creath and Mr. Gehl had the vision to the take the funding out and then we put it back in with wording in the minutes stating that it would be studied this year and more than likely would come up again. That is why we decided to take the funding out of the budget. He commented that he does not know enough about the history of this program, however, we need to stop doing things like this. We should not be handing money over to the cities to pay for a bridge that we don't own.

Mr. Palmesano stated that he is asking for the Legislature's support of this resolution. This is a tough economy and any money would be helpful. This funding is important to the cities. The cities contribute to the county with their sales tax and there are programs that the cities fund that are a benefit to people outside of the cities. We are just asking for a little bit.

<u>Vote:</u> Roll Call – Adopted. Yes – 7444; No – 2428
(Legislators Opposed: Nichols, Roush, Van Etten and Walsh.)

Motion increasing Legislator Salaries a Combined Total of $42,500 and decreasing Legislator Fringe Benefits by $115,000 made by Mr. Roush. Seconded by Mr. Ryan for discussion.

Mr. Roush explained that because some Legislators take the health, dental and vision insurance, while others don't, the taxpayers are funding eight Legislators at $25,000 per year and 9 Legislators at $11,500 per year and that is not fair. The taxpayers should not be paying for health insurance benefits for the Legislators. By increasing salaries, that will enable Legislators to pay for their health benefit if they choose to take it. The health benefits program the County has is very good. We really are volunteers as Legislators, and that is why our salaries are so low. We are part-time and temporary. Anyone who relies on the salary and health benefits is probably here for the wrong reason. This will make up the money for the management salaries. We can help the budget and lower taxes by accepting this proposal.

Chairman Donnelly asked if this could be done during the current term? Mr. English replied since the public hearing notice on salaries has already been published, it is out of order to raise Legislator salaries at this time. With regard to the health benefit, it has been interpreted in the past as compensation for Legislators, which cannot be changed mid-term without a Local Law. All of the Legislators are being compensated the same. If you are changing the compensation of the Legislators, it has to be done at a time when it could be effective for all Legislators at the same time. That would not happen for another two terms.

Chairman Donnelly ruled the motion out of order at this time.

Mr. Roush commented Legislators are not being paid the same now. Mr. English replied the total compensation package was including fringe benefits with respect to the frequency or capability of making changes.

Mr. Donnelly commented the benefit is available to you. Mr. Creath stated this issue needs further analysis and discussion.

Mr. McAllister stated this issue did come up in the Administration Committee and it was decided that it needs to be looked at. The issue was brought up late and the committee felt that it should not be tied together with the salary increase for management.

Motion decreasing the SPCA appropriation 10 percent made by Mr. Farrand. Seconded by Mr. Ryan.

Mr. Farrand stated the libraries request included a 10 percent reduction and I think the SPCA should also reduce their request.

Mr. Van Etten commented this was discussed at the Finance Budget Workshop and it was decided that just because one organization comes forward with a cut, does not mean others should be held to that. The SPCA did not ask for an increase.

Mr. Creath commented this is a necessary expense.

Mr. Hanna abstained from the vote due to a conflict of interest.

Vote: **Motion Fails. Yes – 1218; No – 8053; Abstain – 601**
(Legislators Opposed: Creath, Crossett, Donnelly, Ferratella, Hauryski, McAllister, Nichols, Palmesano, Roush, Schu, Swackhamer, Van Etten, Walsh and Weaver

Mr. Ryan commented that he thought it was admirable of the libraries to come forward and take action when they didn't have to.

There being no further discussion, Chairman Donnelly declared the Budget Workshop closed.

Motion to Adjourn made by Mr. Weaver, seconded by Mr. Farrand and duly carried.

REGULAR MEETING
Afternoon Session
Monday, November 29, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 29th day of November, 2010, at 3:00 p.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members present except Legislator Weaver.

Mr. Nichols provided the Invocation and the Pledge of Allegiance was led by Mr. Hanna.

Chairman Donnelly announced that Walter Feeley, an Investigator in the Sheriff's Department is receiving a Certificate of Appreciation for 10 years of service to Steuben County. He was scheduled to be here this afternoon, however, duty called.

Chairman Donnelly opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

Mr. Ryan stated that on behalf of the residents of the County and the members of the Legislature, he would like to recognize the following individuals who are currently serving on active duty:

Kurtis Bickle	Christopher Buckley	Andrew Holmes	Jack Marvin
Zacharias Ruter	Justin Stamp	Matthew Clark	Glen Jones
Dakota Goodrich	Steven Faith	John Zacyzk	

Motion approving the minutes of the previous meeting made by Mr. Farrand, seconded by Mr. McAllister and duly carried.

RESOLUTION NO. 159-10

Introduced by L. Crossett. Seconded by B. Schu.

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

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

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

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

SCHEDULE "A"

Resolution No.	A-1	Resolution No.	A-2
Name	Tracey Snyder	Name	Enos M. & Roseanne D. Miller
Parcel No.	134.20-01-053.000	Parcel No.	363.00-01-007.000
Municipality	Bradford Town	Municipality	Woodhull Town
Disposition	Refund	Disposition	Correction

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 160-10

Introduced by P. Donnelly. Seconded by G. Roush.

RECEIVING AND ACCEPTING THE NOVEMBER 29, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

October 15, 2010
NYS Office of Children & Family Services – Re: Notification of the 1.1 percent reduction of payment under the Youth Development Resource Allocation Plan (RAP) from September 16, 2010 through March 31, 2011. ***Referred to: Human Services/Health & Education Committee; Kathryn Muller, Commissioner of Social Services; and Jack Wheeler, Assistant County Administrator.***

Steuben County Industrial Development Agency – Re: A CD containing a full report and the executive summary of the Steuben County Economic Development Plan for 2011-2013. ***Referred to: Mark Alger, Steuben County Administrator.***

October 18, 2010
New York State Office of Parks, Recreation and Historic Preservation – Re: The Gold Seal Winery located at West Lake Road, in the Town of Urbana, NY is now listed on the New York State Register of Historic places and the nomination will be forward for consideration to the National Register. ***Referred to: A.I.P. Committee; Amy Dlugos, Planning Director; and Twila O'Dell, Historian.***

John Senka – Re: A letter stressing concerns with the speed limit on County Road 50 in the Town of Dansville. ***Referred to: Chief Salvatore Trentanelli, Chair of the Traffic Safety Board; Vince Spagnoletti, Commissioner of Public Works; and Dave English, Acting County Attorney.***

Cornell Cooperative Extension – Re: Follow up in response to questions from a recent presentation given at the Agriculture, Industry, & Planning Committee meeting. ***Referred to: A.I.P. Committee; and Mark Alger, County Administrator.***

October 21, 2010
Office of Community Renewal – Re: Fully executed New York State Community Development Block Grant (NYS CDBG) Agreement (Project #1115HR108-10). ***Referred to: Amy Dlugos, Planning Director.***

October 29, 2010
NYS Department of Health – Re: The Recertification Survey from the Steuben County Infirmary, Medicare Provider #335309, Survey exit date 10/15/2010. A detailed Plan of Correction (POC) must be completed and returned by November 6, 2010. ***Referred to: Human Services/Health & Education Committee; and Dave McCarroll, HCF Administrator.***

November 1, 2010

Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: 3rd Quarter Report for 2010. ***Referred to: Human Services/Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.***

NYS Department of Health – Re: Results from the State Fiscal Year (SFY) 2009-2010 Medicaid Local Share Cap Reconciliation. ***Referred to: Human Services/Health & Education Committee; and Kathryn Muller, Commissioner of Social Services.***

NYS Department of Labor – Re: The Local Workforce Investment Area (LWIA) is in unsatisfactory performance status for 2009 Program Year (PY) for failure to meet LWIA goats for the Youth ITAs. The Performance Improvement Plan (PIP) must be submitted electronically to the Department no later than Friday, November 26, 2010. ***Referred to: Mark Alger, County Administrator.***

NYS Department of Labor – Re: Notification of the Local Workforce Investment Area (LWIA) has been awarded a Workforce Investment Act Title I-B incentive grant in the amount of $9,741.02. ***Referred to: Mark Alger, County Administrator.***

November 3, 2010

NYS Division of Homeland Security and Emergency Services – Re: Announcement of grant award under the FY 2010 State Homeland Security Program (SHSP) in the amount of $177,000. ***Referred to: Public Safety & Corrections Committee; Human Services/Health & Education Committee; Mike Sprague, EMO Director; Sheriff Ordway; and Victoria Fuerst, PHN Director.***

November 8, 2010

NYS Office of Parks, Recreation and Historic Preservation – Re: Notification of property located at 14681-14697 Keuka Village Road, Dundee in Steuben County will be considered by the State Review Board for nomination to the National and State Registers of Historic Places. ***Referred to: A.I.P. Committee; Twila O'Dell, Historian; and Amy Dlugos, Planning Director.***

November 9, 2010

Corning Enterprises, G. Thomas Tranter, Jr. – Re: Letter requesting the restoration of the 2011 proposed $25,000 reduction to Finger Lakes Wine County. ***Referred to: Finance Committee; and Mark Alger, County Administrator.***

November 15, 2010

NYS Homes & Community Renewal – Re: Request for Release of Funds Reminder Letter on the New York State Community Development Block Grant Project #1115HR108-10. ***Referred to: Amy Dlugos, Planning Director.***

November 16, 2010

NYS Office of the Medicaid Inspector General – Re: Notice of rate changes (#10-4923, NPI Number 1871671784, Provider Number 00355679) which resulted in the Health Care Facility receiving a payment of $118,365 from an underpayment of Medicaid. ***Referred to: Human Services/Health & Education Committee; David McCarroll, HCF Administrator; and Stacey Lee, HCF Chief Fiscal Officer.***

November 17, 2010

Steuben County Farm Bureau – Re: Copy of local resolution passed at the Steuben County Farm Bureau's Annual Meeting held on October 12, 2010. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 161-10

Introduced by P. McAllister. Seconded by D. Farrand.

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS.

Pursuant to Section 261 (2) of the Tax Law of the State of New York.

RESOLVED, that the apportionment of tax on mortgages in the County of Steuben collected by the County Clerk from the 1st day of April, 2010, to the 30th day of September, 2010, pursuant to provisions of Section 261 (2) of the Tax Law, as made by the County Clerk be and the same hereby is ratified and confirmed, and the statement of such apportionment in compliance with the provisions of said Law, filed with the County Treasurer of this County, is hereby and in all things ratified and confirmed and such statement shall be to the County Treasurer a sufficient Warrant for the payment by him of the various sums as apportioned for the various purposes as designed by Law, and be it further

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

MORTGAGE TAX APPORTIONMENT

The amount of money in your hands on September 30, 2010, which was received by you from the County Clerk as taxes paid to her upon the real property mortgages filed in her office since April 1, 2010, the date of the last apportionment, and which must be distributed to the various tax districts of the County of Steuben, pursuant to Section 261 of the Tax Law, is the sum of $472,870.16.

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

MORTGAGE TAX DISTRIBUTION - 11/2010

TOWN & CITIES	TOWN/CITY AMT DUE	VILLAGES	VILLAGES AMT DUE	TOTAL AMT DUE
ADDISON	7,921.55	ADDISON	3,307.40	**11,228.95**
AVOCA	7,653.28	AVOCA	979.67	**8,632.95**
		BATH (1)	7,135.78	
BATH	25,635.46	SAVONA (2)	696.49	**33,467.73**
BRADFORD	1,952.25			**1,952.25**
CAMERON	2,634.97			**2,634.97**
CAMPBELL	9,537.53			**9,537.53**
CANISTEO	4,433.53	CANISTEO	1,436.68	**5,870.21**
CATON	13,637.75			**13,637.75**
COHOCTON	7,760.24	COHOCTON	1,048.06	**8,808.30**
CORNING CITY	77,756.89			**77,756.89**
		RIVERSIDE (1)	1,440.08	
CORNING TOWN	37,211.97	S CORNING (2)	2,283.80	**40,935.85**
DANSVILLE	6,996.53			**6,996.53**
ERWIN	68,023.10	PAINTED POST	5,487.16	**73,510.26**
FREMONT	4,729.42			**4,729.42**
GREENWOOD	2,234.47			**2,234.47**
HARTSVILLE	2,343.17			**2,343.17**
HORNBY	11,715.97			**11,715.97**
HORNELL CITY	16,883.91			**16,883.91**
		ALMOND (1)	34.27	
		ARKPORT (2)	1,381.17	
HORNELLSVILLE	15,785.49	V N HORNELL (3)	1,625.18	**18,826.11**
HOWARD	3,988.00			**3,988.00**
JASPER	5,912.01			**5,912.01**
LINDLEY	7,850.51			**7,850.51**
PRATTSBURGH	8,759.81			**8,759.81**
PULTENEY	13,772.57			**13,772.57**

RATHBONE	4,705.46			**4,705.46**
THURSTON	3,645.78			**3,645.78**
TROUPSBURG	3,882.11			**3,882.11**
TUSCARORA	6,114.71			**6,114.71**
URBANA	24,071.29	HAMMONDSPORT	2,121.33	**26,192.62**
WAYLAND	12,011.55	WAYLAND	2,233.71	**14,245.26**
WAYNE	16,316.49			**16,316.49**
WEST UNION	542.99			**542.99**
WHEELER	1,783.34			**1,783.34**
WOODHULL	3,455.28			**3,455.28**
TOTAL	**441,659.38**		**31,210.78**	**472,870.16**

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 162-10

Introduced by P. McAllister. Seconded by S. Van Etten.

DIRECTING THE DIRECTOR OF THE COUNTY REAL PROPERTY TAX SERVICE AGENCY TO ADD PENALTY TAXES ON CONVERTED FOREST LAND PARCELS.

Pursuant to Section 480-A of the Real Property Tax Law.

WHEREAS, certain parcels on the prior tax roll received an exemption from taxation on forest land and a breach of that commitment may occur; and

WHEREAS, the report may be filed by the various assessors to the County Treasurer requesting penalty taxes to be calculated and added to the 2011 County and Town Tax Levy.

NOW THEREFORE, BE IT

RESOLVED, the Director of the County Real Property Tax Service Agency is hereby directed to add the amount of penalty taxes to the 2011 County and Town Tax Levy; and be it further

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

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 163-10

Introduced by P. McAllister. Seconded by B. Schu.

DIRECTING THE DIRECTOR OF THE COUNTY REAL PROPERTY TAX SERVICE AGENCY TO ADD OMITTED TAXES AND/OR PRO-RATED OMITTED TAXES ON EXEMPT PARCELS.

Pursuant to Sections 553 and 558 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Steuben County Treasurer of 2010 omitted taxes, and/or pro-rated omitted taxes on exempt parcels be and hereby is received and filed, and the Director of the County Real Property Tax Service Agency is hereby directed to levy the amounts thereof upon the parcels in accordance with said report; and be it further

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

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 164-10

Introduced by P. McAllister. Seconded by G. Roush.

DIRECTING THE LEVY OF RETURNED UNPAID SCHOOL TAXES FOR THE YEAR 2010.

Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Steuben County Treasurer of the several amounts of "Returned Unpaid School Taxes for the Year 2010" be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency be and hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 165-10

Introduced by P. McAllister. Seconded by D. Creath.

DIRECTING THE LEVY OF RETURNED UNPAID VILLAGE TAXES FOR THE YEAR 2010.

Pursuant to Article 13 of the Real Property Tax Law of the State of New York.

RESOLVED, the report of the Steuben County Treasurer of the several amounts of "Returned Unpaid Village Taxes for the Year 2010" be and the same hereby is received and filed; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency be and the same hereby is directed to levy the amounts set forth in said report upon the respective parcels therein listed; and be it further

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

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 166-10

Introduced by P. McAllister. Seconded by D. Creath.

DIRECTING THE LEVY OF THE SHARE OF THE ESTIMATED COST OF WORKERS' COMPENSATION IN ACCORDANCE WITH THE 2010 REPORT OF THE ADMINISTRATOR AND COMMITTEE.

Pursuant to Article 5 of the Workers' Compensation Law of the State of New York.

WHEREAS, on July 26, 2010, there was received and filed with this County Legislature a report of the Administrator of the Workers' Compensation Plan showing the estimated cost of the Self-Insurance Plan for the Year 2011; and

WHEREAS, on July 26, 2010, there was received and filed with this County Legislature a Table of Apportionment for the Fiscal Year 2011, showing all of the participating members' proportionate projected share of the estimated costs of the plan; and

WHEREAS, all of the participating members of the Steuben County Self-Insurance Plan have been forwarded copies of the 2011 Table of Apportionment.

NOW THEREFORE, BE IT

RESOLVED, the Affidavit of the Administrator of the Self-Insurance Plan is hereby filed, and the Director of the Steuben County Real Property Tax Service Agency is hereby directed to levy the respective share of the 2011 Fiscal Year Workers' Compensation cost of the County upon all the taxable real property of the County, and the respective share of Workers' Compensation cost of each participating Town and Village member, excepting those that have opted to make payment in cash, upon the real property in each respective municipality, as the 2011 Table of Apportionment previously filed with this Legislature provides; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Treasurer, the Director of Real Property Tax Service Agency, and the Administrator of the Steuben County Self-Insurance Plan.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 167-10

Introduced by P. McAllister. Seconded by C. Ferratella.

ADOPTING THE TABLE OF EQUALIZATION RATES FOR THE SPREAD AND LEVY OF THE COUNTY TAX UPON THE TAXABLE REAL PROPERTY OF THE SEVERAL TAX DISTRICTS CONSTITUTING THE COUNTY OF STEUBEN.

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

WHEREAS, the Director of the Steuben County Real Property Tax Service Agency and the Administration Committee have submitted to the County Legislature of the County of Steuben, the equalization rates for the spread and levy of the County Tax upon the taxable real property of the several tax districts constituting the County of Steuben, and said Administration Committee has recommended the adoption of such equalization rates.

NOW THEREFORE, BE IT

RESOLVED, the Table of Rates of Equalization for the County of Steuben, as submitted by the County Administration Committee, be and the same hereby is received and filed; and be it further

RESOLVED, the several rates therein set forth in said Table of Equalization Rates of the several tax districts constituting the County of Steuben be and the same hereby are adopted as the rates of equalization for the spread and levy of the County Tax for the Fiscal Year 2011; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to forward to the New York State Office of Real Property Tax Services a certified copy of this resolution, together with the Table of Rates, so that the same may be published in the annual report of said Commissioner; and be it further

RESOLVED, certified copies of this resolution shall also be forwarded to the Steuben County Treasurer and the Director of Real Property Tax Service Agency.

TABLE OF COUNTY EQUALIZATION RATES
STEUBEN COUNTY

09/14/2010

MUNICIPALITY	2010 COUNTY EQ RATES FOR 2011 TAX LEVY

CITY OF CORNING	100.00
CITY OF HORNELL	100.00
ADDISON	96.00
AVOCA	100.00
BATH	50.00
BRADFORD	87.00
CAMERON	100.00
CAMPBELL	3.25
CANISTEO	60.00
CATON	100.00
COHOCTON	95.00
CORNING TOWN	96.00
DANSVILLE	100.00
ERWIN	100.00
FREMONT	100.00
GREENWOOD	3.35
HARTSVILLE	100.00
HORNBY	100.00
HORNELLSVILLE	100.00
HOWARD	54.00
JASPER	4.80
LINDLEY	3.45
PRATTSBURGH	100.00
PULTENEY	50.00
RATHBONE	100.00
THURSTON	4.57
TROUPSBURG	51.37
TUSCARORA	4.20
URBANA	100.00
WAYLAND	100.00
WAYNE	100.00
WEST UNION	64.15
WHEELER	100.00
WOODHULL	100.00

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 168-10

Introduced by P. McAllister. Seconded by B. Schu.

FILING THE REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2011 BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2010.

Pursuant to Title 2 of Article 8 of the Real Property Tax Law of the State of New York.

WHEREAS, Title 2 of Article 8 requires the County to determine the total full valuation of taxable real property for all cities and towns within the County by dividing the taxable assessed value of taxable real property of the city or town plus the amount of assessed value partially exempt from County taxation pursuant to Real Property Tax Law Section 458 (Veteran), Section 460 (Clergy), Section 464 (Volunteer Firemen's Association) and at County option Section 458.3, 458A and 458B (Veterans); Section 467 (Senior Citizens) by the corresponding County Equalization rate.

NOW THEREFORE, BE IT

RESOLVED, the Report of County Equalization for the Year 2011, be and the same hereby is received and filed by this Legislature; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Real Property Tax Service Agency.

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2011
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2010

STEUBEN COUNTY

10/19/2010

SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
462089	ADDISON	39,782,786	32,560,804	0.9600	33,917,504	31,280,399	31,477,404
462001	VILLAGE OF ADDISON	77,162,817	47,094,193	0.9600	49,056,451	44,711,076	45,125,675
	TOWN TOTALS	116,945,603	79,654,997		82,973,955	75,991,475	76,603,079
462289	AVOCA	85,139,779	75,199,459	1.0000	75,199,459	72,943,415	74,162,424
462201	VILLAGE OF AVOCA	42,491,572	22,710,827	1.0000	22,710,827	21,072,155	21,773,719
	TOWN TOTALS	127,631,351	97,910,286		97,910,286	94,015,570	95,936,143
462489	BATH	170,261,464	125,828,898	0.5000	251,657,796	122,564,880	123,964,417
462401	VILLAGE OF BATH	188,142,277	101,897,176	0.5000	203,794,352	98,089,751	99,373,547
462403	VILLAGE OF SAVONA	16,379,890	10,063,905	0.5000	20,127,810	9,524,935	9,699,452
	TOWN TOTALS	374,783,631	237,789,979		475,579,958	230,179,566	233,037,416
462600	BRADFORD	39,044,820	34,596,169	0.8700	39,765,711	33,775,318	36,717,053
	TOWN TOTALS	39,044,820	34,596,169		39,765,711	33,775,318	36,717,053
462800	CAMERON	55,641,746	42,225,726	1.0000	42,225,726	40,779,651	42,499,703
	TOWN TOTALS	55,641,746	42,225,726		42,225,726	40,779,651	42,499,703
463000	CAMPBELL	6,109,695	4,483,654	0.0325	137,958,585	4,234,060	4,384,958
	TOWN TOTALS	6,109,695	4,483,654		137,958,585	4,234,060	4,384,958
463289	CANISTEO	44,730,025	39,191,136	0.6000	65,318,560	38,109,818	38,558,302
463201	VILLAGE OF CANISTEO	57,938,391	38,333,310	0.6000	63,888,850	36,110,883	36,969,208
	TOWN TOTALS	102,668,416	77,524,446		129,207,410	74,220,701	75,527,510

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2011
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2010

STEUBEN COUNTY

10/19/2010

SWIS CODE	MUNICIPALITY	TOTAL ASSESSED BEFORE ALL EXEMPTIONS	COUNTY TAXABLE PLUS SR CITIZEN, REG VET, ALT & COLD WAR VETS, CLERGY, & INC VOL FIRE EXEMPTS	EQUAL RATE	TOTAL FULL VALUE	AGGREGATE TAXABLE FOR COUNTY	AGGREGATE TAXABLE FOR TOWN
463400	CATON	158,276,516	153,492,746	1.0000	153,492,746	150,584,906	152,144,701
	TOWN TOTALS	158,276,516	153,492,746		153,492,746	150,584,906	152,144,701
463689	COHOCTON	220,958,110	78,796,848	0.9500	82,944,051	76,233,123	76,916,186
463601	VILLAGE OF COHOCTON	29,708,273	24,601,463	0.9500	25,896,277	23,482,748	24,019,898
	TOWN TOTALS	250,666,383	103,398,311		108,840,328	99,715,871	100,936,084
463889	CORNING	347,715,160	303,085,720	0.9600	315,714,292	296,478,884	302,695,915
463801	VILLAGE OF RIVERSIDE	31,345,731	25,847,457	0.9600	26,924,434	24,965,444	26,033,591
463803	VILLAGE OF S CORNING	44,641,270	41,179,523	0.9600	42,895,336	39,545,345	41,286,230
	TOWN TOTALS	423,702,161	370,112,700		385,534,062	360,989,673	370,015,736
460300	CITY OF CORNING	719,308,053	533,795,192	1.0000	533,795,192	516,918,564	
	CITY TOTALS	719,308,053	533,795,192		533,795,192	516,918,564	0
464000	DANSVILLE	91,587,810	81,070,809	1.0000	81,070,809	78,999,845	81,167,286
	TOWN TOTALS	91,587,810	81,070,809		81,070,809	78,999,845	81,167,286
464289	ERWIN	549,252,817	443,066,772	1.0000	443,066,772	434,587,338	434,109,336
464201	VILLAGE OF PAINTED POST	112,609,276	79,217,755	1.0000	79,217,755	76,490,651	76,181,113
	TOWN TOTALS	661,862,093	522,284,527		522,284,527	511,077,989	510,290,449
464400	FREMONT	55,389,764	48,944,275	1.0000	48,944,275	47,613,707	48,761,852
	TOWN TOTALS	55,389,764	48,944,275		48,944,275	47,613,707	48,761,852
464600	GREENWOOD	1,663,657	1,384,540	0.0335	41,329,552	1,332,518	1,411,058

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2011
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STEUBEN COUNTY

10/19/2010

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	TOWN TOTALS	1,663,657	1,384,540		41,329,552	1,332,518	1,411,058
464800	HARTSVILLE	41,129,024	38,216,039	1.0000	38,216,039	36,961,530	38,056,023
	TOWN TOTALS	41,129,024	38,216,039		38,216,039	36,961,530	38,056,023
465000	HORNBY	87,633,055	81,358,232	1.0000	81,358,232	79,822,384	83,975,752
	TOWN TOTALS	87,633,055	81,358,232		81,358,232	79,822,384	83,975,752
465289	HORNELLSVILLE	179,311,564	145,237,648	1.0000	145,237,648	140,005,432	142,017,652
465201	VILLAGE OF ALMOND	791,385	789,385	1.0000	789,385	751,960	763,785
465203	VILLAGE OF ARKPORT	46,968,666	32,001,002	1.0000	32,001,002	30,335,592	30,781,172
465205	VILLAGE OF N HORNELL	51,586,888	37,949,138	1.0000	37,949,138	35,644,157	36,219,288
	TOWN TOTALS	278,658,503	215,977,173		215,977,173	206,737,141	209,781,897
460600	CITY OF HORNELL	342,073,315	237,005,393	1.0000	237,005,393	230,163,591	
	CITY TOTALS	342,073,315	237,005,393		237,005,393	230,163,591	0
465400	HOWARD	52,901,149	45,816,242	0.5400	84,844,893	44,826,014	45,385,186
	TOWN TOTALS	52,901,149	45,816,242		84,844,893	44,826,014	45,385,186
465600	JASPER	4,805,812	2,612,622	0.0480	54,429,625	2,466,286	2,563,214
	TOWN TOTALS	4,805,812	2,612,622		54,429,625	2,466,286	2,563,214
465800	LINDLEY	3,002,069	2,633,999	0.0345	76,347,797	2,506,597	2,554,839
	TOWN TOTALS	3,002,069	2,633,999		76,347,797	2,506,597	2,554,839

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STEUBEN COUNTY

10/19/2010

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466000	PRATTSBURGH	123,388,166	108,074,633	1.0000	108,074,633	105,396,588	106,533,943
	TOWN TOTALS	123,388,166	108,074,633		108,074,633	105,396,588	106,533,943
466200	PULTENEY	136,023,392	133,647,742	0.5000	267,295,484	130,874,125	132,463,644
	TOWN TOTALS	136,023,392	133,647,742		267,295,484	130,874,125	132,463,644
466400	RATHBONE	57,878,235	46,712,034	1.0000	46,712,034	45,732,836	46,180,052
	TOWN TOTALS	57,878,235	46,712,034		46,712,034	45,732,836	46,180,052
466600	THURSTON	3,141,048	3,088,316	0.0457	67,578,031	2,957,714	3,070,274
	TOWN TOTALS	3,141,048	3,088,316		67,578,031	2,957,714	3,070,274
466800	TROUPSBURG	56,114,606	38,396,713	0.5137	74,745,402	37,849,221	38,118,036
	TOWN TOTALS	56,114,606	38,396,713		74,745,402	37,849,221	38,118,036
467000	TUSCARORA	2,660,964	2,567,508	0.0420	61,131,143	2,517,261	2,544,860
	TOWN TOTALS	2,660,964	2,567,508		61,131,143	2,517,261	2,544,860
467289	URBANA	253,406,264	235,872,015	1.0000	235,872,015	232,062,771	232,676,670
467201	VILLAGE OF HAMMONDSPORT	58,352,254	46,402,023	1.0000	46,402,023	44,981,502	44,973,666
	TOWN TOTALS	311,758,518	282,274,038		282,274,038	277,044,273	277,650,336
467489	WAYLAND	181,165,420	136,974,509	1.0000	136,974,509	133,597,634	133,796,191
467401	VILLAGE OF WAYLAND	71,489,070	63,785,476	1.0000	63,785,476	61,733,293	61,130,290
	TOWN TOTALS	252,654,490	200,759,985		200,759,985	195,330,927	194,926,481

REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2011
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STEUBEN COUNTY

10/19/2010

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467600	WAYNE	284,620,704	280,789,877	1.0000	280,789,877	276,645,324	277,666,792
	TOWN TOTALS	284,620,704	280,789,877		280,789,877	276,645,324	277,666,792
467800	WEST UNION	24,132,064	21,097,547	0.6415	32,887,836	20,883,190	20,965,368
	TOWN TOTALS	24,132,064	21,097,547		32,887,836	20,883,190	20,965,368
468000	WHEELER	64,528,164	55,689,354	1.0000	55,689,354	53,686,500	56,658,986
	TOWN TOTALS	64,528,164	55,689,354		55,689,354	53,686,500	56,658,986
468200	WOODHULL	112,053,266	101,472,556	1.0000	101,472,556	99,456,233	100,195,487
	TOWN TOTALS	112,053,266	101,472,556		101,472,556	99,456,233	100,195,487
	COUNTY TOTALS	5,424,438,243	4,286,858,360		5,248,502,647	4,172,287,149	3,468,724,198

I DO HEREBY CERTIFY THAT THE PRECEDING IS A TRUE STATEMENT OF THE AGGREGATE ASSESSED VALUATIONS OF THE TAXABLE REAL PROPERTY, THE RATES OF EQUALIZATION AND THE FULL VALUATIONS IN THE CITIES AND TOWNS IN STEUBEN COUNTY, AS DETERMINDED BY THE BOARD OF LEGISLATORS ON THE 29TH DAY OF NOVEMBER, 2010.

SIGNED: WENDY G FLAITZ, ACTING DIRECTOR, STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY

DATED: 11/29/10

O/LA22/LA22.xls

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 169-10

Introduced by J. Hauryski/L. Crossett. Seconded by S. Van Etten.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER $45,102.62 FROM VARIOUS SOLID WASTE EQUIPMENT ACCOUNTS TO FUND BATH LANDFILL CONTRACTUAL ACCOUNTS.

WHEREAS, the Solid Waste Division's operating budget is underfunded in various contractual line items; and

WHEREAS, the Solid Waste Division therefore requires the transfer of $45,102.62 from various Major & Minor equipment accounts to the Bath Landfill contractual accounts; and

WHEREAS, the transfer will not increase the overall operating budget; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from various Major & Minor equipment accounts to the Bath Landfill's various contractual line items.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized and directed to make the following transfer:

- Decrease New Bath Landfill, 816062.5.290000, Major Equipment by $5,092.62
- Decrease Recycling, 816072.5.290000, Major Equipment by $36,010
- Decrease Erwin Transfer Station, 816069.5.298000, Minor Equipment by $1,000
- Decrease Hornell Transfer Station, 816070.5.298000, Minor Equipment by $1,000
- Decrease Wayland Transfer Station, 816071.5.298000, Minor Equipment by $1,000
- Decrease Pre-treatment plant, 816073.5.298000, Minor Equipment by $1,000

- Increase New Bath Landfill, 816062.5.451300, Parts & Repairs by $25,102.62
- Increase New Bath Landfill, 816062.5.413000, Building Maintenance by $10,000
- Increase New Bath Landfill, 816062.5.413410, Water Testing by $5,000
- Increase New Bath Landfill, 816062.5.421100, Consultants by $5,000

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and the County Treasurer.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 170-10

Introduced by B. Schu/L. Crossett. Seconded by C. Ferratella.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER $15,000 FROM THE CONTINGENCY FUND TO THE PUBLIC DEFENDER'S 2010 BUDGET.

WHEREAS, the Public Defender is in need of Investigator Services in respect to pending cases; and

WHEREAS, certain expense lines are in need of year end supplementation.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to transfer from the Contingency Fund to the Public Defender's 2010 budget as follows:

From	A 199000 5 499 000	$15,000	Contingency Fund
To	A 117000 5 424 210	$ 9,000	Investigation Expenses
To	A 117000 5 407 110	$ 3,000	Law Books
To	A 117000 5 404 100	$ 3,000	Membership & Dues

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the County Treasurer and the Public Defender.

Mr. Swackhamer asked why are we paying more for Law Books and Membership & Dues? Mr. Cooper replied we had unforeseen expenses with two murder investigations and requests for transcripts and moved money from other line items to cover those expenses. Mr. Swackhamer asked why are you purchasing law books and paying memberships and dues this late in the year? Mr. Cooper replied this is a yearly bill and we don't have the funds available in those line items. Mr. Swackhamer asked could those costs be paid for out of the 2011 budget? Mr. Cooper replied no.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 171-10

Introduced by T. Ryan/L. Crossett. Seconded by B. Schu.

INCREASING PRIVATE PAY RATES FOR BOTH SEMI-PRIVATE AND PRIVATE ROOMS AT THE STEUBEN COUNTY HEALTH CARE FACILITY PLUS THE 6 PERCENT NEW YORK STATE CASH RECEIPTS ASSESSMENT, EFFECTIVE JANUARY 1, 2011.

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

WHEREAS, the Steuben County Health Care Facility needs to increase the semi-private room rate from $260 to $270 per day and the private room rate from $270 to $280 per day which together with the 6 percent New York State Cash Receipts Assessments shall make the totals $286.20 semi-private and $296.80 private; and

WHEREAS, the Human Services, Health and Education Committee and Finance Committee have approved this increase.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Health Care Facility is hereby authorized to implement these changes effective January 1, 2011; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer and the Administrator of the Health Care Facility.

Vote: **Roll Call – Adopted. (Yes – 8970, No – 451, Absent – 451; Mr. Swackhamer opposed; Mr. Weaver absent)**

RESOLUTION NO. 172-10

Introduced by P. McAllister/L. Crossett. Seconded by G. Roush.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER A TOTAL OF $120,000 FROM THE CONTINGENCY FUND TO A NEW CAPITAL PROJECT DESIGNATED NETWORK SECURITY.

WHEREAS, the Federal HI TECH Act of February 2009 established information security requirements which are applicable to the County; and

WHEREAS, it is the hallmark of successful enterprises that operations information, in particular information accessible through the organization's electronic networks, be secure and protected from unauthorized disclosure; and

WHEREAS, it is appropriate that a capital project fund be established and administered over time to fund the planning, configuration, installation, and implementation of a comprehensive information, and in particular network security, system and program.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to establish a Capital Project designated Network Security; and be it further

RESOLVED, the Steuben County Treasurer is hereby authorized to transfer and appropriate $120,000 from the 2010 Contingency Fund to said Capital Project as follows:

995000 5936000	Provisions for Capital Projects	$120,000
1680H4 45031900	Interfund Transfer Revenue	$120,000
1680H4 5250000	Capital Project	$120,000

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer and the Information Technology Director.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 173-10

Introduced by L. Crossett. Seconded by D. Farrand.

AUTHORIZING HOST JURISDICTION APPROVAL OF THE ISSUANCE OF REVENUE BONDS BY THE CENTRAL BRADFORD PROGRESS AUTHORITY AND DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THIS HOST JURISDICTION FOR THE CENTRAL BRADFORD PROGRESS AUTHORITY TO FINANCE AND REFINANCE CERTAIN FACILITIES SERVING THE PEOPLE OF THIS HOST JURISDICTION.

WHEREAS, the Central Bradford Progress Authority (the "Authority") has requested the assistance of this Host Jurisdiction (County) in providing "host approval" under section 147(f) of the Internal Revenue Code, as amended (the "Code") in connection with the issuance by the Authority of its revenue bonds in a principal amount not to exceed $300,000,000 (the "Bonds") for the purpose of making a loan to Guthrie Health, a Pennsylvania nonprofit corporation (the "Borrower"), to finance and refinance the costs of acquisition, construction, renovation, equipping, furnishing and installation of land, buildings, equipment, furnishings, fixtures, and software for the provision of clinical, hospital,

inpatient, outpatient, diagnostic, treatment, ancillary, support and/or other health care related services provided by members of the health care system headed by the Borrower at various locations, including locations in this Host Jurisdiction; and

WHEREAS, section 147(f) of the Code requires the approval of the governing body or chief elected representative of each state or local government jurisdiction in which bond- financed facilities are located, following a public hearing by an authorized representative of the state or local government jurisdiction; and

WHEREAS, in accordance with the above-mentioned requirement, a public hearing was, and/or will be, held by or on behalf of this Host Jurisdiction respecting the proposed issuance of the Bonds to finance and refinance facilities that are located within this Host Jurisdiction, after notice of the hearing (the "Hearing Notice") was published not less than 14 days prior to the hearing date in a newspaper of general circulation in this Host Jurisdiction. A copy of the Hearing Notice and proof of publication thereof is attached to and made a part of these resolutions as Exhibit A hereto.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The issuance of the Bonds to finance and refinance costs of facilities described in the Hearing Notice that are located in this Host Jurisdiction is hereby approved in accordance with section 147(f) of the Code. This approval does not impose any liability on this Host Jurisdiction or in any way involve this Host Jurisdiction in the issuance of the Bonds, nor shall the credit or taxing power of this Host Jurisdiction be pledged in any way for the issuance of the Bonds or the financing and refinancing of any projects with respect thereto.

2. It is hereby declared desirable for the health, safety and welfare of the people in this Host Jurisdiction to have the Authority issue the Bonds for the purpose of, among other things, financing and refinancing costs of facilities located in this Host Jurisdiction.

3. The proper officers, authorized representatives or designees of this Host Jurisdiction are hereby authorized, directed and empowered to execute and deliver a copy of these resolutions and such other documents or certifications as may be required of this Host Jurisdiction for the host approval. Without limiting the generality of the foregoing authorization, this Host Jurisdiction is authorized and empowered to execute and deliver a Certificate of Approval in the form attached hereto as Exhibit B.

4. These resolutions shall be effective immediately upon adoption. All prior resolutions inconsistent herewith are hereby rescinded to the extent of such inconsistency.

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to Anthony J. Ventello, Executive Director, One Progress Plaza, Suite 3, Towanda, PA 18848 and Jim Sherron, Executive Director, Steuben County IDA, PO Box Drawer 393, 25 W. Steuben St., Bath, NY 14810.

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be conducted by the Central Bradford Progress Authority by and on behalf of, and as a joint undertaking of, the Pennsylvania municipalities of the Borough of Towanda, the Township of North Towanda, the Township of Towanda and the Township of Wysox, the Pennsylvania Counties of Bradford, Sullivan, Tioga, and Wyoming, and the New York Counties of Broome, Chemung, Schuyler, Steuben, Tioga and Tompkins, on December 16, 2010, at 11:30 a.m. local time at The Riverstone Inn, RR 6, Towanda, PA.

The hearing will be held in connection with the proposed issuance by the Central Bradford Progress Authority (the "Authority") of its revenue bonds (the "Bonds"), in one or more series, in an aggregate principal amount not to exceed $300,000,000. The Bonds will be issued pursuant to a plan of financing for the benefit of Guthrie Health, a Pennsylvania nonprofit corporation ("Guthrie Health") and certain organizations which are members of an integrated health care delivery system headed by Guthrie Health (collectively, with Guthrie Health, the "System Members"). The proceeds of the Bonds will be used to make a loan to Guthrie Health, the reimbursement, of the costs of acquisition, construction, renovation, equipping, furnishing and installation of net proceeds of which will be used to undertake a project consisting of (1) the financing, including reimbursement, of the costs of acquisition, construction, renovation, equipping, furnishing and installation of land, buildings, equipment, furnishings, fixtures, and software for the provision of clinical, hospital, inpatient, outpatient, diagnostic, treatment, ancillary, support and/or other health care related services provided by System Members at various locations listed on Schedule I attached hereto; (2) the refunding of a portion or all of the outstanding Revenue Bonds (Guthrie Health Issue), Series A of 2002, and Revenue Bonds (Guthrie Health Issue) Series of 2007, previously issued by the Health Care Facilities Authority of Sayre for the benefit of System Members, thereby refinancing certain costs of acquisition, construction, renovation, equipping, furnishing and installation of land, buildings, equipment, furnishings, fixtures and software at facilities used for delivery of health care and ancillary services by the System Members at various locations listed on Schedule I attached hereto; (3) the funding of any required debt service reserve fund for the Bonds; and (4) the payment of the costs of issuing the Bonds.

Members of the public are invited to attend the public hearing and/or to submit written comments on the issuance of the Bonds and the financing and refinancing of the above-described projects on or before the hearing date. Written comments should be submitted to the Central Bradford Progress Authority, c/o Anthony J. Ventello, Executive Director, 1 Elizabeth Street, Suite 3, Towanda, PA 18848.

CENTRAL BRADFORD PROGRESS AUTHORITY

EXHIBIT B

Certificate of Approval

The undersigned, being the highest elected official of the Host Jurisdiction named below, on behalf of such Host Jurisdiction, does hereby approve the issuance by the Central Bradford Progress Authority (the "Authority") of its revenue bonds, in one or more series, in an aggregate principal amount not to exceed $300,000,000, to finance and refinance costs of health care and related facilities for the benefit of Guthrie Health and its affiliates as further described in the notice of public hearing attached as Exhibit A hereto.

A public hearing concerning the Issuance of the Bonds following reasonable public notice was held at _____ on _____, 2010, at _____ p.m.

In Witness Whereof, the undersigned has executed this Certificate this ___ day of _____, 2010.

_____
(Name of Host Jurisdiction)

By: _____
Title:

Guthrie Health
General Description of Bond Financed Projects by County

New York Counties:

Broome:

Bond proceeds will be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Vestal.

Chemung:

Bond proceeds will be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Elmira, Big Flats and Pine City.

Schuyler:

Bond proceeds will be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Watkins Glen.

Steuben:

Bond proceeds will be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Corning, Bath, Erwin and Painted Post.

Tompkins:

Bond proceeds will be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Ithaca.

Tioga:

Bond proceeds will be used to construct new up-to-date outpatient medical office buildings to serve and accommodate our patients in the Owego and surrounding area. Bond proceeds will also be used to refinance and/or finance facility renovations, routine equipment and information technology needs in Apalachin, Owego and Waverly.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 174-10

Introduced by J. Hauryski. Seconded by D. Farrand.

SUPPORTING NYSDEC'S REQUIREMENT FOR A ROAD USE AGREEMENT IN ITS DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR HIGH VOLUME HYDRAULIC FRACTURING.

WHEREAS, the trucking associated with High Volume Hydraulic Fracturing will cause significant damage to local roads; and

WHEREAS, the posting of local roads will help, but not guarantee, protection of local roads from damage caused by High Volume Hydraulic Fracturing truck traffic; and

WHEREAS, many local governments are understaffed and without local laws and resources to meet the challenges of greatly increased heavy truck traffic and the resulting road damage; and

WHEREAS, there is a need for additional local authority to prevent the destruction of local roads and ensure that funding for their repair and reconstruction is provided through agreements with Hydraulic Fracturing drilling companies; and

WHEREAS, NYSDEC's Draft Supplemental Generic Environmental Impact Statement, Appendix 6, Proposed Environmental Assessment Form Addendum, recognizes the need for road use agreements; and

WHEREAS, NYSDEC's Draft GEIS includes the following be required prior to site disturbance; "Road use agreement with local governing authority OR trucking plan and documentation of efforts to obtain a road use agreement."

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben requests that the final requirements for High-Volume Hydraulic Fracturing include the requirement "Road use agreement with local governing authority OR trucking plan and documentation of efforts to obtain a road use agreement."; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senator George H. Winner, Jr., 228 Lake Street, PO Box 588, Elmira, NY 14902; Assemblyman James G. Bacalles, 105 E. Steuben Street, Bath, NY 14810; Peter Iwanowicz, Acting Commissioner, New York State Department of Environmental Conservation; Marcia Weber, Executive Director, Southern Tier Central Regional Planning & Development Board, 8 Denison Parkway East, Suite 310, Corning, NY 14830; Richard Calabrese, President, Inter-County Association of Western New York, Municipal Building, 20 Ontario Street, Canandaigua, NY 14424; and all others deemed necessary and proper.

Mr. Alger commented that his understanding is that currently, the permitting does not require the gas companies to enter into road use agreements. The Public Works Committee made the recommendation that it is desirable that they do. The purpose of this resolution is to suggest to the State that they include this requirement in the draft environmental impact statement.

Mr. Van Etten asked if copies of this resolution could also be sent to surrounding counties with Natural Gas Task Forces? Mr. Donnelly replied that would be appropriate.

Mr. Swackhamer asked can we do a local law requiring the gas companies to enter into road use agreements? Mr. Donnelly commented the DEC has jurisdiction. Mr. Alger stated we are talking about developing a local law requiring the gas companies to negotiate with us. We are in the process of developing a model. We think we know how we would do that, but this would make it clearer. If in fact the DEC does not incorporate this, then we will have to take other steps. The Commissioner of Public Works could post the roads if necessary.

Mr. Spagnoletti commented the key is that the drilling companies can run 100 legal loads across our roads and would not have to pay for the repairs as they were carrying legal loads. If this requirement goes through DEC, the gas companies would have to sign an agreement that if they break up the roads they will pay to repair them. We are also looking at a local law; and no other county has done this.

Vote: **Acclamation – Adopted.**

Motion to Adjourn made by Mr. Nichols, seconded by Mr. Farrand and duly carried.

SPECIAL MEETING
Evening Session
Monday, November 29, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Monday, the 29th day of November, 2010, at 6:00 p.m. and was called to order by the Chairman of the Legislature, Patrick F. Donnelly.

Roll Call and all members were present.

Mr. Nichols provided the Invocation and the Pledge of Allegiance was led by Mr. Hanna.

Chairman Donnelly opened the floor for comments by members of the public.

Ristiina Wigg, Southern Tier Library System, stated thank you for your support of library services for the region. More and more people are coming to the libraries to do job searches, work on resumes, etc.

Karen Deutch, Wayland Free Library, stated the libraries are important to the communities in the county as there are few places that offer free wi-fi services to residents. Many people are coming into the library with their own laptops and are using the services we have at our library. These services are also appreciated by people who are traveling through the area. The Wayland Library is one of thirty libraries in New York State that was granted a major funding opportunity to create a public computing center. The focus of the computing center is to help the unemployed fill out on-line job applications and resumes. Thank you for your support.

David Hardy, Hornell, stated he is a member of the Board of Trustees for the Hornell Library. Thank you for your continued support of the library system. It is a unique position that the libraries hold. The Hornell Library offers a variety of services, one of which is a number of reading programs for children. In addition we offer computer services as well as a large selection of large-print books. This year the Hornell Library will be celebrating its 100th anniversary and as part of that, we will be undergoing a major renovation. This renovation is partly paid for by library construction aid and our capital campaign. Thank you for your continued support.

Lorraine Nelson, Director, Howard Public Library, stated we are a small community and the library really makes a difference. We have expanded our library and now are able to hold a children's story hour in the upstairs of the building. Thank you for your continued generosity.

Sally MacDougal, President, CSEA Local Unit, stated she is concerned as she has heard that there will be four individuals laid off in the Office of Community Services. There are people in the community that need services and employees are taking on extra duties due to retirements. I am asking that you look at alternatives. She commented that she understands that you are faced with hard economic times. Usually, private businesses lay off people due to a lack of work; we do not have a lack of work in the County.

Ira Hale, Canisteo, stated he read about the proposed layoffs of three Mental Health counselors in the Day Treatment Program. I have family members that have used their services for years and I am also a county employee. We have had people retire and the remaining employees have had to pick up the slack. I ask that you put these three positions back in the budget and find cuts elsewhere. We have 17 Legislators and many years ago we had double that. Many times you have asked us to tighten our belts. You have two representatives in Bath, Corning and Hornell. Why not cut that down to one representative for each of those districts? Put those four positions back on the payroll. These are good workers and they work with

the community; with people that need services. Think hard before you vote on the budget tonight. I'm sure there are many other places to cut.

Valerie Lebak, Bath, stated I use the Continuing Day Treatment Program. A few years ago I had no hope and no future. After a few months of going to this program, I have received knowledge. They have taught me about my illness and how to deal with my symptoms. I don't know where I would be without the Continuing Day Treatment Program; I don't know if I would even be alive. Each one of our counselors is very important. There are many resources that are needed for each different illness. The knowledge we receive is just irreplaceable and gives us hope. Since going to Day Treatment, I have experienced many firsts; I have friends and I have learned how to contribute to the community. Take a second look and see if there is someplace else to cut.

Charles Coleman, Bath, stated I am a Continuing Day Treatment Program client. Since I have been in the program, I have learned a lot. I have learned to become peaceful and get along with myself. Prior to coming to the Continuing Day Treatment Program, I spent a lot of time by myself. I have lived in the County for twelve years and the counselors are sort of like a mother and father to us. All of us don't have a voice, we are very sick, but we do cope and that is one thing we need to let you know. Look somewhere else to cut, because we really need our counselors. I need someone to talk to and they help me very much. I appreciate you looking at this.

Cheryl White, Bath, stated I am a Continuing Day Treatment client and I have been with them for four years. They helped me through the deaths of my mother and father which was a hard thing to do. I have many friends at Continuing Treatment and there are wonderful people there. They show you how things could and should be done. We are hoping you will look elsewhere so that we can continue to go to Continuing Day Treatment.

Yvonne Switzer stated I am a Continuing Day Treatment Program client and have attended for the last four years. It's an alternative to hospitalization which is very expensive for the County. The program has taught me how to socialize and be a member of the community. The counselors are the best we could have in the County to help us. Cutting the Day Treatment Program will hurt the County more than it will benefit it.

Rick Davis, Corning, stated I don't know how you can consider giving anyone a raise now. Is there anyone in the private sector in the last three years that has gotten a raise? Has anyone in private business made any profit? It is not that the employees don't deserve it, but private business can't do it because the money is not there. Think long and hard about giving anyone a raise at this time. It just doesn't make any sense.

There being no further comments, Chairman Donnelly declared the opportunity for public comment closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon County of Steuben Local Law Tentatively No. Eight for the Year 2010, Establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2011. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon Notice of Completion and Filing of the Assessment Roll for the Marsh Ditch Watershed Protection District. Chairman Donnelly asked if anyone

wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon Notice of Completion and Filing of the Assessment Roll for the Upper Five Mile Creek Watershed Protection District. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon Notice of Completion and Filing of the Assessment Roll for the Lamoka/Waneta Lakes' Protection and Rehabilitation District. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

The Clerk of the Legislature read the Official Notice of Public Hearing and submitted for filing Proofs of Publication and Proofs of Posting for the Public Hearing Upon the Tentative Budget for the Fiscal Year Beginning January 1, 2011. Chairman Donnelly asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed.

Chairman Donnelly opened the floor for discussion on the proposed 2011 Budget.

Mr. Van Etten asked with regard to the salary schedule, he has a question on a salary increase for one specific position as it relates to all others. The percentage was the same for all, with the exception of one. Mrs. Smith explained whenever a salary is below the midpoint, there is an administrative adjustment.

There being no further comments, Chairman Donnelly declared the Budget Workshop closed.

RESOLUTION NO. 175-10

Introduced by P. McAllister. Seconded by S. Van Etten.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. EIGHT FOR THE YEAR 2010, ESTABLISHING THE ANNUAL SALARIES OF CERTAIN ELECTED OR APPOINTED OFFICIALS AND DEPARTMENT HEADS OF THE COUNTY OF STEUBEN WHO HAVE A FIXED TERM OF OFFICE FOR THE FISCAL YEAR 2011.

Pursuant to Sections 200, 201, and 214 of the County Law and Sections 10, 20, and 24 of the General Municipal Law of the State of New York.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 15, 2010, County of Steuben Local Law Tentatively No. Eight for the Year 2010, establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2011, and this Legislature by resolution, preliminarily adopted said Local Law on November 15, 2010, making the final adoption of said Local Law subject to a Public Hearing to be held on November 29, 2010, and also subject to a permissive referendum; and

WHEREAS, in accordance with said resolution and Notice of Public Hearing, this County Legislature of the County of Steuben did conduct a Public Hearing on November 29, 2010 at 6:00 P.M., and all persons appearing were given the opportunity to be heard, and the Clerk of this Legislature having filed proof of the publication and posting of the Notice of Public Hearing and requirement for a permissive referendum.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Eight for the Year 2010, as hereinafter set forth be and the same hereby is finally adopted, to wit:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. EIGHT FOR THE YEAR 2010

A LOCAL LAW establishing the annual salaries of certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office for the Fiscal Year 2011.

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

SECTION 1: Except where inconsistent by operation of law due to prohibitions of increases of compensation during a fixed term of office for County officers and employees as provided in County Law §201 and Municipal Home Rule Law §24(2)(h), the "Steuben County Management Evaluation and Salary Plan", Administrative Code of the County of Steuben Part XV be, and the same hereby is, applicable to officers and employees having a fixed term of office, whether elected or appointed, as are any and all resolutions of the Steuben County Legislature relative to rights and entitlements of County executive and management personnel.

SECTION 2: Effective with the first county payroll for the County Fiscal Year 2011, or with the first county payroll after July 1, 2011 if specifically set forth, the annual salaries of the certain elected or appointed officials and department heads of the County of Steuben who have a fixed term of office are hereby established for the Fiscal Year 2011 as follows, to wit:

TITLE	2010 SALARY	2011 SALARY
Clerk of Legislature	$ 55,000	$ 56,870 (effective 07/01/2011)
Commissioner, Public Works	$ 89,709	$ 92,760
Commissioner, Social Services	$ 86,550	$ 89,493
Commissioners, Election	$ 45,000	$ 46,530
County Auditor	$ 44,883	$ 46,641
County Clerk	$ 54,218	$ 56,622
Personnel Officer	$ 80,000	$ 82,720 (effective 07/01/2011)
Public Defender	$ 75,881	$ 78,940
Sheriff	$ 76,526	$ 79,128

SECTION 3: Should any of the above positions become vacant and subsequently filled by one other than the present incumbent, the salary shall in that instance be set by the Legislature prior to filling said vacancy.

SECTION 4: This Local Law shall become effective, subject to a permissive referendum, forty-five (45) days after the date of its final adoption and on the date it is duly filed in the Office of the Secretary of State of the State of New York and in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, within twenty (20) days after such Local Law is adopted the Clerk of this Legislature of the County of Steuben shall cause a copy of the Local Law to be published in the two officially designated county newspapers, the Leader of Corning, New York, and the Evening Tribune of Hornell, New York, together with notice that said Local Law is subject to a permissive referendum of the qualified electors of Steuben County by the filing of a petition within forty-five (45) days from the date of the final adoption of the Local Law with the Clerk of this Legislature demanding such referendum, which petition must be signed by qualified electors of the County registered to vote therein at the last preceding election, in number equal to at least ten per centum (10%) of the total number cast for Governor at the last gubernatorial election in the County; and be it further

RESOLVED, within five (5) days after the expiration of the time for the filing of petitions for a permissive referendum of said Local Law, the Clerk of the Legislature shall cause one certified copy thereof to be filed in the office of the Secretary of State of the State of New York, and the said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, the Personnel Officer and the above-named employees.

Vote: Roll Call – Adopted (Yes – 8057, No – 1815; Mr. Farrand, Mr. Ryan and Mr. Walsh opposed.)

RESOLUTION NO. 176-10

Introduced by L. Crossett. Seconded by G. Swackhamer.

FINAL ADOPTION OF THE ANNUAL COUNTY BUDGET FOR THE FISCAL YEAR 2011 FOR THE COUNTY OF STEUBEN, AUTHORIZATION FOR REGULATION OF FUND CONTROL AND AUTHORIZATION FOR ISSUANCE OF TAX ANTICIPATION AND REVENUE ANTICIPATION NOTES FOR THE YEAR 2011.

Pursuant to Sections 360 of the County Law and Sections 24 and 25 of the Local Finance Law of the State of New York.

WHEREAS, the Tentative Budget, Budget Message and the Proposed Appropriation Resolution of the County of Steuben for the Fiscal Year 2011 were duly filed with the Clerk of the County Legislature on or before November 15, 2010, and appropriate action taken thereupon and fixing the date, time and place for holding the required public hearings; and

WHEREAS, the duly advertised Public Hearings on the Tentative Budget and for the Watershed Protection Districts were opened, held and completed on November 29, 2010, commencing at 6:00 P.M. in the Legislative Chambers in the Village of Bath; and

WHEREAS, all persons attending said above mentioned hearings were given the right to provide written and oral statements and comments concerning the entire Budget.

NOW THEREFORE, BE IT

RESOLVED, the Clerk of the Legislature is hereby directed to cause to be filed in her office proofs of publication of the notices of the hearings on the above stated Tentative Budget and Watershed Protection Districts for the Fiscal Year 2011; and be it further

RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York said Tentative Budget for the County of Steuben for the Fiscal Year 2011 as may have been changed, amended, altered and revised by this County

Legislature to date be and the same hereby is adopted by this Legislature as the Budget of the County of Steuben for the Fiscal Year 2011; and be it further

RESOLVED, the Clerk of the Legislature with the assistance of the Budget Director, in accordance with any such changes, amendments, alterations and revisions of the Tentative Budget to date, enter in the column entitled, "adopted" the estimated expenditures in the Tentative Budget as may have been modified or changed; and be it further

RESOLVED, the Clerk of the Legislature, with the assistance of the Budget Director, shall enter in the column entitled "adopted" the estimated revenues in the Tentative Budget with any changes or modifications as may have been made to date; and be it further

RESOLVED, the several sums therein mentioned for expenditures and revenues are appropriated for the objects and purposes enumerated, including, but not limited to, the salaries for public officers and officials who are appointed by the Legislature or who are appointed by the Legislature to fixed terms of office commencing January 1, 2011, or thereafter in the Year 2011, and that the salary set forth in the Salary Schedule for Chairman of the Legislature and Legislators be adopted; and be it further

RESOLVED, there be and the same hereby are approved, created and established the following capital projects for 2011:

Department / Project	**Total Appropriation**
Information Technology	$ 455,685.37
Buildings & Grounds	37,000.00
Public Works	4,615,000.00
Solid Waste	285,000.00
Sheriff	10,000.00
TOTAL	**$ 5,402,685.37**

AND BE IT FURTHER RESOLVED, those Capital Projects denoted as "Buildings and Grounds" are hereby appropriated from the Capital Reserve Building Repairs and Renovations; and be it further

RESOLVED, that $150,000 of those Capital Projects denoted as “Information Technology” are hereby appropriated from the EDP Equipment Capital Project and $150,000 from the Telephone System Capital Project; and be it further

RESOLVED, from and after January 1, 2011, the County Treasurer is authorized to issue tax anticipation and revenue anticipation notes in such amounts as may be necessary to pay lawful charges, pending the receipt of the taxes and revenues herein appropriated and not longer than a period to January 1, 2012, without the authority of the Legislature and not in excess of the amount of taxes and revenues herein appropriated, and such notes shall be issued to the capital building reserve fund, without interest, unless the money is not available when such notes may be sold at private sale at not exceeding the legal rate of interest pursuant to the Local Finance Law of the State of New York; and be it further

RESOLVED, the above Budget as herein adopted shall be entered in the minutes of this County Legislature and printed in the annual volume of printed Proceedings for the Year 2010 and within thirty (30) days after the date of the adoption of this resolution the Steuben County Treasurer is hereby directed to file a certified copy of said 2011 Steuben County Budget with the New York State Comptroller in accordance with State Finance Law, Section 54-a; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; County Treasurer; and Lawrence P. Crossett, Chairman, Finance Committee.

Vote: **Roll Call – Adopted. (Yes – 9447, No – 625; Mr. Farrand opposed)**

RESOLUTION NO. 177-10

Introduced by L. Crossett. Seconded by D. Creath.

AMENDING THE STEUBEN COUNTY BUDGET FOR THE FISCAL YEAR 2011, TO PROVIDE THAT NON-PROPERTY TAXES BE APPLIED TO THE TOWNS' SHARE OF THE COUNTY TAX LEVY MAKING APPROPRIATIONS FOR THE CONDUCT OF THE COUNTY GOVERNMENT FOR THE FISCAL YEAR 2011, AND PROVIDING FOR THE RAISING OF THE TAXES REQUIRED BY THE COUNTY BUDGET, AS AMENDED, FOR THE FISCAL YEAR 2011, AND ADOPTING THE APPROPRIATION RESOLUTION FOR THE FISCAL YEAR 2011.

Pursuant to Section 360 of the County Law of the State of New York in the County of Steuben and in accordance with the official Rules and Regulations of the New York State Department of Audit and Control and Section 520 of the Real Property Tax Law.

WHEREAS, the Legislature, by resolution on even date herewith, has adopted a Budget for the Fiscal Year 2011, for the County of Steuben; and

WHEREAS, Chapter 4 of the official Rules and Regulations of the New York State Department of Audit and Control provides that Sales taxes used to reduce real property taxes on a part-county basis shall not be applied until after the Budget has been adopted and recorded, and that the County Budget shall then be amended by increasing estimated revenues (Account A-1115, Non-Property Taxes to Reduce Town Tax Levy) and reducing the amount to be raised by real property taxes (Account A-1001, Real Property Taxes); and

WHEREAS, Section 360, subdivision 3, of the County Law provides for the raising of the taxes required by the County Budget.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Budget for the Fiscal Year 2011, as previously adopted on even date herewith, is hereby amended to provide that the amount for non-property taxes be applied to the Towns' share of the County tax levy so that the Sales taxes anticipated shall be used to reduce real property taxes on a part-County basis, and hereby directing that the anticipation of Sales tax credit is to be applied on a part-County basis against the County-wide tax levy; and be it further

RESOLVED, other than the amendment, as set forth in the above paragraph of this resolution, the Steuben County Budget for the Fiscal Year 2011 shall remain the same as recorded and adopted in accordance with said prior Budget adoption resolution of even date herewith; and be it further

RESOLVED, the several amounts specified in the 2011 County Budget be and hereby are appropriated for the objects and purposes enumerated therein; and be it further

RESOLVED, the total appropriation required in the Steuben County Budget for the Fiscal Year 2011 to be raised by taxes amounting to the sum of $46,002,435 reduced by the pro-rata and omitted taxes of $35,063.81 and also reduced by anticipation of the sales tax credit in the amount of $6,718,908.75 in accordance with the above-stated regulation as to application, shall be levied and assessed upon the property within the County liable therefore for the Fiscal Year beginning January 1, 2011; and be it further

RESOLVED, pursuant to Sections 356 and 360 of the County Law of the State of New York, the Proposed Appropriation Resolution presented November 15, 2010, and filed with the Clerk of the Legislature on November 15, 2010 for the Year 2011, and as amended, altered, or revised by this County Legislature to date, be and the same hereby is adopted by this Legislature as the appropriation resolution for Fiscal Year 2011; and be it further

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

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 178-10

Introduced by P. McAllister. Seconded by B. Schu.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2010 FOR THE MARSH DITCH WATERSHED PROTECTION DISTRICT IN THE TOWNS OF DANSVILLE AND HORNELLSVILLE IN THE COUNTY OF STEUBEN AND STATE OF NEW YORK.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2010, for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville, in the County of Steuben, and State of New York for the Budget Year 2011, has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on November 29, 2010, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on November 29, 2010, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2010 for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of Steuben County Real Property Tax Service Agency and the Steuben County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; County Treasurer; the Attorney for said District; and President of the Board of Directors of the said Water Protection District.

Vote: **Roll Call – Adopted. (Yes – 9421, No – 451; Mr. Swackhamer opposed)**

RESOLUTION NO. 179-10

Introduced by P. McAllister. Seconded by B. Schu.

ACCEPTING THE 2011 BUDGET OF THE MARSH DITCH WATERSHED PROTECTION DISTRICT.

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

RESOLVED, the Budget for the Marsh Ditch Watershed Protection District be and the same hereby is established in the amount of $12,500 of which sum $12, 500 shall be appropriated from surplus; and be it further

RESOLVED, the Steuben County Legislature hereby accepts the report of the Marsh Ditch Watershed Protection District and adopts the respective Budget for 2011; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; Attorney for the Protection District; and the President of the Administrative Board of the Marsh Ditch Watershed Protection District.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 180-10

Introduced by P. McAllister. Seconded by G. Roush.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2010 FOR THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT IN THE TOWNS OF PRATTSBURGH, WHEELER AND URBANA IN THE COUNTY OF STEUBEN AND STATE OF NEW YORK.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2010 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York for the Budget Year 2011 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll, and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on the 29th day of November 2010, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on the 29th day of November 2010, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2010 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana in the County of Steuben and State of New York, be and the same hereby is, approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of Steuben County Real Property Tax Service Agency and the Steuben County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Water Protection District; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; County Treasurer; and President of the Board of Directors of the said Water Protection District.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 181-10

Introduced by P. McAllister. Seconded by D. Farrand.

DIRECTING THE LEVY OF THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT FOR TAXES DUE JANUARY 2011.

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

RESOLVED, the report of the Administrative Board of the Upper Five Mile Creek Watershed Protection District of the several amounts of taxes due January 2011, levied upon the various parcels of land in the said Protection District in the amount of $48,970 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency; and the President of the Administrative Board of the Upper Five Mile Creek Watershed Protection District.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 182-10

Introduced by P. McAllister. Seconded by D. Farrand.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2010 FOR THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT IN THE TOWNS OF WAYNE AND BRADFORD IN THE COUNTY OF STEUBEN AND STATE OF NEW YORK.

Pursuant to Sections 270 and 271 of the County Law of the State of New York.

WHEREAS, the assessment roll for the Year 2010 for the Lamoka/Waneta Lakes' Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York for the Budget Year 2011 has been completed and properly filed with the Steuben County Real Property Tax Service Agency at its office in the Steuben County Office Building, 3 East Pulteney Square in the Village of Bath, New York for review and inspection by the public and interested parties; and

WHEREAS, proper notice of the completion and filing of said assessment roll and also proper notice that the Public Hearing on the assessment roll would be held by the County Legislature of the County of Steuben in the Legislative Chambers of the County Office Building in the Village of Bath, New York on November 29, 2010, at 6:00 P.M. to hear and consider any objections pertaining to said assessment roll; and

WHEREAS, due and proper proof of the publication of the notice of the aforesaid Public Hearing has been filed in the Office of the Clerk of the Legislature; and

WHEREAS, the aforesaid Public Hearing was duly held on 29th day of November 2010, and any persons appearing in regard to the said assessment roll having been heard.

NOW THEREFORE, BE IT

RESOLVED, said assessment roll for the Year 2010 for the Lamoka/Waneta Lakes' Protection and Rehabilitation Districts in the Towns of Wayne and Bradford in the County of Steuben and State of New York be and the same hereby is approved as completed and filed in the Office of the Steuben County Real Property Tax Service Agency; and be it further

RESOLVED, the Director of the Steuben County Real Property Tax Service Agency and the Steuben County Treasurer shall see to the proper procedure for the levy and collection of the appropriate taxes on the several real properties situate and benefited within said Lakes' Protection and Rehabilitation Districts; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the County Treasurer.

Vote: **Roll Call – Adopted.**

RESOLUTION NO. 183-10

Introduced by P. McAllister. Seconded by M. Hanna.

DIRECTING THE LEVY OF THE LAMOKA/WANETA LAKES' PROTECTION AND REHABILITATION DISTRICT FOR TAXES DUE JANUARY 2011.

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

RESOLVED, the report of the Lamoka/Waneta Lakes' District Commission of the several amounts of taxes due January 2011, levied upon the various parcels of land in the said Lakes' Protection and Rehabilitation Districts in the amount of $30,490.28 to be received and filed, and the Director of the Steuben County Real Property Tax Service Agency is directed to levy the amount upon the various parcels therein mentioned in accordance with said report; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Schuyler County Legislature, 105 Ninth Street, Unit 6, Watkins Glen, NY 14891; Director of Real Property Tax Service Agency, and the County Treasurer.

Vote: **Roll Call – Adopted.**

Motion to Adjourn made by Mr. Van Etten, seconded by Mr. McAllister and duly carried.

SPECIAL MEETING
Morning Session
Tuesday, December 14, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Tuesday, the 14th day of December, 2010, at 1:00 p.m. and was called to order by the Vice Chairman of the Legislature, Patrick F. McAllister.

Roll Call and all members present except Legislators Schu and Weaver.

Mr. Creath provided the Invocation and the Pledge of Allegiance was led by Mr. Ryan.

RESOLUTION NO. 184-10

Introduced by P. McAllister. Seconded by G. Swackhamer.

RATIFYING THE CONVENING OF THE SPECIAL MEETING HELD TUESDAY, DECEMBER 14, 2010.

BE IT RESOLVED, the convening of the within meeting called by the Vice Chairman of the Steuben County Legislature and the Clerk of the Steuben County Legislature be, and the same hereby is, ratified; and be it further

RESOLVED, that the purpose of conducting these proceedings is for the election of a Chairman to fill the unexpired term due to the vacancy created by the resignation of Patrick F. Donnelly as Chairman of the Legislature.

Vote: **Roll Call – Acclamation.**

Vice Chairman McAllister called for nominations for the Chairman of the Legislature. ***Mr. Creath nominated Joseph J. Hauryski. Seconded by Mr. Nichols.***

Mr. Creath asked that all legislators be listed as seconding the motion.

Motion to close nominations for Chairman of the Steuben County Legislature made by Mr. Farrand, seconded by Mr. Hanna and duly carried.

RESOLUTION NO. 185-10

Introduced by D. Creath. Seconded by All Legislators Present.

APPOINTING THE CHAIRMAN OF THE STEUBEN COUNTY LEGISLATURE TO FILL THE UNEXPIRED TERM OF CHAIRMAN THROUGH DECEMBER 31, 2011.

Pursuant to Sections 151 and 450 of the County Law of the State of New York and Local Law No. Four of the Year 1981 for the County of Steuben.

WHEREAS, this Steuben County Legislature has on this 14th day of December, 2010, been duly organized and has in accordance with Section 151 of the County Law, duly selected County Legislator **Joseph J. Hauryski** of **Campbell, NY**, as Chairman of the Legislature to fill the unexpired term of Chairman through December 31, 2011.

NOW THEREFORE, BE IT

RESOLVED, that **Joseph J. Hauryski** of **Campbell, NY**, be, and he hereby is, appointed Chairman of the Legislature of Steuben County for the unexpired term of Chairman for the period through December 31, 2011, and within twenty (20) days he shall cause to be filed in the Office of the Steuben County Clerk an Oath of Office as such Chairman; and be it further

RESOLVED, that the Clerk of this Legislature is directed to file a certified copy of this resolution in the Office of the Steuben County Clerk, and forward certified copies to the Chairman, the Steuben County Treasurer, and the Steuben County Personnel Officer.

Vote: **Roll Call – Adopted.**

Vice Chairman McAllister asked Legislators Palmesano and Van Etten to escort the newly appointed Chairman to his chair. He asked Judge Latham and Mr. Hauryski's wife, Sharon, to come forward for the Oath of Office.

Chairman Hauryski stated I first would like to thank my fellow Legislators for giving me the opportunity to serve. I am humbled by your confidence and will do my best to serve you. My father served on the Legislature for 18 years and he is looking down now and saying what is the matter with your head? Mr. Hauryski stated that he is looking forward to the year ahead. It will not be easy as each of us will be asked to make hard decisions. First and foremost will be the 2012 budget and what we need to do to get the attention of our Legislators in Albany. I would not be able to do this job without the encouragement and help of my wife, Sharon. Thank you.

Resolutions 3, 4 and 5 were withdrawn.

RESOLUTION NO. 186-10

Introduced by J. Hauryski. Seconded by T. Ryan.

RECOGNIZING THE AUTHORITY OF THE CHAIRMAN OF THE LEGISLATURE OF THE COUNTY OF STEUBEN TO APPOINT STANDING AND SPECIAL COMMITTEES FOR THE BALANCE OF THE YEAR 2010 AND 2011.

In accordance with Section 154 of the County Law of the State of New York and the Rules of Procedure of the Steuben County Legislature.

BE IT RESOLVED, this Legislature does hereby recognize the authority of the Chairman of the Legislature of Steuben County to appoint such designated members of this Legislature as he/she shall select to the various standing and special committee positions for the balance of the Year 2010 and the Year 2011 which have heretofore been established and set up by the Steuben County Legislature and said Committees shall each consist of the same number of members as prescribed in the "Rules of Procedure" of the Steuben County Legislature until such Committee is abolished or changed by a majority vote of the Legislative membership pursuant to the "Rules of Procedure", and be it further

RESOLVED, members of a special committee shall serve for the period specified in the resolution or until the Committee is discharged and in no event for a longer period than the term for which the members were elected as legislators, and be it further

RESOLVED, the Chairman of this Legislature, within thirty (30) days of his/her election to the Chairmanship, shall duly submit and file in the Office of the Clerk of this Legislature the Committees' roster appointed for the balance of the Year 2010 and the Year 2011; and the Clerk of the Legislature shall duly and properly furnish to each member of this Legislature a complete list of the said Committees' roster.

<u>Vote:</u> Roll Call – Acclamation.

Mr. Hauryski reminded the Board that the student interns will be holding their simulated session immediately following this meeting.

Motion to adjourn made by Mr. Creath, seconded by Mr. McAllister and duly carried.

REGULAR MEETING
Morning Session
Monday, December 20, 2010
Legislative Chambers, Bath, New York

The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, New York, on Monday, the 20th day of December, 2010, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Joseph J. Hauryski.

Roll Call and all members were present.

Mrs. Ferratella provided the Invocation and the Pledge of Allegiance was led by Mr. Weaver.

Chairman Hauryski asked Kelly Penziul to come forward. Ms. Penziul is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 10 years of service to Steuben County.

Chairman Hauryski asked Penny Ruest to come forward. Ms. Ruest is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Veronica Olin to come forward. Ms. Olin is an employee in the Board of Elections. He presented her with a Certificate of Appreciation and a pin in recognition of her 15 years of service to Steuben County.

Chairman Hauryski asked Janet English to come forward. Ms. English is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of her 20 years of service to Steuben County.

Chairman Hauryski opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

Chairman Hauryski stated it is time for the annual Fruitcake Presentation. He asked last year's recipient, Mr. Hopkins, to come forward. Mr. Hopkins stated it has been his pleasure to safeguard the fruitcake for another year and it was rather uneventful. Given the tasks at hand this year, he presented the Fruitcake to Personnel Director, Nancy Smith, for safekeeping.

Motion approving the minutes of the November 29, 2010 meetings made by Mr. Van Etten, seconded by Mr. Schu and duly carried.

Ms. Flaitz informed the Legislature that she placed upon their desks information regarding Resolution #2 on today's agenda. The packet includes the town and county taxes for January as well as the Statement of Taxes for your municipalities.

RESOLUTION NO. 187-10

Introduced by J. Hauryski. Seconded by P. Donnelly.

RECEIVING AND ACCEPTING THE DECEMBER 20, 2010 COMMUNICATIONS LOG AS PREPARED BY THE STEUBEN COUNTY ADMINISTRATOR'S OFFICE.

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

November 22, 2010

Steuben County Democratic Committee – Re: Appointment of Joseph R. Welch to the office of Democratic Commissioner of Elections for a full two year term beginning January 1, 2011. ***Referred to: Filed with the Clerk of the Legislature.***

NYS Department of Health – Re: Notification of accepted Plan of Correction (POC) for the Steuben County Infirmary (Medicare Provider #335309, Survey Exit Date: 10/15/2010). ***Referred to: Human Services/Health & Education Committee; and Dave McCarroll, HCF Administrator.***

CSEA, AFSCME Local 1000, AFL-CIO – Re: Current benefit rates for the Sunrise and Platinum 12 Plans and the Fund is willing to continue the rates through June 30, 2011. ***Referred to: Administration Committee; Nancy Smith, Personnel Director; and Tammy Hurd-Harvey, Deputy Treasurer.***

Federal Energy Regulatory Commission – Re: Environmental Assessment (EA) for the Tioga County Extension Project (Empire Pipeline Inc., Docket No. CP10-493-000/ Docket No. CP10-22-000). ***Referred to: Amy Dlugos, Planning Director; the Steuben County Environmental Management Council; and the Natural Gas Task Force Steering Committee.***

November 23, 2010

Valerie Lebak, Client Government President – Re: Letter concerning the budget cuts for the Continuing Day Treatment (CDT) Program. ***Referred to: Steuben County Legislature; and Mark Alger, County Administrator.***

November 29, 2010

City of Hornell Industrial Development Agency – Re: A Notice of Public Hearing is scheduled for Thursday, December 9, 2010 at 10:00 am in the offices of the City of Hornell Industrial Development Agency which is located at 40 Main Street, Hornell, New York. The meeting is to discuss the Peter L. Krog ("Federation Lofts") Project. ***Referred to: A.I.P. Committee; and Amy Dlugos, Planning Director.***

Steuben County Land Owners Coalition Political Action Committee – Re: A DVD titled "Facts about Gas Drilling" and an information sheet from Friends of Natural Gas in New York on Hydraulic Fracturing. ***Referred to: Amy Dlugos, Planning Director; the Steuben County Environmental Management Council; and the Natural Gas Task Force Steering Committee.***

November 30, 2010

Steuben County Republican Committee – Re: Appointment of Veronica Olin to the position of Republican Election Commissioner of Steuben County for a full two year term beginning January 1, 2011 . ***Referred to: Filed with the Clerk of the Legislature.***

December 2, 2010

Patrick F. Donnelly – Re: Letter of resignation as Chairman of the Steuben County Legislature effective November 30, 2010. ***Referred to: Steuben County Legislature.***

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,540 which represents the October 2010 retained surcharge revenue for Steuben County. ***Referred to: Finance Committee; and Tammy Hurd-Harvey, Deputy County Treasurer.***

December 6, 2010

NYS Division of Homeland Security and Emergency Services – Re: Announcement of Grant Award in the amount of $59,795 for the FY2010 Companion Animal Sheltering Equipment Grant Program. ***Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.***

NYS Governor's Traffic Safety Committee Department of Motor Vehicles – Re: Approval of the 2011 Stop-DWI Plan. ***Referred to: Public Safety & Corrections Committee; and Sheriff Ordway.***

NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the third quarter 2010-2011 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. ***Referred to: Amy Dlugos, Planning Director.***

NYS Homes & Community Renewal – Re: The Annual Performance Report for the Steuben County's New York State Community Development Block Grant (NYS CDBG) #1115HR154-09 is due no later than January 10, 2011. ***Referred to: Amy Dlugos, Planning Director.***

NYS Homes & Community Renewal – Re: The Annual Performance Report for the Steuben County's New York State Community Development Block Grant (NYS CDBG) #1115HR108-10 is due no later than January 10, 2011. ***Referred to: Amy Dlugos, Planning Director.***

NYS Homes & Community Renewal – Re: Request for the Federal Assistance Expenditure Form (Form 9-1) to be completed within 60 days of the fiscal year-end date (December 31st). ***Referred to: Amy Dlugos, Planning Director.***

Harris Beach, PLLC – Re: Steuben County Industrial Development Agency and Howard Wind LLC, distribution of PILOT agreement and RP-412-a. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Deputy County Treasurer; Wendy Flaitz, Acting RPTSA Director; and Fred Ahrens, Special Counsel.***

December 7, 2010

Harris Beach, PLLC – Re: Steuben County Industrial Development Agency and Corning Property Management Corporation (Integrated Die Manufacturing Project), distribution of PILOT agreement and RP-412-a. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Deputy County Treasurer; Wendy Flaitz, Acting RPTSA Director; and Fred Ahrens, Special Counsel.***

Harris Beach, PLLC – Re: Steuben County Industrial Development Agency and Corning Property Management Corporation (Corning Glass Research Expansion), distribution of PILOT agreement and RP-412-a. ***Referred to: Finance and Administration Committees; Tammy Hurd-Harvey, Deputy County Treasurer; Wendy Flaitz, Acting RPTSA Director; and Fred Ahrens, Special Counsel.***

December 8, 2010

New York State Office of Parks, Recreation and Historic Preservation – Re: Approval of the 2010-2011 application for snowmobile trail development and maintenance assistance. ***Referred to: Amy Dlugos, Planning Director.***

NYS Homes & Community Renewal – Re: Approval of Request of Funds for the New York State Community Development Block Grant (CDBG) #1115HR108-10. ***Referred to: Amy Dlugos, Planning Director.***

NYS Office for the Aging – Re: Revised notifications of the Grant Award and Annual Implementation Plan for the Title III-B, Title III-C-1, Title III-C-2, and Title III-E for the period of January 1, 2010 through December 31, 2010. In addition, revised notification of Grant Award (NGAs) and Annual Implementation Plan budget for WRAP, HIICAP, EISEP, CSE, CSI and SNAP for the period of April 1, 2010 through March 31, 2011.***Referred to: Human Services/Health & Education Committee; and Mike Keane, OFA Director.***

December 9, 2010
NYS Homes & Community Renewal – Re: Expenditures and Accomplishment report for the New York State Community Development Block Grant (CDBG) #1115HR108-10. ***Referred to: Amy Dlugos, Planning Director.***

NYS Homes & Community Renewal – Re: Expenditures and Accomplishment report for the New York State Community Development Block Grant (CDBG) #1115HR4-09. ***Referred to: Amy Dlugos, Planning Director.***

Vote: Acclamation – Adopted.

RESOLUTION NO. 188-10

Introduced by P. McAllister. Seconded by G. Roush.

APPROVING THE STATEMENT OF TAXES DUE, THE TOWN AND COUNTY TAX RATES, THE COMPLETED TAX ROLLS, LEVYING THE COUNTY AND TOWN TAXES UPON THE SEVERAL TAX DISTRICTS THEREIN, DIRECTING THE EXECUTION OF WARRANTS FOR THE COLLECTION OF THE TAXES EXTENDED THEREON, AND DIRECTING DELIVERY OF THE COMPLETED TAX ROLLS, WITH ATTACHED WARRANTS TO THE SEVERAL COLLECTORS OF TAXES FOR COLLECTION THEREOF.

Pursuant to Sections 900, 902, 904 and 1330 of the Real Property Tax Law and Section 361 of the County Law of the State of New York.

WHEREAS, this County Legislature pursuant to Section 361 of the County Law of the State of New York, is deemed to have passed a budget for Fiscal Year 2011, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2011; and

WHEREAS, the County Real Property Tax Service Director has prepared the statement of taxes due January 1, 2011, for all towns and cities showing the respective real property tax levies and tax rates; and

WHEREAS, upon the tax rolls of the several tax districts, the several taxes have been duly extended as provided by Law and said completed tax rolls have been laid before this County Legislature for its approval.

NOW THEREFORE, BE IT

RESOLVED, the said statement of taxes due January 1, 2011, tax rates and tax rolls for the taxes for the Year 2011 extended on the several assessment valuations of parcels of land of the several tax districts for County and Town purposes be approved as so completed; that the taxes so extended upon the tax rolls in the several amounts extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and be it further

RESOLVED, there be annexed to each of said rolls a tax warrant in the form prepared by the Clerk of the Legislature and heretofore laid before this Legislature for its approval, as provided by Section 904 of the Real Property Tax Law; that such Warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; that the several Warrants be signed by the Chairman and Clerk of this Legislature, under the Seal of the Legislature; and that the said rolls with the said Warrants annexed thereto be forthwith delivered to the respective collectors of the several tax districts in the County; and be it further

RESOLVED, the Warrant shall designate the amount payable to the County Treasurer and the amount payable to the Supervisor, and shall constitute the authority of such collectors of taxes to collect and receive the several amounts thereof to be paid over to the respective County Treasurer and Supervisor on or before April 1, 2011; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 189-10

Introduced by B. Schu/L. Crossett. Seconded by R. Weaver.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A GRANT IN THE AMOUNT OF $49,401 FROM THE 2010 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP).

WHEREAS, the New York State Office of Homeland Security is awarding Steuben County $49,401 under the Law Enforcement Terrorism Prevention Program; and

WHEREAS, the funding for this grant is provided by the NYS Office of Homeland Security; and

WHEREAS, this $49,401 grant is totally funded with no county cost; and

WHEREAS, it has been established that this SLETPP funding will be used in support of law enforcement terrorism prevention-oriented planning, organization, training, exercise, and equipment activities as authorized by the NYS Office of Homeland Security.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to accept $49,401 as revenue and appropriate that amount to the Sheriff's Office Budget SLETPP Grant Fund; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 190-10

Introduced by B. Schu/L. Crossett. Seconded by D. Farrand.

AUTHORIZING AND DIRECTING THE TRANSFERS OF $48,000 FROM THE CONTINGENCY FUND AND $12,000 FROM THE SHERIFF'S OFFICE MAJOR EQUIPMENT TO A CAPITAL PROJECT ENTITLED "SHERIFF VOICE RECORDER".

WHEREAS, the existing voice recording system has become unreliable and a record of telephone and radio communications is in the best interest of county residents; and

WHEREAS, the full amount of the 2010 equipment lines in the Sheriff's department will not be needed for 2010 equipment purchases.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to create a capital project entitled "Sheriff Voice Recorder"; and be it further

RESOLVED, the Steuben County Treasurer is hereby authorized to appropriate and transfer funds in the following manner:

995000	5936000	Provisions for Capital Projects	$ 60,000.00
311000	5290000	Sheriff Major Equipment	($12,000.00)
199000	5499000	Contingency	($48,000.00)
3110H2	5250000	Sheriff Voice Recorder, Capital Project	$ 60,000.00
3110H2	45031900	Sheriff Voice Recorder, Inter-fund Transfers	$ 60,000.00

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and the Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 191-10

Introduced by P. McAllister/L. Crossett. Seconded by C. Ferratella.

AUTHORIZING THE APPROPRIATION OF $17,000 FOR COSTS ASSOCIATED WITH THE UPGRADE TO THE ELECTRICAL SERVICE IN THE VOTING MACHINE STORAGE LOCATION TO BE FUNDED WITH EXCESS APPROPRIATION IN THE ELECTIONS PRINTING LINE.

WHEREAS, the electrical services at the election machine storage facility are inadequate and the continued use of extension cords is a safety hazard; and

WHEREAS, the full amount of the 2010 printing line in the Election department will not be needed for 2010 printing expenses.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to appropriate and transfer funds in the following manner:

995000	5936000	Provisions for Capital Projects	$17,000.00
145000	5403100	Elections Printing	($17,000.00)
1450H2	5250104	Voting Machines, Electric Service Upgrade	$17,000.00
14501H2	45031900	Voting Machines, Inter-fund Transfers	$17,000.00

AND BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Board of Elections, and County Treasurer.

Mr. Weaver asked is this an upgrade at the old Health Care Facility? Mr. Alger replied we are not adding electric; we are taking circuits that are currently assigned to other areas and rewiring them to provide power to the area where the voting machines are stored.

Vote: Roll Call – Adopted.

RESOLUTION NO. 192-10

Introduced by P. McAllister. Seconded by D. Creath.

APPOINTING THE REPUBLICAN COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2011.

Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Russell Smith, Chairman of the County Committee of the Republican Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Veronica Olin, residing in Hornell, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, Veronica Olin, residing in Hornell, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2011 and terminating December 31, 2012 and setting the salary at $46,530; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at 6321 Crosby Creek Road, Hornell, NY 14843; Russell Smith, Chairman, Steuben County Republican Committee, PO Box 198, Corning, NY 14830; the County Clerk; the Personnel Officer; and the Clerk of the Steuben County Board of Elections.

Mr. Alger commented that with regard to this resolution and the next, the salaries for the individuals will remain the same until their subsequent appointment. These are both two-year terms commencing January 1, 2011.

Vote: Roll Call – Adopted.

RESOLUTION NO. 193-10

Introduced by P. McAllister. Seconded by R. Weaver.

APPOINTING THE DEMOCRATIC COMMISSIONER OF ELECTIONS OF THE COUNTY OF STEUBEN FOR A TERM COMMENCING JANUARY 1, 2011.

Pursuant to Section 3-204 of the Election Law of the State of New York.

WHEREAS, Shawn Hogan, Chairman of the County Committee of the Democratic Party of the County of Steuben, has in pursuance of law, made, signed, and filed with the Clerk of the County Legislature, in proper form, his certification that Joseph Welch, residing in Corning, County of Steuben and State of New York, is a suitable and qualified person to be appointed as a Commissioner of Elections.

NOW THEREFORE, BE IT

RESOLVED, that Joseph Welch, residing in Corning, Steuben County, New York, be and is hereby appointed a Commissioner of Elections in and for the County of Steuben for a term of two (2) years commencing January 1, 2011 and terminating December 31, 2012 and setting the salary at $46,530; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee at 239 Upper Delevan Avenue, Corning, NY, 14830; to Shawn Hogan, P.O. Box 627, 82 Main Street, Hornell, New York, 14843; the Steuben County Clerk; Personnel Officer, and to the Clerk of the Steuben County Board of Elections.

Vote: Roll Call – Adopted.

A M E N D E D

RESOLUTION NO. 194-10

Introduced by P. McAllister. Seconded by D. Farrand.

APPOINTING THE DIRECTOR OF THE REAL PROPERTY TAX SERVICE AGENCY.

Pursuant to Sections 204 and 205 of the County Law and Section 1530 of the Real Property Tax Law of the State of New York.

WHEREAS, the County Administrator and Administration Committee have recommended that Wendy Flaitz be appointed as the Director of the Steuben County Real Property Tax Service Agency.

NOW THEREFORE, BE IT

RESOLVED, that **WENDY FLAITZ** is hereby appointed Director of the Steuben County Real Property Tax Service Agency filling the unexpired term through October 1, 2013, contingent upon approval of the State; and be it further

RESOLVED, that as Director of the Steuben County Real Property Tax Service Agency, he/she shall be paid at the rate of pay and salary established for the position at Grade F of the 2010 Management Salary Plan; and be it further

RESOLVED, his/her Oath of Office shall be filed in the Steuben County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the Steuben County Clerk, the Steuben County Treasurer, the Personnel Officer, and the County Administrator.

Mr. Alger requested the resolution be amended to include that this appointment is contingent upon approval by the State.

Motion amending the resolution to include that the appointment is contingent upon approval by the State made by Mr. Weaver, seconded by Mr. Mcallister and duly carried.

Vote: Roll Call – Adopted.

RESOLUTION NO. 195-10

Introduced by P. McAllister. Seconded by D. Farrand.

APPOINTING THE COUNTY ATTORNEY OF THE COUNTY OF STEUBEN.

Pursuant to Section 500 of the County Law of the State of New York.

WHEREAS, Alan Reed of Bath, New York, has been recommended by the Administration Committee for appointment as County Attorney.

NOW THEREFORE, BE IT

RESOLVED, **ALAN REED** of Bath, New York, be and the same hereby is appointed County Attorney for the County of Steuben filling the unexpired term through December 31, 2011 at the salary of $105,000.00 per annum prorated commencing January 1, 2011; and be it further

RESOLVED, his/her Oath of Office shall be filed in the Steuben County Clerk's Office, and that the Clerk of this Legislature is directed to file certified copies of this resolution with the above named appointee, the Steuben County Clerk, the Steuben County Treasurer, the Personnel Officer, and the County Administrator.

Mr. Hanna asked where does this salary fall in the salary schedule? Mr. Alger replied the midpoint is $111,000.00.

Vote: Roll Call – Adopted.

Mr. Reed stated that he happily, heartily, and humbly accepts this appointment. He would like to express his gratitude for having served under the District Attorney. Former County Attorney Ahrens has served with great distinction and he hopes to be able to do likewise. I would like to thank the Legislature for carefully considering my application. My pledge to you is to give my best effort as I have done in the District Attorney's Office. I'm looking forward to the opportunity you have provided me.

RESOLUTION NO. 196-10

Introduced by P. McAllister/L. Crossett. Seconded by G. Roush.

AUTHORIZING THE CREATION OF A REGIONAL LOCAL DEVELOPMENT CORPORATION AND TO PROVIDE THE REQUIRED LOCAL SHARE FUNDING NEEDED TO SUPPORT THE ESTABLISHMENT OF A REGIONAL OPEN ACCESS FIBER OPTIC BACKBONE.

WHEREAS, the Southern Tier Central Regional Planning Development Board has developed a regional plan for a public open access telecommunications network that will enhance public safety, community, and business access to broadband optical fiber telecommunications service beyond that presently available to many parts of our county; and

WHEREAS, this plan envisions creating open access points of presence at which private vendors could connect to the regional network at an affordable cost to provide the direct service to customers at a competitive price; and

WHEREAS, it is intended that as part of this public open access network development, service will be provided to support long term upgrades to individual county emergency services E-911 communication systems, for future business development, and advances in telemedicine throughout the counties of the Southern Tier Central Region; and

WHEREAS, the Southern Tier Central Regional Planning and Development Board has agreed to serve as the lead agency to establish a Local Development Corporation to administer the plan, finances, and infrastructure of this effort; and

WHEREAS, the Local Development Corporation will include each county's chief administrative officer (or his/her designee); a representative from each public safety, industry, and health care; and the Executive Director of the Southern Tier Central Regional Planning and Development Board; and

WHEREAS, the Local Development Corporation, will receive funding from private and public sources to begin implementation of said plan and will engage ECC Technologies to oversee and manage the startup and construction for this purpose, and

WHEREAS, Southern Tier Central Regional Planning and Development Board shall secure sufficient funds that when matched with the Local Share will be sufficient to build and operate the Open Access Fiber Network. The local share for Steuben County is $1,227,786 which can be covered in part by in-kind services toward the project as well as prepayment on contracts for fiber optics capacity being made available to Public safety towers and 911 centers in each County. This will result in a reduction in any current telecommunications services being replaced by service associated with the Project.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby authorizes the creational of a regional Local Development Corporation to administer the development of a regional open access fiber optic backbone; and be it further

RESOLVED, the County will support development of and participate in the oversight of the project in such a manner as may be provided through a joint memorandum of understanding between the participating counties; and be it further

RESOLVED, that in the event Southern Tier Central should secure the necessary funding, the County shall contribute to the Local Development Corporation such local matching share in the amount of $1,227,786, through commitments of in-kind services to be provided to the Project, prepayment for direct telecommunications services to be provided by the Local Development Corporation under the Project to the County and its various Departments, and such other sources as the County may deem appropriate; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Attorney, Marcia Weber, Executive Director, Southern Tier Central Regional Planning and Development Board, 8 Denison Parkway East Suite 310 Corning, NY 14830, and Joe Starks, President, ECC Technologies, 2136 Five Mile Line Rd, Penfield, NY 14526.

Mr. Alger stated what we are endeavoring to do is participate in the development of a Local Development Corporation to provide a fiber network through Chemung, Schuyler and Steuben counties. This will provide a network that will connect all of the public safety towers. There is a direct benefit to the County. The future benefit will be with regard to economic development by providing broadband. He stated Ontario County has seen economic development in communications with the fiber optic loop. We intend to connect to that loop as well. This will pay big dividends to the County down the road.

Mr. Creath asked who will operate this Local Development Corporation? Mr. Alger replied it will be independent and the membership will be appointed by the counties and will represent various sectors such as business and utilities. This will be a wide-ranging group through Southern Tier Central and I expect this will be run as an independent corporation. The mission and purpose will be defined in the incorporation papers.

Mr. Swackhamer asked have the other two counties approved this? Mr. Alger replied the other counties are in the process of approving it and he believes that will happen this month.

Vote: Roll Call – Adopted.

RESOLUTION NO. 197-10

Introduced by T. Ryan. Seconded by R. Nichols.

AUTHORIZING A CONTRACT WITH AN INDEPENDENT CONTRACTOR TO PROVIDE MENTAL HEALTH SERVICES.

WHEREAS, recent retirements of senior management personnel within the Steuben County Office of Community Services have created the need for transitional supervisory assistance specifically for the position of Director of Community Services; and

WHEREAS, Steuben County has received a proposal from Pro-Action of Steuben and Yates Counties for the provision of these services at cost effective rates.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Administrator is hereby authorized to enter into an agreement with Pro-Action of Steuben and Yates Counties for Director of Services on an as needed basis during the departmental transition; and be it further

RESOLVED, that certified copies of this resolution be forwarded to David Hill, Executive Director, Pro-Action of Steuben and Yates Counties, 117 East Steuben Street, Bath, NY 14810; and Mark Alger, Steuben County Administrator.

Mr. Alger stated this year has been a year of transition. This morning, the announcement at the Special Human Services, Health & Education Committee meeting was that the Director of Community Services is intending to retire December 29, 2010. This resolution is authorizing a contract with ProAction to retain Dr. Anderson's services, up to twelve months, to allow for the transition of the Community Services Board selecting a new director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 198-10

Introduced by B. Schu/L. Crossett. Seconded by D. Farrand.

RELATIVE TO COMPUTER AIDED DISPATCH FOR E-911.

WHEREAS, the Steuben County Legislature has been presented with an option to upgrade the E-911 systems CAD and phone systems at a reasonable cost; and

WHEREAS, the Steuben County Legislature finds it to be in the interest of the County for continuity of service and in order to avoid unnecessary and costly training expenses, that the proposals from Tiburon, the successor in interest to Positron for the CAD system, be accepted.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature waives the County's requirement for an RFP for CAD services finding that it is in the County's interest for continuity of services and in order to avoid unnecessary and costly training expenses to select Tiburon, the successor in interest to Positron for CAD, as vendor to upgrade the E-911 Center's existing CAD system; and be it further

RESOLVED, that the Steuben County Administrator is authorized to execute the necessary documents to enter into a lease with Tiburon, the successor in interest to Positron for CAD; for CAD services at the E-911 Center for a five (5) year term renewable, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Tiburon, 6200 Stoneridge Mall Road, Suite 400, Pleasanton, CA 94588; David Hopkins, 911 Director; and Mark Alger, Steuben County Administrator.

Mr. Alger stated this resolution is proposing to continue the relationship that the County has with Tiburon, the successor to Positron, for the CAD system through a five-year lease with an option to renew for an additional five years. During that time, the software would be continually upgraded. The other component, integral to the decision, is the need to upgrade the telephone switch at a cost of $400,000.00. That would be subject to an RFP in the future and probably would occur in the first part of next year. The last piece relates to the MDT's. Mr. Alger stated that he believes the solution that Mr. Hopkins has identified will provide us with hardware without the cost. The lease of the airtime will be $10.00 less than what we are currently paying. The cost per month for the Netbooks and the airtime will be $39.00. This is an issue to be worked out and we will work with the Sheriff and the local police agencies.

Mr. Alger stated the basic decision today is whether to upgrade the CAD to a more currently system which would consistently be updated. The cost is $16,000.00 per month for the lease of the software. Currently we are paying $15,000.00 per month for maintenance. Our recommendation is that this is a good buy and a good time to do it, as the maintenance on the current system will expire in May 2011.

Mr. Ryan commented that he still has concerns with the total costs and how this will develop from one stage to the next. We did hurry this and that concerns me. We don't have the overall costs.

Mr. Van Etten stated he will support this at this time. What bothered me is the display at this morning's special meeting when the two big stakeholders were not in agreement. That was very unsettling for me to vote on. I would hope that in the future the two parties would be brought into a room and have a discussion until everyone was in agreement.

Mr. McAllister asked how long is the lease? Mr. Alger replied the lease is for five years with an option to renew for an additional five years.

Mr. Weaver stated that he feels as though we are being pressured to do something. We are being asked to spend a lot of money and this should be held over for a month.

Mr. Hanna stated that he has the same concerns as Mr. Ryan and Mr. Van Etten, especially with regard to the interface with the Sheriff's Department.

Vote: Roll Call – Adopted. Yes – 8377, No – 1495 (Legislators Ryan, Swackhamer and Weaver opposed)

RESOLUTION NO. 199-10

Introduced by T. Ryan. Seconded by G. Swackhamer.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO ASSIST STEUBEN COUNTY IN SECURING NEW YORK STATE HOUSING AND COMMUNITY RENEWAL (HCR) FUNDING TO ASSIST THE HOMELESS AND DISLOCATED INDIGENT.

WHEREAS, the State of New York participates in and administers the HCR funds for housing initiatives; and

WHEREAS, HCR funds housing initiatives including but not limited to restoration, access and affordability; and

WHEREAS, State and Federal regulations mandate counties to find affordable housing for recipients and provide emergency shelter when required; and

WHEREAS, Steuben County residents have difficulty in obtaining affordable and safe shelter options; and

WHEREAS, there is a monthly average of 135 unduplicated individuals/families seeking housing assistance from the Steuben County Department of Social Services; and

WHEREAS, Steuben County Department of Social Services (DSS) temporarily houses on an average 75 individuals/families per month and serves an average of 60 additional individuals/families per month with emergency eviction and/or rental assistance, expending an average of $82,000 per month of local, state, and federal tax dollars for services and administration; and

WHEREAS, affordable and accessible housing in Steuben County will be greatly reduced if not completely unavailable as a result of the anticipated influx of employees of the drilling companies involved in the Marcellus Shale; and

WHEREAS, Steuben County needs to plan to meet the increased demands for affordable housing opportunities for low income families.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature urges action by the Governor and New York State Legislature to identify and/or create specific funding opportunities under the New York State HCR to assist Steuben County in planning and implementing affordable housing opportunities for low income families; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Governor-Elect Andrew Cuomo, Office of the Attorney General, The Capitol, Albany, NY 12224-0341; State Senator George H. Winner Jr., 105 East Steuben Street, Bath, NY 14810; State Senator-Elect Thomas O'Mara, Room 720, Legislative Office Bldg., Albany, NY 12248; Assemblyman James G. Bacalles, 105 East Steuben Street, Bath, NY 14810; NYS Assembly, Albany, NY 12248; Assemblyman-Elect Philip A. Palmesano, 224 Pearl Street, Corning, NY 14830; New York Senator Pedro Espada, Jr., Chairman of Housing Construction and Community Development, Capitol Bldg., Room 420, Albany, NY 12247; New York Assemblyman Vito Lopez, Chairman of Assembly Housing Committee, Legislative Office Bldg., Room 943, Albany, NY 12248; Steuben County Natural Gas Task Force Steering Committee, 3 East Pulteney Square, Bath, NY 14810; Steuben County Natural Gas Task Force Housing Sub Committee, 3 East Pulteney Square, Bath, NY 14810; and Kathryn A. Muller, Commissioner, Steuben County Department of Social Services, 3 East Pulteney Square, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 200-10

Introduced by T. Ryan. Seconded by D. Creath.

MEMORIALIZING THE UNITED STATES PRESIDENT AND THE UNITED STATES CONGRESS TO ASSIST STEUBEN COUNTY IN SECURING UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (NYS-HUD) AND UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT (USDA-RURAL DEVELOPMENT) FUNDING TO ASSIST THE HOMELESS AND DISLOCATED INDIGENT.

WHEREAS, NYS-HUD and USDA-Rural Development are federally funded programs; and

WHEREAS, NYS-HUD and UDSA-Rural Development funds housing initiatives including but not limited to restoration, access and affordability; and

WHEREAS, Federal and State regulations mandate counties to find affordable housing for recipients and provide emergency shelter when required; and

WHEREAS, Steuben County residents have difficulty in obtaining affordable and safe shelter options; and

WHEREAS, there is a monthly average of 135 unduplicated individuals/families seeking housing assistance from the Steuben County Department of Social Services; and

WHEREAS, Steuben County Department of Social Services (DSS) temporarily houses on an average 75 individuals/families per month and serves an average of 60 additional individuals/families per month with emergency eviction and/or rental assistance, expending an average of $82,000 per month of local, state, and federal tax dollars for services and administration; and

WHEREAS, affordable and accessible housing in Steuben County will be greatly reduced if not completely unavailable as a result of the anticipated influx of employees of the drilling companies involved in the Marcellus Shale; and

WHEREAS, Steuben County needs to plan to meet the increased demands for affordable housing opportunities for low income families.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature urges action by the United States President and the United States Congress to identify and/or create specific funding opportunities under the New York State HCR to assist Steuben County in planning and implementing affordable housing opportunities for low income families; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to President Barack Obama, 1600 Pennsylvania Ave. Northwest, Washington, DC 20500-0004; Senator Charles E. Schumer, 313 Hart Senate Bldg., United States Senate, Washington, DC 20510-3202; Congressman Tom Reed, PO Box 94, Corning, NY 14830; Senator Kristen Gillibrand, Keating Federal Office Bldg., 100 State St., Room 4195, Rochester, NY 14614; US Senator, Tom Harkin, Chairman of Health, Education Labor & Pensions, 731 Hart Senate Office Bldg., Washington, DC 20510; US Congresswoman Carolyn B. Maloney, Chairperson, Joint Economic Committee, G-01 Dirksen Senate Office Bldg., Washington, DC 20510; US Congressman Sandy M. Levin, Chairman, Housing Committee on Ways and Means, 1236 Longworth House Office Bldg., Washington, DC 20515; Steuben County Natural Gas Task Force Steering Committee, 3 East Pulteney Square, Bath, NY 14810; Steuben County Natural Gas Task Force Housing Sub Committee, 3 East Pulteney Square, Bath, NY 14810; and Kathryn A. Muller, Commissioner, Steuben County Department of Social Services, 3 East Pulteney Square, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 201-10

Introduced by D. Creath. Seconded by R. Nichols.

SUPPORTING THE ESTABLISHMENT OF A MILK SUPPORT SYSTEM BASED ON THE AVERAGE COST OF PRODUCTION AT THE COUNTY LEVEL.

WHEREAS, New York State is the third largest milk producing state in the nation, with the dairy industry as the single largest sector of New York State's vast and diverse agricultural industry, producing 7% of the nation's milk supply worth over $2.3 billion annually; and

WHEREAS, in addition to providing a safe and nutritious food supply, Steuben County dairy farmers are the backbone of the County's rural economy, supporting multiple business sectors and providing stability to our rural community infrastructure; and

WHEREAS, dairy farmers are a major employer of labor through all phases of milk production and are good stewards of the land, contributing to diverse agricultural landscapes through responsible conservation practices and investments in technology; and

WHEREAS, Steuben County dairy farmers have experienced incredible fluctuations in milk prices during recent years with extremely low milk prices and high costs of production bringing unprecedented losses in farm profit and equity; and

WHEREAS, current milk and dairy product pricing is unable to adequately address the problems of extreme price volatility, price inadequacy and financial distress at the farm milk production level; and

WHEREAS, the health and welfare of Steuben County's dairy industry is dependent on federal pricing reform which reflects regional differences in milk production and markets, effectively responds to actual cost of production, mitigates extreme price volatility and ensures price adequacy.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature acknowledges the contributions of Steuben County dairy farmers and urges its Congressional representatives to enact federal milk pricing reform that provides profitability and stability for New York's dairy industry; and be it further

RESOLVED, that such pricing for Steuben County dairy farmers should be based on the average cost of production in Steuben County, such cost being computed from data provided by farmers to the Farm Services Agency; and be it further

RESOLVED, that copies of this resolution shall be forwarded to U. S. Congressman Thomas W. Reed II, 89 West Market Street, Corning, NY 14830**;** U. S. Senator Charles E. Schumer, 313 Hart Senate Office Bldg., Washington, DC 20510-3202; U. S. Senator Kirsten E. Gillibrand, 478 Russell Senate Office Building, Washington, DC 20510; New York State's Agriculture Commissioner, Department of Agriculture & Markets, 10B Airline Dr., Albany, NY 12235; Senator George H. Winner, Jr., 105 East Steuben Street, Bath, NY 14810; Assemblyman James G. Bacalles, 105 East Steuben Street, Bath, NY 14810; Senator-Elect Thomas O'Mara, 720 LOB, Albany, NY 12248; Assemblyman-Elect Philip A. Palmesano, 224 Pearl Street, Corning, NY 14830; Richard Calabrese, President, Inter-County Association of Western New York, Municipal Building, 20 Ontario Street, Canandaigua, NY 14424; Stephen J. Acquario, Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207-2737; Steuben County Farm Bureau, 117 East Steuben Street, #234, Bath, NY 14810-1636; James Grace, Cornell Cooperative Extension – Steuben County; and William Brown, Chairman of the Steuben County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Rd., Hammondsport NY 14840.

Mr. Weaver asked how is pricing calculated now? Mr. Nichols replied the price of milk is determined by the price of different dairy products on the Chicago Mercantile Exchange.

Vote: Acclamation – Adopted.

RESOLUTION NO. 202-10

Introduced by J. Hauryski. Seconded by D. Farrand.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF OUTGOING COUNTY LEGISLATOR PATRICK F. DONNELLY.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank **LEGISLATOR PATRICK F. DONNELLY** for his years of service on the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of **LEGISLATOR DONNELLY**, and publicly note its appreciation and thanks to him for his public service to the residents of Steuben County as a member of the Legislature commencing January 2002, representing District 3. During Pat's tenure on the Legislature, he served as both the Chairman and Vice Chairman of the Administration Committee, the Chairman and Vice Chairman of the Finance Committee, and as a member of the Rules Committee. Pat was elected to serve as the Vice Chairman of the Legislature in January 2006 and served in that capacity for four (4) years until being elected to the Legislature's highest position of Chairman of the Legislature in January 2010. Pat has served with honor and distinction

over his eight (8) years as a member of the Steuben County Legislature, having also served as a member of various advisory and ad hoc committees; and be it further

RESOLVED, that the members of this Steuben County Legislature wish to thank **PATRICK F. DONNELLY** for his dedication, contributions and service to the residents of Steuben County and wish him good health and continued success as he begins his next endeavor as the Steuben County Treasurer.

Vote: Acclamation – Adopted.

RESOLUTION NO. 203-10

Introduced by J. Hauryski. Seconded by G. Roush.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF OUTGOING COUNTY LEGISLATOR PHILIP A. PALMESANO.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank **LEGISLATOR PHILIP A. PALMESANO** for his years of service on the Steuben County Legislature.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of **LEGISLATOR PALMESANO**, and publicly note its appreciation and thanks to him for his public service to the residents of Steuben County as a member of the Legislature commencing January 2010, representing District 2. During Phil's tenure on the Legislature, he served as a member of the Agriculture, Industry and Planning Committee and the Human Services, Health and Education Committee. Phil has served with honor and distinction as a member of the Steuben County Legislature, having also served as a County representative on various outside advisory committees; and be it further

RESOLVED, that the members of this Steuben County Legislature wish to thank **PHILIP A. PALMESANO** for his dedication, contributions and service to the residents of Steuben County and wish him good health and continued success as he begins his next endeavor as Steuben County's Representative on the New York State Assembly.

Vote: Acclamation – Adopted.

Mr. Donnelly stated that he has been a Legislator for nine years and it has been a privilege serving the constituents and I couldn't have done it without the support of my family and friends. I would like to thank everyone on the Board and I am grateful for your confidence in my abilities that you have shown to me, as well as to each other. I look forward to working with you in the future.

Mr. Palmesano stated thank you all. It has been a great privilege. I have learned so much from each and every one of you. I look forward to continuing this relationship in the future. Thank you for your support and friendship.

Motion to adjourn made by Mr. Farrand, seconded by Mr. Ryan and duly carried.