The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 26th day of January, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislator Schwartz.

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

Chairman Roche introduced the following new Department Heads: David Hopkins, E-911 Director; Veronica Olin, Republican Commissioner of Elections; Joel Ordway, Sheriff; Ray Dell, Undersheriff.

Chairman Roche opened the floor for comments by members of the public. There being no comments, he declared the public comment portion of the meeting closed.

Chairman Roche asked Lisa Hargraves to come forward. Ms. Hargraves is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche asked Jack Roche to come forward. Mr. Roche is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation and a pin in recognition of 25 years of service with Steuben County.

Chairman Roche asked Robin Penner to come forward. Ms. Penner is an employee in the Law Department. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

*The minutes of the previous month’s meeting were adopted upon the motion of Mr. Donnelly, seconded by Mr. McAllister and duly carried.*

**RESOLUTION NO. 001-09**

Introduced by P. Donnelly. 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.
<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-1</th>
<th>Name</th>
<th>Joseph E Robbins Jr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>127.00-01-007.400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Avoca Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-2</th>
<th>Name</th>
<th>Edward Brusso</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>128.00-01-007.100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Avoca Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-3</th>
<th>Name</th>
<th>James Kewley &amp; Harriett Fort</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>143.20-01-011.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-4</th>
<th>Name</th>
<th>H H Developers LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>159.00-01-008.200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-5</th>
<th>Name</th>
<th>Robert F Pfuntner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>174.00-01-078.200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-6</th>
<th>Name</th>
<th>LEH Family Partnership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>175.00-01-003.110</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-7</th>
<th>Name</th>
<th>Verizon of New York Inc</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>159.13-01-028.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Village</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (per Court Order)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-8</th>
<th>Name</th>
<th>David &amp; Janet Mendez</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>148.00-01-016.118</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Bradford Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-9</th>
<th>Name</th>
<th>Matthew Orr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel #</td>
<td>220.00-01-007.122</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Cameron Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Resolution # A-10
Name Matthew Orr
Parcel # 220.00-01-008.100
Municipality Cameron Town
Disposition Correction

Resolution # A-11
Name Donald R & J Manley
Parcel # 197.07-01-034.000
Municipality Canisteo Village
Disposition Correction

Resolution # A-12
Name Robert Jr & Nanette Allen
Parcel # 197.15-03-020.000
Municipality Canisteo Village
Disposition Correction

Resolution # A-13
Name Raymond & D Baker
Parcel # 233.00-01-002.000
Municipality Canisteo Town
Disposition Correction

Resolution # A-14
Name Noel & Doris Bilby
Parcel # 318.19-01-001.000
Municipality Corning Town
Disposition Correction

Resolution # A-15
Name Herbert & Joanne Hoover
Parcel # 319.12-01-030.000
Municipality Corning Town
Disposition Correction

Resolution # A-16
Name Gerald & Carole Theurich
 Parcel # 319.19-02-023.000
Municipality Corning Town
Disposition Correction

Resolution # A-17
Name Sarwat & Naveed Malik
Parcel # 335.02-01-027.000
Municipality Corning Town
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-18
Name Edward & Eileen Schmidlin
Parcel # 336.10-03-001.120
Municipality Corning Town
Disposition Correction (per Small Claims Assessment Review)
Resolution # A-19
Name Gordon & Virgina Hauff
Parcel # 299.09-03-039.000
Municipality Erwin Town (Painted Post Village)
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-20
Name Dresser Rand Co
Parcel # 299.13-01-075.000
Municipality Erwin Town (Painted Post Village)
Disposition Correction

Resolution # A-21
Name Mohammed Mirza
Parcel # 316.05-01-002.000
Municipality Erwin Town
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-22
Name Christopher & Renee Daigler
Parcel # 316.09-01-064.000
Municipality Erwin Town
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-23
Name William & Denise Duell
Parcel # 335.00-03-007.100
Municipality Erwin Town
Disposition Correction

Resolution # A-24
Name William & Denise Duell
Parcel # 335.00-03-007.400
Municipality Erwin Town
Disposition Correction

Resolution # A-25
Name William & Denise Duell
Parcel # 335.00-03-024.000
Municipality Erwin Town
Disposition Correction

Resolution # A-26
Name William & Denise Duell
Parcel # 335.00-03-029.000
Municipality Erwin Town
Disposition Correction

Resolution # A-27
Name William & Denise Duell
Parcel # 335.00-03-030.000
Municipality Erwin Town
Disposition Correction
Resolution # A-28
Name William & Denise Duell
Parcel # 335.00-03-032.000
Municipality Erwin Town
Disposition Correction

Resolution # A-29
Name Columbia Gas Transmission Corp
Parcel # 520.00-06-104.000
Municipality Greenwood Town
Disposition Correction_(parcel split)

Resolution # A-30
Name David & Linda Brown
Parcel # 228.03-01-033.000
Municipality Hornby Town
Disposition Correction_(parcel split)

Resolution # A-31
Name David Anderson & Alicia Nelson
Parcel # 246.00-01-058.114
Municipality Hornby Town
Disposition Correction_(parcel split)

Resolution # A-32
Name Kilbury Feed Service Inc
Parcel # 107.14-01-059.000
Municipality Hornellsville Town (Arkport Village)
Disposition Correction

Resolution # A-33
Name Michael & Donald Fortuna
Parcel # 122.00-01-044.320
Municipality Hornellsville Town
Disposition Correction

Resolution # A-34
Name Ronald Wilkins
Parcel # 151.00-03-004.000
Municipality Hornellsville Town
Disposition Correction

Resolution # A-35
Name David B & Joann Dugo
Parcel # 166.06-06-042.000
Municipality Hornell City
Disposition Correction

Resolution # A-36
Name Canisteo Homes Inc
Parcel # 166.14-01-007.000
Municipality Hornell City
Disposition Correction
Resolution # A-37
Name Brent L Irvine
Parcel # 308.00-01-012.000
Municipality Jasper Town
Disposition Correction (parcel split)

Resolution # A-38
Name James Palmiter
Parcel # 308.00-01-012.200
Municipality Jasper Town
Disposition Correction

Resolution # A-39
Name Terry L & Barbara Towner
Parcel # 241.00-01-014.110
Municipality Thurston Town
Disposition Correction (parcel split)

Resolution # A-40
Name James Prise
Parcel # 118.09-01-011.000
Municipality Urbana Town (Hammondsport Village)
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-41
Name Town of Urbana
Parcel # 118.10-01-012.200
Municipality Urbana Town
Disposition Correction

Resolution # A-42
Name Nils & Jennifer Peterson
Parcel # 091.18-01-008.000
Municipality Urbana Town
Disposition Correction (per Small Claims Assessment Review)

Resolution # A-43
Name Lawrence T & Thomas J Oreilly
Parcel # 339.00-01-006.000
Municipality West Union Town
Disposition Correction (parcel split)

Resolution # A-44
Name Lawrence T & Thomas J Oreilly
Parcel # 339.00-01-007.100
Municipality West Union Town
Disposition Correction (parcel split)

Resolution # A-45
Name Richard & Lynda Kelley
Parcel # 074.00-01-027.000
Municipality Wheeler Town
Disposition Correction (parcel split)
Resolution # A-46
Name Verizon of New York Inc
Parcel # 546.00-06-008.000
Municipality Caton Town
Disposition Correction (per Court Order)

Resolution # A-47
Name Cynthia Blanchard
Parcel # 054.10-01-047.000
Municipality Wayland Town
Disposition Correction

Resolution # A-48
Name Lloyd M Butler
Parcel # 369.00-01-015.000
Municipality Lindley Town
Disposition Correction

Resolution # A-49
Name Agostinha R Lando & Matthew P Lando
Parcel # 369.00-01-020.110
Municipality Lindley Town
Disposition Correction

Resolution # A-50
Name Arthur F Groner
Parcel # 369.00-01-021.000
Municipality Lindley Town
Disposition Correction

Resolution # A-51
Name Dale A Salisbury & Beverly R Garrett
Parcel # 387.00-01-014.000
Municipality Lindley Town
Disposition Correction

Resolution # A-52
Name Dennis S Abbey & Marilyn J Abbey
Parcel # 387.00-01-015.000
Municipality Lindley Town
Disposition Correction

Resolution # A-53
Name Patricia B Vanhorn
Parcel # 387.00-01-017.000
Municipality Lindley Town
Disposition Correction

Resolution # A-54
Name Linda L Quinn
Parcel # 388.00-01-002.000
Municipality Lindley Town
Disposition Correction
Resolution # A-55
Name Lynn Houston & Judith W Houston
Parcel # 388.00-01-023.200
Municipality Lindley Town
Disposition Correction

Resolution # A-56
Name Richard L Heffner & Barbara V Heffner
Parcel # 388.00-02-001.100
Municipality Lindley Town
Disposition Correction

Resolution # A-57
Name Robert Eckardt
Parcel # 405.00-01-019.000
Municipality Lindley Town
Disposition Correction

Resolution # A-58
Name Winona Smith
Parcel # 405.00-01-021.000
Municipality Lindley Town
Disposition Correction

Resolution # A-59
Name Dennis Smith
Parcel # 405.00-01-026.000
Municipality Lindley Town
Disposition Correction

Resolution # A-60
Name Keith A Knickerbocker & Kelly A Knickerbocker
Parcel # 405.00-01-058.110
Municipality Lindley Town
Disposition Correction

Resolution # A-61
Name Dennis R Smith & Delores H Smith
Parcel # 405.00-01-058.120
Municipality Lindley Town
Disposition Correction

Resolution # A-62
Name Joseph Keffer & Michael R Angel
Parcel # 405.00-01-059.000
Municipality Lindley Town
Disposition Correction

Resolution # A-63
Name James N Martin
Parcel # 405.00-01-061.000
Municipality Lindley Town
Disposition Correction
Resolution # A-64
Name ______________________ Gerald Brant
Parcel # ____________ 424.00-01-001.000
Municipality ____________ Lindley Town
Disposition ______ Correction

Resolution # A-65
Name ______________________ Gary West
Parcel # ____________ 424.00-01-003.000
Municipality ____________ Lindley Town
Disposition ______ Correction

Resolution # A-66
Name ______________________ Kevin Chilson
Parcel # ____________ 424.00-01-002.121
Municipality ____________ Lindley Town
Disposition ______ Correction

Resolution # A-67
Name ______________________ Edward Piestrak & Kenneth Piestrak
Parcel # ____________ 424.00-01-043.114
Municipality ____________ Lindley Town
Disposition ______ Correction

Resolution # A-68
Name ______________________ Lexington TNI Erwin LP
Parcel # ____________ 334.00-01-025.112
Municipality ____________ Erwin Town
Disposition ______ Correction

Resolution # A-69
Name ______________________ Rose M Potter
Parcel # ____________ 207.00-01-007.120
Municipality ____________ Bradford Town
Disposition ______ Correction (parcel split)

Resolution # A-70
Name ______________________ Randi & Eric Werner
Parcel # ____________ 181.00-01-014.100
Municipality ____________ Hornellsville Town
Disposition ______ Correction (parcel split)

Resolution # A-71
Name ______________________ Joy E Goodsell
Parcel # ____________ 119.00-01-019.400
Municipality ____________ Urbana Town
Disposition ______ Correction (parcel split)

Vote: Roll Call – Adopted.
RESOLUTION NO. 002-09

Introduced by P. Roche. Seconded by R. Nichols.

RECEIVING AND ACCEPTING THE JANUARY 26, 2009 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 15, 2008
Steuben County Industrial Development Agency – Re: Notice of public hearing for Ecogen Wind, LLC Project (the acquisition of title to and/or leasehold and easement interest in various parcels of land located within Steuben County for the construction and equipping of sixteen wind turbines). The hearing is scheduled on December 18, 2008 at 12:00pm, at 7234 Route 54 North, Bath, New York to consider the approval of all the documents necessary in connection with the project, including the PILOT agreement. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

Town of Bath – Re: Letter thanking Steuben County for all their assistance during the past year, as well as a special thanks to Vince Spagnoletti and the Public Works Department for their help with the road collapse on Bonny Hill Road. Referred to: Public Works Committee; and Vincent Spagnoletti, Public Works Commissioner.

Town of Bath – Re: Letter thanking Steuben County for all their assistance during the past year, as well as a special thanks to Greg Heffner and the Planning Department for their help with the Town of Bath’s Comprehensive Plan. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

Mason Dixon Energy, Inc. – Re: Copy of paid up Chesapeake Appalachia L.L.C. Oil and Gas Lease #1268132-000, dated August 20, 2008 covering portions of New York State Route 53, Town of Wheeler, Steuben County. Referred to: Administration Committee; and Mark Alger, County Administrator.

December 17, 2008
NYS Department of Environmental Conservation Division of Lands and Forests, Region 8 – Re: The revision of the Six Nations Unit Management Plan (UMP) is currently underway. Comments, concerns or suggestions may be mailed to r8ump@gw.dec.state.ny.us or be made in person at an open house on January 22, 2009. The open house will be from 2 to 4pm and 6 to 8pm, in the Conference room of the Bath Sub-office located at 7291 Coon Road, in Bath, NY. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

December 19, 2008
Town of Pulteney – Re: Letter requesting information in the possible acquisition of the former Nichol Inn site, which is located in the Town of Pulteney, Steuben County. Referred to: Finance Committee; Fred Ahrens, County Attorney; and Carol Whitehead, Treasurer.

December 22, 2008
City of Corning – Re: Request for Steuben County to take possession of the county’s voting machines located in the Corning City Hall. Referred to: Administration Committee; Jack Wheeler, Assistant County Administrator; Sandra Dennison, Republican Commissioner; and Sharlene Thompson, Democratic Commissioner.

NYS Governor’s Traffic Safety Committee Department of Motor Vehicles – Re: Notification of approval of the 2009 Stop-DWI Plan. Referred to: Public Safety & Correction Committee; and Sheriff Tweddell.

NYS Department of Transportation – Re: Upstate Statewide Mass Transportation Operating Assistant (STOA) 4th quarter SFY 2008-2009 payment. Referred to: Greg Heffner, Planning Director.

Firstwind – Re: Disclosure letter along with a copy of the Code of Conduct for Wind Farm Development. Referred to: A.I.P. Committee; Greg Heffner, Planning Director; Judy Hunter, County Clerk; and Vince Spagnoletti, Commissioner of Public Works.
United States Senate – Re: Notification of the National Endowment for the Humanities (NEH) is currently accepting applications for funding under the America’s Historical and Cultural Organizations Grants Program. All applications are due by **Wednesday, January 28, 2009.** Referred to: Twila O’Dell, Historian; and Jack Wheeler, Assistant County Administrator.

**December 26, 2008**

NYS Division of Criminal Justice Services – Re: Request to provide a written response by January 13, 2009 in the findings and recommendations to contract #T-078049, Aid to Prosecution, AP-07. Referred to: Public Safety & Correction Committee; Finance Committee; John Tunney, District Attorney; and Carol Whitehead, Treasurer.

Chesapeake Appalachia, L.L.C. – Re: Permit application along with all other pertinent information necessary for the proposal to drill a well (Price 1 #626945), located in the Town of Wheeler, Steuben County. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

NYS Sheriffs’ Association, Inc. – Re: Notification of expiring contract with AT&T (now GlobalTel*Link) which provides inmate telephone usage. The County’s contract expires on January 24, 2009 and the County is free to select another telephone carrier, renegotiate its share of the revenue generated by Global Tel*Link), or continue to participate in the program negotiated by the Sheriffs’ Association. Referred to: Public Safety & Correction Committee; Steuben County Sheriff; and Fred Ahrens, County Attorney.

NYS Sheriffs’ Association, Inc. – Re: Notification of expiring contract with GPS (now Star Governmental) which offers credit card bail payment programs to county jails throughout the state. The contract expired on October 16, 2007. The county is free to discontinue using or continue to participate in the program negotiated by the institute (now Star Governmental). Referred to: Public Safety & Correction Committee; Steuben County Sheriff; and Fred Ahrens, County Attorney.

**December 29, 2008**

United States Senate – Re: Notification of the Institute of Museum and Library Services (IMLS) is currently accepting applications for funding under the 2009 National Leadership Grant Program. All applications are due by **February 1, 2009.** Referred to: Twila O’Dell, Historian; and Jack Wheeler, Assistant County Administrator.

Harris Beach PLLC, Attorneys at Law – Re: Application for Real Property Tax Exemption for Millennium Pipeline Company, LLC, 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.

**December 31, 2008**

NYS Emergency Management Office – Re: Official notification of the New York State Multi-Hazard Mitigation Plan was adopted by the New York State Disaster Preparedness Commission (DPC) in December 2007 and approved by FEMA in January 2008. Referred to: Public Safety & Corrections Committee; and Michael Sprague, EMO Director.

**January 5, 2008**

NYS Department of Environmental Conservation – Re: Correspondence letter on the draft Solid Waste Management Facility Permitting Policy in which a decision will be issued on the draft permit policy in the coming months. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.

New York State Association of Counties – Re: Letter in support of efforts of an economic stimulus package as well as the increase of the Federal Medical Assistance Percentage (FMAP) for Medicaid matching funds while requiring a portion of the FMAP to be passed through to counties contributing to the state share of Medicaid. Referred to: Steuben County Legislature Chair.

NYS Emergency Management Office – Re: Notification of the 2008 Citizen Corps Grant Program award and indicating the sub grantee worksheet needs to be completed and submitted within 20 days of receipt of letter. Referred to: Public Safety & Corrections Committee; and Michael Sprague, EMO Director.
Town of West Union – Re: Correspondence letter on the Town of West Union’s Snow contract performance. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.

Harris Beach PLLC, Attorneys at Law – Re: City of Hornell Industrial Development Agency and Lowes Home Center: Distribution of Form RP-412-a and PILOT (payment in lieu of taxes) Agreement for Lowe’s Home Centers, Inc. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

January 6, 2009
CSEA Local 1000 AFSCME, AFL-CIO – Re: Notification of new unit president for Steuben County Correction Officers, Dispatchers and Court Security Officers Unit is Nancy Steinger. All correspondences should now be directed to her. Referred to: Mark Alger, County Administrator; and Robert Biehl, Personnel Officer.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,963 which represents the November 2008 retained surcharge revenue for Steuben County. Referred to: Finance & Rules Committees; and Carol Whitehead, County Treasurer.

January 9, 2009

Vote: Acclamation – Adopted.

RESOLUTION NO. 003-09

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

REQUESTING LEGISLATION FOR AN EXTENSION AUTHORIZING AN ADDITIONAL ONE PERCENT SALES TAX FOR STEUBEN COUNTY FOR THE PERIOD COMMENCING DECEMBER 1, 2009 AND ENDING NOVEMBER 30, 2011.

Pursuant to Section 40 of the Municipal Home Rule Law.

WHEREAS, an increase in the rate of the Steuben County Sales and Use Tax from 3 percent to 4 percent for the period beginning December 1, 2007 through November 30, 2009 has heretofore been adopted; and

WHEREAS, it is necessary and desirable to avoid a disproportionate increase of the tax burden on real property owners; and

WHEREAS, the New York State Legislature could authorize the Steuben County Legislature to impose an additional one percent sales tax in order to equitably spread the need for additional revenues; and

WHEREAS, a necessity exists for the passage of such Legislation by the New York State Legislature.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby requests the New York State Legislature to adopt special legislation authorizing the Steuben County Legislature to establish an additional one percent sales tax for the period commencing December 1, 2009 through November 30, 2011; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to NYS Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; NYS Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Patricia Pinto, Esq., State of NY Dept. of Taxation and Finance, W.A. Harriman Campus, Albany, NY 12227; and to the Majority and Minority Leaders of the New York State Senate and Assembly.

Monday, January 26, 2009
Mr. Alger stated this is the beginning of the process. We have to request the introduction of the legislation. Once it is introduced at the State level, we endorse it and then if approved, we adopt it. This is approximately a $10 million addition to local funds. Discussion followed.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 004-09**

Introduced by R. Nichols.  
Seconed by D. Creath.

**AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO INITIATE A $25 SERVICE CHARGE FOR REMOVING FROZEN GARBAGE FROM TRUCK BOXES.**

WHEREAS, the County uses an excavator to dig out frozen loads; and,

WHEREAS, a $25 service charge will offset the cost of the machine and operator; and,

WHEREAS, such a fee is standard at Western New York landfills; and

WHEREAS, the County has kept landfill fees at a low and reasonable level; and

WHEREAS, it is the County’s policy that landfill costs be paid for by the landfill user; and

WHEREAS, this service charge will require the haulers to sign a release form holding the County harmless for any damage that may occur to a hauler's truck box during the process.

**NOW THEREFORE, BE IT**

RESOLVED, the Steuben County Legislature does hereby authorize the Commissioner of Public Works to initiate a $25 service charge for removing frozen garbage from truck boxes; and be it further

RESOLVED, this service charge shall become effective February 1, 2009 and remain in effect until further notice; and be it further

RESOLVED, this service charge shall apply to private individuals, businesses, industry, commercial haulers and local political subdivisions of the State of New York within the County of Steuben; and be it further

RESOLVED, the Steuben County Legislature does hereby authorize and direct the Commissioner of Public Works to require the haulers to sign a release form holding the County harmless for any damage that may occur to a hauler's truck box during the process; and be it further

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

Mr. Gehl asked how often do you have to do this? Mr. Spagnoletti stated about three or four times a week. It is a standard fee that almost all the other landfills charge. Aside from the fee, it would be a good idea to have the haulers sign a release form. Mr. McAllister stated we are already providing this service? Mr. Spagnoletti stated yes, it is a standard service of landfills. Discussion followed.

**Vote:** Roll Call – Adopted. Yes-8766; No-593; Absent-513.

(No: Ryan; Absent: Schwartz)
RESOLUTION NO. 005-09

Introduced by R. Nichols. Seconded by P. Donnelly.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO RAISE THE OVERNIGHT CAMPING FEES AT KANAKADEA PARK.

WHEREAS, the present camping fees at Kanakadea Park are as follows:

<table>
<thead>
<tr>
<th></th>
<th>NON- ELECTRIC</th>
<th>ELECTRIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIGHTLY</td>
<td>$13.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>BI-WEEKLY</td>
<td>$150.00</td>
<td>$170.00; and,</td>
</tr>
</tbody>
</table>

WHEREAS, overnight camping fees have not been raised since 2002; and

WHEREAS, there has been a significant cost inflation since 2002; and

WHEREAS, the New York State Department of Health is requiring major electrical upgrades at Kanakadea Park; and

WHEREAS, the County deems it necessary and appropriate to add a category for upgraded electrical sites; and

WHEREAS, the County deems it necessary and appropriate to set the fees comparable with other parks; and

WHEREAS, the County deems it necessary and appropriate to raise the nightly and bi-weekly fees.

NOW, THEREFORE BE IT

RESOLVED, that the Commissioner of Public Works is hereby authorized and directed to raise the nightly and bi-weekly fees and to add a third category to the following schedule:

<table>
<thead>
<tr>
<th></th>
<th>NON-ELECTRIC</th>
<th>GFI /120 SERVICE</th>
<th>20/30/50 AMP SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NIGHTLY</td>
<td>$15.00</td>
<td>$17.00</td>
<td>$23.00</td>
</tr>
<tr>
<td>BI-WEEKLY</td>
<td>$170.00</td>
<td>$200.00</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

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

Mr. Stachnik asked is this a reflection of what is occurring at other facilities across the State? Mr. Spagnoletti stated we have kept our prices affordable and this change takes them to at least the lower end of what is charged at the State parks.

Mr. Van Etten noted that we are also upgrading our electric sites and this will help offset the cost of these upgrades.

Mr. Ryan asked how many people stay overnight? Mr. Spagnoletti stated he doesn’t have numbers for overnight stays but the park will see 60,000 to 70,000 people a year. Discussion followed.

Mr. Creath stated I support this as it falls in line with the “user pays for the service”; not the general property owner. Discussion followed.

Mr. Nichols noted that we were mandated by the State Department of Health to upgrade our electric sites.
Mr. Farrand stated the park also provides playground equipment that has all been upgraded. These are regulations that the State imposes on our county parks.

Mr. Ryan stated he doesn’t believe the County should be in the business of parks. Let the State Department of Health run it. Discussion followed.

**Vote:** Roll Call – Adopted. Yes-8766; No-593; Absent-513
*(No: Ryan; Absent: Schwartz)*

**RESOLUTION NO. 006-09**

Introduced by F. Gehl and P. Donnelly. Seconded by D. Farrand.

**AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $68,000 FROM VARIOUS CONTRACTUAL LINES TO THE MAJOR EQUIPMENT LINE OF THE 2007 HOMELAND SECURITY GRANT.**

WHEREAS, the Emergency Management Office has received approval from the Office of Homeland Security to acquire an upgrade to the Communications Alarm System; and inventory system for response equipment; a vehicle designed to move the Homeland Security Trailer; and Interoperable Communications equipment; and

WHEREAS, no additional funding is required for this project; and

WHEREAS, the Public Safety Committee and the Finance Committee of the Steuben County Legislature have authorized this transfer of funds.

NOW THEREFORE, BE IT

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

- Decrease 364500-5444000-GS10SHL07 Contracts for Services by $35,000
- Decrease 364500-5529800-GS10SHL07 Minor Equipment by $25,000
- Decrease 364500-5421100-GS10SHL07 Consultants by $4,000
- Decrease 364500-5444150-GS10SHL07 Contracted Labor by $4,000
- Increase 364500-5290000-GS10SHL07 Major Equipment by $68,000

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Director of Emergency Management and the County Treasurer.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 007-09**


**AUTHORIZING THE STEUBEN COUNTY EMERGENCY MANAGEMENT OFFICE TO ACCEPT A GRANT IN THE AMOUNT OF $19,055.22 FOR THE CITIZENS CORPS PROGRAM.**

WHEREAS, the Federal Office of Homeland Security has approved grant funding in the amount $19,055.22; and

WHEREAS, the Department of Homeland Security has identified this funding for the purposes of Disaster Preparedness and Emergency Response: and

WHEREAS, the County of Steuben has suffered numerous disasters in the past; and
WHEREAS, the County of Steuben is particularly susceptible to natural disaster.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben accepts this Citizens Corps grant funding; and be it further

RESOLVED, such funding shall be applied to the Office of Emergency Services grant account appropriate for the purposes of Disaster Preparedness as directed by the grant; and be it further

RESOLVED, the Director of Emergency Services shall develop a budget for the implementation of said grant to be approved by the Public Safety & Corrections Committee; and be it further

RESOLVED, the Steuben County Treasurer be empowered to allocate such funding to the Office of Emergency Services budget in order to facilitate the funding of training as identified by the Director of Emergency Services commensurate with the terms of this grant; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 008-09

Introduced by P. Donnelly. Seconded by D. Stachnik.

AUTHORIZING THE TRANSFER FROM CONTINGENCY TO FUND AN ADDITIONAL APPROPRIATION OF $160,000 IN THE 2008 BUDGET FOR COMMUNITY COLLEGE TUITION EXPENDITURES.

WHEREAS, the Steuben County 2008 budget for Community College Tuition contains insufficient funds to cover expenditures; and

WHEREAS, the Finance Committee has approved this transfer from Contingency to cover the 2008 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized to adjust the following accounts in the 2008 budget:

EXPENSE ACCOUNTS:
Account 199000 5-499-000 Contingency - $160,000
Account 249000 5-407-800 Community College Tuition $160,000

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

Mr. Crossett asked did we raise this appropriation in the 2009 budget? Mr. Alger stated we did, but probably not enough.

Mr. Weaver asked why has this increased so much? Mr. Alger stated we have no choice in this, we are required by the State to pay for this. We base the budget figure on an estimate and normally we are very close. This year we weren’t. He noted that in an economic downturn, typically these figures go up. This is for students attending all community colleges except Corning. Discussion followed.

Vote: Roll Call – Adopted.
RESOLUTION NO. 009-09

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

AUTHORIZING THE TRANSFER FROM CONTINGENCY TO FUND AN ADDITIONAL APPROPRIATION OF $100,000 IN THE 2008 BUDGET FOR PUBLIC DEFENDER ASSIGNED COUNSELOR EXPENDITURES.

WHEREAS, the Steuben County 2008 budget for Public Defender Assigned Counselor contains insufficient funds to cover expenditures; and

WHEREAS, the Finance Committee has approved this transfer from Contingency to cover the 2008 expenditures.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized to adjust the following accounts in the 2008 budget:

EXPENSE ACCOUNTS:

| Account 199000  5-499-000  Contingency | - $100,000 |
| Account 117300  5-423-200  Pub Defender-Assigned Counselor | $100,000 |

AND BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the administrative offices of the Steuben County Public Defender; and to the County Treasurer.

Mr. Alger stated we started the Assigned Counselor operation last year and it was not an anticipated expense. In addition, we had more assigned counselor cases. That is the reason the expense is so high.

Vote: Roll Call – Adopted.

RESOLUTION NO. 010-09

Introduced by F. Gehl.         Seconded by D. Creath.

APPROVING SUBMISSION BY THE STEUBEN COUNTY PROBATION DEPARTMENT OF THE ANNUAL ALTERNATIVES TO INCARCERATION PLAN AND EXPENDITURE OF FUNDS RECEIVED FOR THE ALTERNATIVE PROGRAMS.

WHEREAS, the Steuben County Probation Department has prepared an application and submitted same to the New York State Division of Probation & Correctional Alternatives for operation and funding of the Community Service Program, Pre-Trial Release Program, and the Alcohol and Substance Intervention Program; and

WHEREAS, this plan has been approved by the Steuben County Alternatives to Incarceration Board.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves of the submission of said plan and the expenditure of funds received toward the Alternatives to Incarceration Programs; and be it further

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

Vote: Roll Call – Adopted.
RESOLUTION NO. 011-09

Introduced by P. McAllister. Seconded by F. Gehl.

APPOINTING THE COUNTY AUDITOR OF THE COUNTY OF STEUBEN.

Pursuant to Section 600 of the County Law of the State of New York.

WHEREAS, there currently exists a vacancy in the office of County Auditor; and

WHEREAS, it is necessary to fill said vacancy for the balance of the term commencing February 2, 2009 and terminating December 31, 2011; and

WHEREAS, a diligent search for eligible candidates has been conducted by the Administration Committee of the Steuben County Legislature, County Administrator and Personnel Officer; and

WHEREAS, it has been recommended by the Administration Committee that John Bowers of Wayland, New York, be appointed as Steuben County Auditor for the balance of the term commencing February 2, 2009 and terminating December 31, 2011.

NOW THEREFORE, BE IT

RESOLVED, John Bowers of Wayland, New York, is hereby appointed as the County Auditor of the County of Steuben for the balance of the term commencing February 2, 2009 and terminating December 31, 2011; and be it further

RESOLVED, that as County Auditor, he shall be compensated at an annual salary of $44,000 (Grade C of the Management Salary Plan); and be it further

RESOLVED, that as County Auditor, he shall have a probationary term of 12 weeks; and be it further

RESOLVED, the Oath of Office for County Auditor shall be filed in the Steuben County Clerk’s Office; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 012-09

Introduced by D. Creath. Seconded by R. Argentieri.

APPOINTING THE STEUBEN COUNTY REPRESENTATIVES TO THE LAMOKA/WANETA LAKES COMMISSION.

WHEREAS, the counties of Steuben and Schuyler, and their respective affected townships, adopted resolutions creating the Lamoka/Waneta Lakes Protection and Rehabilitation District; and

WHEREAS, the management of said district is administered by the Lamoka/Waneta Lakes Commission comprised of seven (7) voting members and two (2) ex-officio non-voting members with said members serving four-year staggered terms; and

Motion to handle the appointment resolutions with one vote made by Mr. Argentieri, seconded by Mr. Weaver and duly carried.

RESOLUTION NO. 012-09

Introduced by D. Creath. Seconded by R. Argentieri.
WHEREAS, it is stipulated by Intergovernmental Agreement between Steuben and Schuyler County that five (5) voting members shall be from Schuyler County and two (2) voting members shall be from Steuben County, with each County being represented with an ex-officio non-voting member from their respective Soil and Water Conservation Districts; and

WHEREAS, the appointment term of the Steuben County members has expired.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature, upon the recommendation of the Agriculture, Industry and Planning Committee, hereby appoints the following individuals to the Lamoka/Waneta Lakes Commission for the term specified:

**Town of Wayne Elected Official**
James McAfee, Town Councilman
PO Box 182
Wayne, NY 14893
Term: 01/01/09-12/31/12

**Steuben County Property Owner in District**
Nancy Gabel
9150 Carpenter Road
Hammondsport, NY 14840
Term: 01/01/07-12/31/10

**Ex-Officio Member**
Jeffrey Parker, District Manager
Steuben County Soil and Water Conservation District
415 W. Morris Street
Bath, NY 14810

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 Lamoka/Waneta Lakes Commission, and be it further

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

**Vote**: Acclamation – Adopted.

RESOLUTION NO. 013-09

Introduced by F. Gehl.          Seconded by R. Argentieri.

FILLING A VACANCY ON THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD.


WHEREAS, the Alternatives to Incarceration Program has been in effect since 1985; and

WHEREAS, there is a requirement that said Board exists in order for the County to procure funding for certain Alternative to Incarceration Programs; and

WHEREAS, the Sheriff of the County has traditionally served as a member of the Board; and

WHEREAS, Joel Ordway was elected Steuben County Sheriff effective January 1, 2009.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature hereby appoints Joel Ordway to serve as a member of the Steuben County Alternatives to Incarceration Advisory Board, filling the unexpired term of former Sheriff Richard Tweddell through December 31, 2009; 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 Alternatives to Incarceration Advisory Board; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee; the County Auditor; and the Director of the NYS Division of Probation & Correctional Alternatives, 80 Wolf Rd, Albany, NY 12205.

Vote: Acclamation – Adopted.

RESOLUTION NO. 014-09

Introduced by T. Ryan. Seconded by R. Argentieri.

APPOINTING MEMBERS 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 64
Hornell, NY 14843

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

Patricia Hurld Disabilities Manager
NYS El 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
Steuben County DSS
10595 W. Lake Road
3 E. Pulteney Square
Bath, NY 14810

Judy Schuck

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

Monday, January 26, 2009
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 this resolution shall 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. 015-09

Introduced by P. Roche. Seconded by R. Argentieri.

APPOINTING MEMBERS TO THE STEUBEN COUNTY TRAFFIC SAFETY BOARD.

WHEREAS, several 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, 2007 TO DECEMBER 31, 2009

Ted Murray    Hornell City Police Chief or designee *(filling unexpired term of Paul Crowe)*
Lewis Eason    Steuben County Risk Manager *(filling unexpired term of Ed Castellana)*
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
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 be forwarded to the above-named appointees; the County Auditor; and the Governor's Traffic Safety Committee, Swan Street Building, Empire State Plaza, Albany, NY 12228.

Vote: Acclamnation – Adopted.

RESOLUTION NO. 016-09

APPOINTING MEMBERS TO THE E 911 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 with the initial appointments including seven (7) members appointed for three (3) years; seven (7) members appointed for two (2) years, and three (3) members appointed for one (1) year; and

WHEREAS, the term of some board members expired December 31, 2008.

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

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 01/01/07 – 12/31/09

Volunteer Ambulance Representatives
Rick Andrews (Woodhull) 01/01/07 – 12/31/09
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**  
Captain Jack Fay, Bath Zone Commander  
01/01/08 – 12/31/10

**Sheriff Representative**  
Joel R. Ordway, Sheriff *(filling the unexpired term of Richard C. Tweddell)*  
01/01/08 – 12/31/10

**City Police Representative**  
Salvatore Trentanelli, Corning City Police Chief  
01/01/07 – 12/31/09

**City At-Large Representatives**  
Shawn Hogan, Hornell City Mayor  
01/01/07 – 12/31/09  
Mark L. Ryckman, Corning City Manager  
01/01/07 – 12/31/09

**County Government Representative**  
Mark R. Alger, County Administrator  
01/01/07 – 12/31/09  
Alternate: Gregory P. Heffner, Planning Director/Deputy Administrator

**County Legislature Representatives**  
Francis L. Gehl, District 2  
01/01/07 – 12/31/09  
Brian C. Schu, District 6  
01/01/09 – 12/31/11  
Philip J. Roche, Esq., Legislative Chair  
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 Salvatore 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. 017-09**  
Introduced by P. Roche.  
Seconded by R. Argentieri.

**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  
   1910 Lake Demon Road  
   Bath, NY 14810  
   (Term 1/1/06 through 12/31/09)

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

3. Robert Cole, M.D.  
   1285 E. Lake Road  
   Hammondsport, NY 14840  
   (Term 1/1/08 through 12/31/11)

4. Ralph Schnell  
   30 Seneca Street  
   Hornell, NY 14843  
   (Term 1/1/06 through 12/31/09)

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

6. The Honorable Patrick Donnelly  
   Steuben County Legislator  
   301 Maple Heights  
   Bath, NY 14810  
   (Term 1/1/06 through 12/31/09)

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

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

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

**Mental Health Subcommittee**

1. Kathryn Muller  
   3 E. Pulteney Square  
   Bath, NY 14810  
   (Term 1/1/06 through 12/31/09)

2. Joseph Willson  
   St. James Mercy Hospital  
   411 Canisteo Street  
   Hornell, NY 14843  
   (Term 1/1/08 through 12/31/11)

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

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

5. Barbara Eskridge  
   P. O. Box 1404  
   Corning, NY 14830  
   (Term 1/1/06 through 12/31/09)
6. Sylvia Radford
   11180 Haradon Road
   Corning, NY 14830
   (Term 1/1/09 through 12/31/12)

7. Barbara Blank
   5340 Babbish Road
   Beaver Dams, NY 14812
   (Term 1/1/06 through 12/31/09)

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

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

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

11. Kim Lesso
    249 Princeton Avenue
    Corning, NY 14830
    (Term 1/1/08 through 12/31/11)

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

**Chemical Dependency**

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

2. Ralph Schnell
   80 Seneca Street
   Hornell, NY 14843
   (Term 1/1/06 through 12/31/09)

3. Frank Justice
   3 E. Pulteney Square
   Bath, NY 14843
   (Term 1/1/06 through 12/31/09)

4. Vicki Fuerst
   7863 Miller Road
   Avoca, NY 14843
   (Term 1/1/09 through 12/31/12)

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

6. Michele Mayer
   Family Service Society
   280 Princeton Avenue Ext.
   Corning, NY 14830
   (Term 1/1/08 through 12/31/11)
7. James Bassage  
   Bath Area Hope for Youth  
   8 Pulteney Square  
   Bath, NY 14810  
   (Term 1/1/08 through 12/31/11)

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

9. Robert Cole, M.D.  
   1285 E. Lake Road  
   Hammondsport, NY 14840  
   (Term 1/1/08 through 12/31/11)

**Mental Retardation and Developmental Disabilities Subcommittee**

1. Janis Conklin  
   1910 Demon Pond Road  
   Bath, NY 14810  
   (Term 1/1/09 through 12/31/12)

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

3. Bernard Burns  
   Steuben ARC  
   6838 Industrial Park Road  
   Bath, NY 14810  
   (Term 1/1/06 through 12/31/09)

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

5. The Honorable Patrick Donnelly  
   Steuben County Legislator  
   301 Maple Heights  
   Bath, NY 14810  
   (Term 1/1/06 through 12/31/09)

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

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

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

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

**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. 018-09

Introduced by P. Roche. Seconded by R. Argentieri.

APPOINTING THE LANDOWNER REPRESENTATIVE AND ALTERNATE TO THE FISH AND WILDLIFE MANAGEMENT ACT BOARD.

Pursuant to Section 11-0501, Paragraph 4(a) of the Environmental Conservation Law of the State of New York.

BE IT RESOLVED, upon the recommendation of the Chairman of the Steuben County Legislature, the following individuals are appointed to serve as members of the Fish and Wildlife Management Act Board for a term of two (2) years commencing on January 1, 2009 through December 31, 2010:

Steuben County Landowner Representative: Royce L. Kilmer
Willow Bend Farm
5323 State Route 36
Canisteo, NY 14823

Alternate Landowner Representative: Michael Warren
7281 Horton Road
Hornell, NY 14843

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 Fish and Wildlife Management Act Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the Steuben County Auditor; and to the NYS Department of Environmental Conservation, ATTN: Ronald L. Schroder, 6274 E. Avon-Lima Road, Avon, NY 14414.

Vote: Acclamation – Adopted.

RESOLUTION NO. 019-09

Introduced by P. Roche. Seconded by R. Argentieri.

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; 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**

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>Honorable Philip J. Roche, Esq.</td>
<td>3 East Pulteney Square, Bath, New York 14810</td>
</tr>
<tr>
<td>New York State Senator</td>
<td>Honorable George Winner or designee</td>
<td>105 E. Steuben Street, Bath, New York 14810</td>
</tr>
<tr>
<td>Steuben County Legislator</td>
<td>Honorable Francis L. Gehl</td>
<td>105 E. Steuben Street, Bath, New York 14810</td>
</tr>
<tr>
<td>New York State Assemblyman</td>
<td>Honorable James Bacalles or designee</td>
<td>105 E. Steuben Street, Bath, New York 14810</td>
</tr>
</tbody>
</table>

**EMERGENCY SERVICES REPRESENTATIVES**

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director</td>
<td>Michael A. Sprague</td>
<td>3 East Pulteney Square, Bath, New York 14810</td>
</tr>
<tr>
<td>EMO Volunteer</td>
<td>David Herrington</td>
<td>260 Victory Highway, Lot 328, Painted Post, New York 14870</td>
</tr>
<tr>
<td>Deputy Director</td>
<td>Timothy D. Marshall</td>
<td>3 East Pulteney Square, Bath, New York 14810</td>
</tr>
<tr>
<td>9-1-1 Enhanced Department Chairman</td>
<td>David Hopkins, Director</td>
<td>9-1-1 Enhanced Department, Bath, New York 14810</td>
</tr>
<tr>
<td>Alternate</td>
<td>Tina Goodwin</td>
<td>3 East Pulteney Square, Bath, NY 14810</td>
</tr>
</tbody>
</table>

**LAW ENFORCEMENT REPRESENTATIVES**

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternate</td>
<td>Joel R. Ordway</td>
<td>P.O. Box 271 - Public Safety Building, Bath, New York 14810</td>
</tr>
<tr>
<td>Alternate</td>
<td>Raymond Dell</td>
<td>P. O. Box 271 - Public Safety Building, Bath, New York 14810</td>
</tr>
<tr>
<td>Steuben County Undersheriff</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FIRE COMPANY 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 SERVICES 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 Wood
St. James Mercy Health
411 Canisteo Street
Hornell, New York 14843

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

Michael Hunt, Alternate
Ira Davenport Hospital
Box 305, NYS Route 54
Bath, New York 14810

INDUSTRIAL REPRESENTATIVES

Joe Kane, LEPC Vice-Chairman
Corning Incorporated
HP-ME-03-79
Corning, New York 14831

Sharon Baker, Alternate
Corning Incorporated
ER-DN-01
Corning, New York 14831

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

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

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

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, the Clerk of the Legislature is directed to forward certified copies of this resolution to the above-named appointees; and the County Auditor.

Vote: Acclamation – Adopted.

RESOLUTION NO. 020-09

Introduced by P. Roche. Seconded by R. Argentieri.

APPOINTING MEMBERS TO THE BOARD OF DIRECTORS OF THE STEUBEN COUNTY SOIL AND WATER CONSERVATION DISTRICT.

Pursuant to Section 7 of the Soil Conservation District Law of the State of New York.

WHEREAS, the Chairman of the Steuben County Legislature has recommended that Dan C. Farrand, District 10, and Joseph J. Hauryski, District 8, be reappointed as the Legislative Representatives to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that County Legislator Dan C. Farrand of District 10 and County Legislator Joseph J. Hauryski of District 8, be and they hereby are appointed members of the Board of Directors of the Steuben County Soil and Water Conservation District for a term of two (2) years commencing January 1, 2009, and not beyond December 31, 2010; 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 Soil and Water Conservation District Board of Directors; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to each appointee; the County Auditor; and the Steuben County Soil and Water Conservation District Office, 415 W. Morris Street, Bath, NY 14810.

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 made by Mr. Van Etten, seconded by Mr. Creath and duly carried.

RESOLUTION NO. 121-09

Introduced by P. Roche. Seconded by P. Donnelly.

AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE AND RELATED DOCUMENTS WITH RESPECT TO THE WINDFARM PRATTSBURGH, LLC PROJECT (AS MORE FULLY DESCRIBED BELOW).

WHEREAS, WINDFARM PRATTSBURGH, LLC, previously submitted an application to the STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY (hereinafter called “Agency”) requesting the Agency's assistance with a certain project (the "Project") consisting of (i) the acquisition by the Agency of an interest in various parcels of land consisting of approximately 2,500 acres in which the Company has a leasehold or other interest (owned by the Company and/or approximately 40 individual landowners) located off of Stanton Road, State Route 53, Fisher Road,
Emerson Road, McMichael Road, Davis Road, Dillenbeck Road, Block School Road, Gay Road, Cook School Road, and Rosy Hill Road, all within the Town of Prattsburgh, Steuben County, New York (collectively, the "Land"), (ii) the construction and equipping on the Land of a wind energy generation facility consisting of approximately thirty-six (36) wind turbines with the capacity to produce, in the aggregate, 54 megawatts of power, based on the manufactured design specifications of each wind turbine (a "nameplate capacity") together with related construction of one (1) meteorological tower, a system of gravel access roads, underground electrical interconnect lines, an operations and maintenance building, and related improvements on the Land, all for the production of wind-generated electricity (the "Improvements"), (iii) the acquisition of and installation in and around the Improvements of certain additional items of equipment and personal property necessary for the operation of the wind energy generation facility (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, in connection with the Project, the Agency and the Company commenced negotiation of the terms of a certain proposed payment-in-lieu-of-tax agreement, pursuant to which the Company would make payments in lieu of real property taxes for the benefit of the affected tax jurisdictions (the "Proposed PILOT Agreement"); and

WHEREAS, on or about March 19, 2008, the Prattsburgh School District commenced a lawsuit in Supreme Court, County of Steuben (Index No. 99445) entitled "The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC" (hereinafter, the "Prattsburgh School District Litigation"); and

WHEREAS, on or about March 18, 2008, the Naples School District also commenced a lawsuit in Supreme Court, Steuben County (Index No. 99436) entitled "The Naples Central School District vs Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC" (hereinafter, the "Naples School District Litigation");

WHEREAS, by their respective lawsuits, the Prattsburgh School District and Naples Central School District alleged, among other things, that the Agency’s approval of the Proposed PILOT Agreement was null and void as arbitrary and capricious; and

WHEREAS, the County desires to fully resolve and settle the Prattsburgh School District Litigation and the Naples School District Litigation by the execution of a certain Settlement Agreement and Release, attached hereto as Exhibit A (the "Settlement Agreement and Release"), which Settlement Agreement and Release provides for, among other things, the allocation of Proposed PILOT Agreement payments satisfactory to all parties to the Prattsburgh School District Litigation and the Naples School District Litigation.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Chairman is hereby authorized, on behalf of the County, to execute the Settlement Agreement and Release in the form presented to this meeting and attached hereto as Exhibit A with such changes (including without limitation any change in the dated date of such documents), variations, omissions and insertions as the Chairman shall approve. The execution of the Settlement Agreement and Release and related documents by the Chairman of the County Legislature shall constitute conclusive evidence of such approval. Notwithstanding the foregoing or anything to the contrary contained in this Resolution, the execution and delivery by the County of the Settlement Agreement and the final settlement and dismissal of the pending litigation is expressly conditioned upon receipt by the County from the Naples Central School District, Prattsburgh Central School District, Town of Prattsburgh and Steuben County Industrial Development Agency (as affected tax jurisdictions) of consent to the allocation of payments to be made under that certain PILOT Agreement, dated as of January 1, 2009, by and between the Agency and Ecogen, LLC in the same (or substantially the same) percentages as agreed with respect the Company's Project and related PILOT Agreement.

Section 2. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required and to execute and deliver all such certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the County with all of the terms, covenants and provisions of the documents executed for and on behalf of the County.
I. The Settling Parties

This Settlement Agreement and Release (the “Agreement”) is entered into by and among the following “Settling Parties”:

- The Board of Education of the Prattsburgh Central School District (“Prattsburgh School District”);  
- Naples Central School District (“Naples School District”);  
- Steuben County Industrial Development Agency (the “Agency”);  
- Windfarm Prattsburgh, LLC (the “Company”);  
- Town of Prattsburgh (the “Town”); and  
- The County of Steuben (the “County”).

II. The Wind Project

The Company is an independent North American wind energy company focused exclusively on the development, ownership and operation of wind energy projects. On or about 2003, the Company sought the Agency’s assistance with respect to the construction of a wind energy generation facility. The facility as proposed consists of thirty-six (36) wind turbines with the capacity to produce, in the aggregate, 54 megawatts of power (based on the manufactured design specifications of each wind turbine [“nameplate capacity”]) located in the Town of Prattsburgh, Steuben County (hereinafter “Wind Project”). The Wind Project will be constructed on properties located within the Town of Prattsburgh, but are located in both the Prattsburgh Central School District’s and the Naples Central School District’s taxing jurisdictions.

In connection with the Wind Project, four agreements were executed and/or proposed to be executed. Those four agreements are as follows:

(1) Host Community Agreement between the Company and Town dated November 19, 2007;
(2) Agreement for Road, Use, Repair and Improvements between the Company and Town dated November 19, 2007;
(3) A proposed Agent Agreement between the Company and Agency; and

III. The School Districts’ Lawsuits

On or about March 18, 2008, the Naples School District commenced a lawsuit in Supreme Court, Steuben County (Index No. 99436). That lawsuit is entitled “Naples Central School District v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” (hereinafter, the “Naples School District Litigation”);

On or about March 19, 2008, the Prattsburgh School District also commenced a lawsuit in Supreme Court, County of Steuben (Index No. 99445). That lawsuit is entitled, “The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” (hereinafter, the “Prattsburgh School District Litigation”).
By their respective lawsuits, the Prattsburgh School District and Naples School District allege, among other things, that the Host Community Agreement and approval of the terms of the Proposed PILOT Agreement by the Town and Agency were made in violation of applicable laws and are null and void as arbitrary and capricious.

The Agency, Company, Town and County have denied the allegations by the Prattsburgh School District and Naples School District.

IV. Settlement of Litigation

The Settling Parties mutually desire to fully resolve/settle both the Prattsburgh School District Litigation and Naples School District Litigation. In consideration of the mutual promises and agreements set forth herein, and all other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Settling Parties stipulate and agree as follows:

(1) A PILOT Agreement in the form annexed hereto as Exhibit “1” will be duly executed and adopted by the Agency;

(2) The Prattsburgh School District has adopted the resolution annexed hereto as Exhibit “2”, approving the terms of this Agreement and consenting to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed hereto as Exhibit “1”;

(3) The Naples School District has adopted the resolution annexed hereto as Exhibit “3”, approving the terms of this Agreement and consenting to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed hereto as Exhibit “1”;

(4) The Town of Prattsburgh has adopted the resolution annexed hereto as Exhibit “4”, rescinding the Host Community Agreement adopted by the Town Board on July 10, 2007, approving this Agreement and consenting to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed hereto as Exhibit “1”;

(5) The Agency has adopted the resolution annexed hereto as Exhibit “5” approving this Agreement and consenting to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed hereto as Exhibit “1”;

(6) Steuben County has adopted the resolution annexed hereto as Exhibit “6” approving this Agreement and consenting to the allocation of the PILOT payments as set forth in the PILOT Agreement annexed hereto as Exhibit “1.”

V. No Admission as to Liability

The Agency, Company, Town and County have denied, and continue to deny, all claims asserted by the Prattsburgh School District and Naples School District in their respective lawsuits. The Settling Parties agree that this Agreement does not constitute an admission as to any of the allegations made by the School Districts’ in their respective lawsuits and/or wrongdoing on behalf of the Agency, Company, Town and/or County.

Notwithstanding this denial, the parties acknowledge the importance of municipal cooperation with respect to the advancement of projects for economic development within Steuben County. The parties further acknowledge the powers, duties and obligations conferred upon the Agency under the New York State Industrial Development Agency Act of the General Municipal Law. The Agency will faithfully comply with those powers, duties and obligations with respect to all future economic development projects.
VI. Releases by School Districts

By this Agreement, and in consideration of the mutual promises and agreements set forth herein, the Settling Parties desire to fully and completely resolve both the Prattsburgh School District Litigation and Naples School District Litigation. As set forth in this Section VI subparagraphs (1) through (8) below, it is the intention of the Prattsburgh School District and Naples School District to release the Agency, Company, Town and County from all claims asserted in the Prattsburgh School District Litigation (Index no. 99445) and Naples School District Litigation (Index no. 99436), including any claim for PILOT funds in excess of their respective shares of PILOT funds as established in Exhibit “1” annexed hereto.

(1) Release of Claims by Board of Education of the Prattsburgh School District as against the Steuben County Industrial Development Agency.

In exchange for the consideration provided for in this Agreement, the Board of Education of the Prattsburgh School District, releases and forever discharges, the Steuben County Industrial Development Agency, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Prattsburgh School District Litigation, to wit, “The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC”, and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(2) Release of Claims by Naples Central School District as against the Steuben County Industrial Development Agency.

In exchange for the consideration provided for in this Agreement, the Naples Central School District, absolutely and unconditionally releases and forever discharges, the Steuben County Industrial Development Agency, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Naples School District Litigation, to wit, “Naples Central School District v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC”; and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(3) Release of Claims by Board of Education of the Prattsburgh School District as against Windfarm Prattsburgh LLC.

In exchange for the consideration provided for in this Agreement, the Board of Education of the Prattsburgh School District, releases and forever discharges, the Windfarm Prattsburgh, LLC, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Prattsburgh School District Litigation, to wit, “The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency’s May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(4) Release of Claims by Naples Central School District as against Windfarm Prattsburgh LLC.

In exchange for the consideration provided for in this Agreement, the Naples Central School District, absolutely and unconditionally releases and forever discharges, the Windfarm Prattsburgh, LLC, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of
this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Naples School District Litigation, to wit, “Naples Central School District v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(5) **Release of Claims by Board of Education of the Prattsburgh School District as against the Town of Prattsburgh.**

In exchange for the consideration provided for in this Agreement, the Board of Education of the Prattsburgh School District, releases and forever discharges, the Town of Prattsburgh, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Prattsburgh School District Litigation, to wit, “The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company;

(6) **Release of Claims by Naples Central School District as against the Town of Prattsburgh.**

In exchange for the consideration provided for in this Agreement, the Naples Central School District, absolutely and unconditionally releases and forever discharges, the Town of Prattsburgh, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Naples School District Litigation, to wit, “Naples Central School District v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(7) **Release of Claims by Board of Education of the Prattsburgh School District as against the County of Steuben.**

In exchange for the consideration provided for in this Agreement, the Board of Education of the Prattsburgh School District, releases and forever discharges, the County of Steuben, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Prattsburgh School District Litigation, to wit, “The Board of Education of the Prattsburgh Central School District vs. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.

(8) **Release of Claims by Naples Central School District as against the County of Steuben.**

In exchange for the consideration provided for in this Agreement, the Naples Central School District, absolutely and unconditionally releases and forever discharges, the County of Steuben, its heirs, executors, administrators, successors, assigns, parents, affiliates, agents, employees, shareholders, officers, directors, representatives and insurance carriers, from any and all claims, suits or actions, from the beginning of the world to the date of this Release, arising from or relating to: i) those claims asserted or that could have been asserted in connection with and arising out of the above entitled Naples School District Litigation, to wit, “The Naples Central School District v. Town of Prattsburgh, Steuben County Industrial Development Agency, County of Steuben and Windfarm Prattsburgh, LLC” and ii) the Agency's May 15, 2008 action reconsidering and approving a proposed PILOT Agreement by and between the Agency and the Company.
VII. **Discontinuance of Litigation**

In consideration for this Agreement, the Board of Education of the Prattsburgh Central School District and the Naples Central School District agree to discontinue their pending lawsuits with prejudice and without costs. As no party is an infant, nor has been deemed incompetent, no court approval is necessary. The Settling Parties and their counsel shall execute any and all documents necessary to discontinue the Prattsburgh School District Litigation and Naples School District Litigation, respectively, in accordance with this Agreement.

VIII. **Scope of this Agreement**

The parties hereby acknowledge that the PILOT allocation agreed to in Exhibit “1” is limited in effect to the Wind Project described above that the Company has proposed for the Town of Prattsburgh. The PILOT allocation set out in Exhibit “1” has no application to an expansion of the Wind Project described above or any future projects the Company or any other wind development company proposes involving properties within the School Districts’ taxing jurisdictions. The Naples Central School District and the Prattsburgh Central School District shall require their pro rata distribution of PILOT payments for any future projects unless the Agency and respective Boards of Education negotiate a different percentage for such future projects.

IX. **General Provisions:**

1. **Agreement Binding; Amendment:** This Agreement shall be binding on and for the benefit of the Settling Parties and their successors and assigns. This Agreement cannot be changed, modified or discharged orally but only by an agreement in writing signed by all of the Settling Parties.

2. **Authority:** Each individual executing this Agreement on behalf of a party warrants that she or he is authorized to do so and that this Agreement will constitute the legally binding obligation of the entity which she or he represents.

3. **Counterparts:** This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

4. **Further Assurances:** Each of the Settling Parties agrees that it will execute and deliver such further instruments and do such further acts and things as may be required to carry out the intent and purposes of this Agreement.

5. **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

6. **Headings:** The paragraph headings contained in this Agreement have been prepared for the convenience of reference only and shall not control, affect the meaning or be taken as an interpretation of any provisions of this Agreement.

7. **Non-Waiver; Remedies Not Exclusive:** No delay or failure by any party to exercise any right under this Agreement and no partial or single exercise of that right shall constitute a waiver of that or any other right. The rights and remedies of the Settling Parties hereunder shall not be mutually exclusive, and the exercise by any Party of any right to which it is entitled shall not preclude the exercise of any other right it may have.

8. **Notice:** Any notice given under this Agreement shall be in writing and delivered personally or sent by registered or certified mail, return receipt requested, to the parties. Any notice which is mailed shall be deemed to have been given on the third business day after the day of mailing, irrespective of the date of receipt.

9. **Severability:** To the extent that any portion of this Agreement is deemed by a Court of competent jurisdiction to be unenforceable, the unenforceable provisions shall be deemed eliminated, but only to the extent necessary to permit the remaining provisions to be enforced.
Vote: Roll Call – Adopted. Yes: 8214; No: 451; Absent: 1207
(No-Argentieri; Absent-McAllister and Schwartz)

Motion to adjourn executive session and reconvene in regular session made by Mr. Van Etten, seconded by Mr. Nichols and duly carried.

Motion to adjourn made by Mr. Donnelly, seconded by Mr. Crossett and duly carried.
The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of February, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislators Creath, Schwartz and Stachnik.

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

Chairman Roche asked Kathye Arnette to come forward. Ms. Arnette is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

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

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

Charles Thomas stated he read about Mr. Ordway being voted in as the County Sheriff. I’m the Public Relations Chair for Narcotics Anonymous. There is a drug problem in Steuben County. We hold NA meetings every night. I would like to work with the Sheriff’s Department to combat this problem. Thank you.

There being no further comment, he declared the public comment portion of the meeting closed.

The minutes of the previous month’s meeting were adopted upon the motion of Mr. Donnelly, seconded by Mr. McAllister and duly carried.

Dr. Anderson reported that over the past month and a half, we have consolidated our Continuing Day Treatment Program from Painted Post into Bath. I wanted to publicly thank those departments that helped with this move: Public Works Department, Information Technology and Mobile Work Program from Social Services. They’ve all been incredible in helping us move everything around.

Mr. Sprague reported he received a letter from Senator Winner stating our grant funding has been removed from the budget. We were using some of the money to purchase 5 thermal imaging cameras for the fire departments. Unfortunately, the units have already been ordered. The remainder of the money was to pave the parking lot at the Civil Defense Training Center. Luckily, we didn’t move ahead with that project last summer due to the high asphalt prices.

Mr. Alger reported that in addition to Mr. Sprague’s $60,000 grant, we have also lost two $100,000 grants in the Public Works Department. One for purchase of a tractor trailer and the other was for the purchase of a lowboy.

Mr. Gehl asked have the Democrat’s Member Items been cancelled? Mr. Alger stated he doesn’t know the answer to that. Discussion followed.
RESOLUTION NO. 022-09

Introduced by P. Donnelly. 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 #_____A-1
Name __________Leap Housing LLP______________________
Parcel # ________159.10-01-031.000_____________________
Municipality ____Bath Village_________________________
Disposition _____Correction_(per Court order)____________

Resolution #_____A-2
Name __________Sue A Lapierre________________________
Parcel # ________159.14-02-010.100_____________________
Municipality ____Bath Village_________________________
Disposition _____Correction_(per Court order)____________

Resolution #_____A-3
Name __________Verizon of New York Inc_______________
Parcel __________546.00-06-116.000 & 546.00-06-116.100__
Municipality ____Campbell Town_______________________
Disposition _____Correction_(per Court order)____________

Resolution #_____A-4
Name __________Harry & Noemi Bentley_________________
Parcel # ________372.00-02-057.000_____________________
Municipality ____Caton Town___________________________
Disposition _____Correction____________________________

Resolution #_____A-5
Name __________Arthur W & Kathleen Griffin___________
Parcel # ________043.17-02-027.000____________________
Municipality ____Cohocton Village______________________
Disposition _____Correction____________________________
<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-6</th>
<th>Name</th>
<th>Mona L Meagher</th>
<th>Parcel #</th>
<th>250.00-01-031.200</th>
<th>Municipality</th>
<th>Hartsville Town</th>
<th>Disposition</th>
<th>Correction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution #</td>
<td>A-7</td>
<td>Name</td>
<td>Veronica Pulvino</td>
<td>Parcel #</td>
<td>151.09-02-026.000</td>
<td>Municipality</td>
<td>Hornell City</td>
<td>Disposition</td>
<td>Correction</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-8</td>
<td>Name</td>
<td>Christopher Guzylak, NKA NYS DOT</td>
<td>Parcel #</td>
<td>369.00-01-020.130</td>
<td>Municipality</td>
<td>Lindley Town</td>
<td>Disposition</td>
<td>Correction</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-9</td>
<td>Name</td>
<td>Hammon L &amp; Merila Sly</td>
<td>Parcel #</td>
<td>387.00-01-031.000</td>
<td>Municipality</td>
<td>Lindley Town</td>
<td>Disposition</td>
<td>Correction &amp; Refund</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-10</td>
<td>Name</td>
<td>Joseph M Forest</td>
<td>Parcel #</td>
<td>024.00-01-016.000</td>
<td>Municipality</td>
<td>Pulteney Town</td>
<td>Disposition</td>
<td>Correction (parcel split)</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-11</td>
<td>Name</td>
<td>Gaylynne &amp; Randy Smith</td>
<td>Parcel #</td>
<td>037.19-01-051.000</td>
<td>Municipality</td>
<td>Pulteney Town</td>
<td>Disposition</td>
<td>Correction</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-12</td>
<td>Name</td>
<td>James Brown</td>
<td>Parcel #</td>
<td>294.00-01-015.100</td>
<td>Municipality</td>
<td>Rathbone Town</td>
<td>Disposition</td>
<td>Correction (parcel split)</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-13</td>
<td>Name</td>
<td>Michael Buck</td>
<td>Parcel #</td>
<td>277.00-01-018.122</td>
<td>Municipality</td>
<td>Thurston Town</td>
<td>Disposition</td>
<td>Correction &amp; Refund</td>
</tr>
<tr>
<td>Resolution #</td>
<td>A-14</td>
<td>Name</td>
<td>Paul K &amp; Marie Adams</td>
<td>Parcel #</td>
<td>341.00-01-001.100</td>
<td>Municipality</td>
<td>Troupsburg Town</td>
<td>Disposition</td>
<td>Correction (parcel split)</td>
</tr>
</tbody>
</table>
Resolution # A-15
Name Nwai Ki Shui
Parcel # 003.17-02-039.000
Municipality Wayland Village
Disposition Correction

Resolution # A-16
Name Richard W Carroll Jr, Tamara L Carroll & Kenneth T Carroll
Parcel # 064.17-01-049.000 & 064.17-01-069.100
Municipality Wayne Town
Disposition Correction (per Court order)

Resolution # A-17
Name Kimberlee J Pesesky % Sandra Johnson
Parcel # 077.08-01-018.000
Municipality Wayne Town
Disposition Correction

Resolution # A-18
Name Robert H Plaskov & Robert C Almeter
Parcel # 102.00-01-001.300
Municipality Wheeler Town
Disposition Correction

Resolution # A-19
Name Robert H Plaskov & Robert C Almeter
Parcel # 102.00-01-011.210
Municipality Wheeler Town
Disposition Correction

Resolution # A-20
Name Cherlyn Davis Management Trust % Pauline Root
Parcel # 332.09-01-001.121
Municipality Addison Village
Disposition Correction

Resolution # A-21
Name Michael & Agnes Marton
Parcel # 420.00-01-007.000
Municipality Tuscarora Town
Disposition Correction (parcel split)

Resolution # A-22
Name Melinda A Comstock
Parcel # 206.00-03-006.110
Municipality Campbell Town
Disposition Correction

Vote: Roll Call – Adopted.
RESOLUTION NO. 023-09

Introduced by P. Roche. Seconded by R. Argentieri.

RECEIVING AND ACCEPTING THE FEBRUARY 23, 2009 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 16, 2009
United States Senate – Re: Notification of the Institute of Museum and Library Services (IMLS) is currently accepting applications for funding under the 2009 National Leadership Grant Program. All applications are due by February 2, 2009. Referred to: Twila O’Dell, Historian; and Jack Wheeler, Assistant County Administrator.

United States Senate – Re: Notification of the National Endowment for the Humanities (NEH) is currently accepting applications for funding under America’s Historical and Cultural Organizations Grants Program. All applications are due by Wednesday, January 28, 2009. Referred to: Twila O’Dell, Historian; and Jack Wheeler, Assistant County Administrator.

January 20, 2009
NYS Office for the Aging – Re: Revised Notification of Grant Award (NGA) for the Health Insurance Information, Counseling and Assistance Program (HIICAP) for the period of April 1, 2008 through March 31, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

NYS Office of Children & Family Services - Re: Notice of Youth Development proposed Block Grant to consolidate the following: Youth Development & Delinquency Prevention (YDDP); Special Delinquency Prevention Program (SDPP); Runaway & Homeless Youth Act (RHYA); Alternatives to Detention; Alternatives to Residential Placement; and Secure and Non-Secure Detention Services Funds. Referred to: Human Services Committee; Gary Pruy, Youth Bureau Director; and Kathy Muller, Commissioner of Social Services.

January 23, 2009
Office of the State Comptroller – Re: Notification of the Indigent Legal Services Fund (ILSF) 2008 Annual Report Form must be submitted by March 1, 2009. Referred: Public Safety & Corrections Committee; Byrum Cooper, Public Defender; and Carol Whitehead, Treasurer.

Town of Prattsburgh – Re: Letter requesting Steuben County Industrial Development Agency to deviate from its usual and customary PILOT payment allocation in connection with the Ecogen Wind Farm Project located in Prattsburgh, NY. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

January 26, 2009
Mason Dixon Energy, Inc. – Re: Copy of paid up Chesapeake Appalachia L.L.C. Oil and Gas Lease #1-269186-000, dated October 15, 2008 covering 0.980 acres, Town of Wheeler, Steuben County. Referred to: Administration Committee; and Mark Alger, County Administrator.

Mason Dixon Energy, Inc. – Re: Copy of paid up Chesapeake Appalachia L.L.C. Oil and Gas Lease #1-269187-000, dated October 2, 2008 covering 0.230 acres, Town of Wheeler, Steuben County. Referred to: Administration Committee; and Mark Alger, County Administrator.

NYS Division of Criminal Justice Services – Re: Fully executed Drug Enforcement Unit Grant, DCJ#BJ08632040. Referred to: Public Safety & Corrections Committee; Sheriff Joel Ordway; and Carol Whitehead, Treasurer.
January 27, 2009
State of New York Unified Court System Seventh Judicial District – Re: Fully executed five-year agreement between the County of Steuben and the Unified Court System for Cleaning Services, as well as minor and emergency repairs. Referred to: Bill Partridge, Superintendent of Buildings & Grounds.

January 30, 2009
United States Senate – Re: Office of Senator Charles E. Schumer Appropriations Request Form and Instructions for Fiscal year 2010 (FY10). Electronic submissions need to be completed on or before February 13, 2009. Referred to: Jack Wheeler, Assistant County Administrator.

February 2, 2009
Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: Fourth Quarter Report for 2008 and invoice for payment in the amount of $1,406.25. Referred to: Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

February 3, 2009
NYS Office for the Aging – Re: Notification of Grant Award (NGA) for the federal fiscal year 2009 (FFY2009) Nutrition Services Incentive Program (NSIP) for the period of 10/01/2008 through 09/30/2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

February 4, 2009

February 5, 2009

February 6, 2009
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Ecogen Wind LLC: Distribution of Form RP-412-a and PILOT (payment in lieu of taxes) Agreement for the acquisition, construction and equipping of a wind energy generation facility located in the Town of Prattsburgh, Steuben County. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

February 9, 2009
NYS Office for the Aging – Re: Revised notifications of Grant Award (NGAs) and Annual Implementation Plan budgets for EISEP, CSE, CSI, CRC, SNAP and AAA Transportation programs for the period April 1, 2008 through March 31, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

NYS Office of Homeland Security – Re: Notification of application not being chosen to participate in the Regional Exercise Pilot Project. Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 024-09

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

PRESENTING LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2009 PROVIDING FOR AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.

Pursuant to New York State Civil Practice Law and Rules section 8021 subdivision (a) paragraph 4(a) subparagraph (2).
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 2009, providing for an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2009

A LOCAL LAW providing for an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument.

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

Section 1. Declaration of intent.

In accordance with subparagraph (2) of paragraph 4(a) of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 288 of the Laws of 2008, the Steuben County Legislature authorizes the Steuben County Clerk to increase the fees charged for certain documents recorded with the County Clerk’s office.

Section 2. Fees for recording documents.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Steuben County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared invalid in whole or in part by any court or competent jurisdiction, such portion shall be deemed severable and such invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 4. Effective date.

This local law shall take effect on May 1, 2009, a date that is in excess of thirty days after the enactment of this local law.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on March 23, 2009 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 Steuben County Clerk and the Director of Steuben County Real Property Tax Service Agency.

Vote: Acclamation – Adopted.
RESOLUTION NO. 025-09

Introduced by R. Nichols and P. Donnelly. Seconded by D. Farrand.

AUTHORIZING THE TRANSFER OF FUNDS FROM THE SAUNDERS ROAD BRIDGE CAPITAL PROJECT AND THE APPROPRIATION OF FEDERAL AND STATE BRIDGE AID TO THE COUNTY ROUTE 73 BRIDGE CAPITAL PROJECT.

WHEREAS, a Project for the replacement of BIN 3334460, County Route 73 over the Tioga River, Town of Lindley, Steuben County, PIN 6754.07 ("the Project") is eligible for funding under Title 23 US 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; and

WHEREAS, the County of Steuben has entered into an agreement with NYSDOT to fund the local share of the Project; and

WHEREAS, the total cost of construction and construction inspection is greater than the amount budgeted for these phases of work in the 2008 budget; and

WHEREAS, the Public Works and Finance Committees of the Steuben County Legislature have approved the transfer of $10,600 from the completed Saunders Rd. Bridge Capital Project to the CR 73 Bridge Capital Project, representing the 5% County share of the additional cost of the Project, and have also approved the appropriation of $169,600 of Federal Bridge Aid and $31,800 of State Bridge Aid to the CR 73 Bridge Capital Project.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby approves the above-subject Project; and be it further

RESOLVED, that the County Legislature approves the transfer of $10,600 from the completed Saunders Rd. Bridge Capital Project to the CR 73 Bridge Capital Project, representing the 5% County share of the additional cost of the Project, and have also approved the appropriation of $169,600 of Federal Bridge Aid and $31,800 of State Bridge Aid to the CR 73 Bridge Capital Project; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 026-09

Introduced by R. Nichols. Seconded by S. Van Etten.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AIDE ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, THE REPLACEMENT OF BIN 3334460, COUNTY ROUTE 73 OVER THE TIOGA RIVER, TOWN OF LINDLEY, STEUBEN COUNTY, PIN 6754.07, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the replacement of BIN 3334460, County Route 73 over the Tioga River, Town of Lindley, Steuben County, PIN 6754.07 ("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 replacement of BIN 3334460, County Route 73 over the Tioga River, Town of Lindley, Steuben County, PIN 6754.07.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened, does hereby approve the above-subject project; and be it 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 Preliminary Engineering/Design, ROW Incidentals and Acquisition, and Construction work for the Project or portions thereof; and be it further

RESOLVED, that the Steuben County Legislature has requested that the New York State Department of Transportation appropriate property necessary for the Project; and be it further

RESOLVED, that the County of Steuben agrees to accept title and maintenance responsibilities of the appropriated property upon completion and acceptance of the Project; and be it further

RESOLVED, that the updated sum of $3,674,300 (an increase of $212,000 from the previous agreement) is hereby appropriated and made available to cover the cost of participation in the above phases of the Project, and the County of Steuben has previously issued Check No. 062364 in the amount of $7,600.00 payable to the New York State Department of Transportation, along with previously submitted Check No. 051436 in the amount of $5,000.00 (covering the cost of the non-Federal share of the ROWI/A phase amount of $63,000) for the Administration of the Right of Way Incidentals and Acquisition phase of the Project by New York State Department of Transportation; and be it 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 be it further

RESOLVED, that the Chairperson of the Steuben County 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 be it 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 be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Public Works; and be it further

RESOLVED, this resolution shall take effect immediately.

Vote: Roll Call – Adopted.
RESOLUTION NO. 027-09


AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $31,476.90 FROM THE 2008 MACHINERY, MAJOR EQUIPMENT LINE ITEM TO THE LANDFILL GAS SYSTEM UPGRADE, CAPITAL PROJECT.

WHEREAS, the Solid Waste Division is upgrading the landfill gas collection system for the Bath Landfill Cell 2 Expansion; and

WHEREAS, a higher price for carbon credits will be received if a continuous methane analyzer is installed; and

WHEREAS, a purchase order was written to reserve the funding in 2008; and

WHEREAS, no additional funding is required to fund this methane analyzer installation; and

WHEREAS, the Solid Waste Division transfer of $31,476.90 from the 2008 Machinery, Major Equipment line item to the Landfill Gas System Upgrade, Capital Project will fund this installation; and

WHEREAS, the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from 2008 Machinery, Major Equipment to Landfill Gas System Upgrade Capital Project.

NOW THEREFORE, BE IT

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

- Decrease 816062.5.290.000 2008 Machinery, Major Equipment by $31,476.90
- Increase HL/EL6208.5.250.000 Landfill Gas System Upgrade, Capital Project by $31,476.90

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. 028-09


RECLASSIFICATION OF A VACANT DEPUTY SHERIFF CORPORAL GRADE XII POSITION, TO A CRIMINAL INVESTIGATOR GRADE XIII POSITION WITHIN THE STEUBEN COUNTY SHERIFF’S DEPARTMENT.

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

WHEREAS, there is one (1) position in the Steuben County Sheriff’s Office which is vacant; and

WHEREAS, the Steuben County Personnel Officer and the Administration and Public Safety and Corrections Committees have reviewed said position within the Steuben County Sheriff’s Office, and have approved the recommended change.

NOW THEREFORE, BE IT
RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Sheriff’s Office is hereby reclassified:

Deputy Sheriff Corporal, Grade XII ($28,716 - $48,204) to
Criminal Investigator, Grade XIII ($30,642 - $50,058)

AND BE IT FURTHER RESOLVED, the 2009 Job Classification and Salary Schedule is hereby amended to reflect the above stated change; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, County Treasurer and Steuben County Sheriff.

Vote: Roll Call – Adopted.

RESOLUTION NO. 029-09


AUTHORIZING AND DIRECTING THE PURCHASE OF DIGITAL EQUIPMENT, SOFTWARE, AND MATERIAL FOR PISTOL LICENSING, THE TRANSFER OF FUNDS TO ACCOMPLISH THE PROCUREMENT, AND THE ESTABLISHMENT OF FEES FOR USE THEREOF.

WHEREAS, it has been determined that the system of issuance, amendment, and the maintenance of documentation of pistol licenses in Steuben County will be enhanced through the implementation of a digital system; and

WHEREAS, the digital equipment and software necessary for the implementation of a digital system for pistol licenses may be procured through the New York State contract.

NOW THEREFORE, BE IT

RESOLVED, the County Clerk is hereby authorized and directed to procure digital equipment, software, and consumable items for the issuance and amendment of pistol licenses in Steuben County. The County Clerk shall utilize the New York State contract for the procurement of these items; and be it further

RESOLVED, in respect of the procurement of the digital equipment, software, and consumable material the following budgetary adjustments shall be accomplished:

From Account 199000-5499000 (Contingency), transfer the amount of $22,305 to
Account 141000-5290000 (Clerk’s Equipment), the amount of $22,305

AND BE IT FURTHER RESOLVED, to the fee schedule presently in force, the County Clerk is hereby authorized and directed to implement the following fees in respect of the use of the digital system;

For each amendment processed digitally, $2.00 Maintenance Fee
For each duplicate license and transfer into the County processed digitally, $10.00 Photo Fee

AND BE IT FURTHER RESOLVED, this resolution shall be effective immediately; and be it further

RESOLVED, copies of this resolution shall be distributed to the County Clerk; Purchasing Director; County Treasurer; Sheriff; and shall be posted in the County Clerk’s Office.

Mr. Van Etten thanked the Clerk’s Office for the good work they did on this project. While it took some prodding to get it moving forward, it is a worthwhile project. It brings us into the 21st Century.

Vote: Roll Call – Adopted.
RESOLUTION NO. 030-09

Introduced by P. Roche.         Seconded by D. Farrand.

REAPPOINTING A MEMBER TO THE SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS.

Pursuant to Section 7 of the Soil Conservation District Law of the State of New York.

WHEREAS, the Steuben County Farm Bureau has recommended that Ernest Swift be reappointed to the Soil and Water Conservation District Board of Directors.

NOW THEREFORE, BE IT

RESOLVED, that Ernest Swift of 5737 Oak Hill Road, Bath, New York, be reappointed to the Soil and Water Conservation District Board of Directors for a three year term commencing January 1, 2009 through December 31, 2011; and be it further

RESOLVED, said appointee shall serve without compensation except for necessary expenses, upon presentation of receipts, related to the fulfillment of his duties on the Soil and Water Conservation District Board of Directors; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the above-named appointee, the County Auditor and the Steuben County Soil and Water Conservation District Office, 415 W. Morris Street, Bath, NY 14810.

Vote: Acclamation – Adopted.

RESOLUTION NO. 031-09

Introduced by P. Roche.         Seconded by R. Argentieri.

APPOINTING MEMBERS TO THE STEUBEN COUNTY YOUTH BOARD.


WHEREAS, by resolution of the Steuben County Board of Supervisors duly adopted on the 21
st 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, 2009 through December 31, 2009.

1. Mark R. Alger, Steuben County Administrator, 3 E. Pulteney Sq., Bath, NY 14810
2. Kathryn A. Muller, Steuben County DSS Commissioner, 3 E Pulteney Sq., Bath, NY 14810
3. Peter Bradstreet, Family Court Judge, 3 E. Pulteney Sq., Bath, NY 14810
4. Amy L. Christensen, Southern Tier Legal Services, 104 E. Steuben St., Bath, NY 14810
6. Patrick J. Fuller, 7617 County Route 20, Bradford, NY 14815 (youth)
7. Kris Pashley, Director, Corning Parks & Recreation, 8 Civic Cent. Plz., Corning, NY 14830
8. Patrick Rogers, Director, Institute for Human Services, 6666 County Rd. 11, Bath, NY 14810
9. Cora Saxton, 310 E. Naples St., Wayland, NY 14572
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. 032-09

Introduced by F. Gehl.         Seconded by R. Argentieri.

MEMORIALIZING THE FEDERAL GOVERNMENT TO PROVIDE A DEDICATED FUNDING STREAM TO THE U.S. GEOLOGICAL SURVEY TO FUND THE RIVER GAUGING SYSTEM AND REQUIRING THE U.S. GEOLOGICAL SURVEY TO DEVELOP A STRATEGY FOR PRIORITIZING GAUGING NEEDS AND IMPLEMENTING COST-SAVING MEASURES.

WHEREAS, Steuben County (the “County”) is prone to localized and regional flooding, which damages infrastructure and private property and threatens lives; and

WHEREAS, the County strives to promote the public health, safety and general welfare, and to minimize public losses due to flood conditions; and

WHEREAS, the river flow and lake level data from U.S. Geological Survey (“USGS”) real-time gauges are used for many flood damage reduction purposes, including floodplain mapping, flood forecasts, emergency operation of flood control projects, managing releases from flood control reservoirs, and emergency response activities; and

WHEREAS, flood mitigation, warning and response activities are credited with saving millions of dollars in flood damages; and

WHEREAS, early warning is the greatest defense against loss of life during floods; and

WHEREAS, ongoing maintenance costs for gauges in the USGS Stream Gauging Network are borne by a conglomeration of partner agencies; and

WHEREAS, gauge funding is susceptible to repeated threats due to diverse priorities of the sponsoring organizations; and

WHEREAS, fourteen critical gauges in the Chemung River Basin were threatened with discontinuation at the end of FY2008 Federal Fiscal Year; and

WHEREAS, the funding that was eventually secured for most of these gauges is only temporary.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature memorializes the President and the Congress of the United States to provide a dedicated funding stream to the U.S. Geological Survey to fund the River Gauging System and requiring the U.S. Geological Survey to develop a strategy for prioritizing gauging needs and implementing cost-saving measures; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to President Barack H. Obama, The White House, 1600 Pennsylvania Ave. N.W., Washington, DC 20500; U. S. Senator Charles E. Schumer, 313 Hart Senate Office Bldg., Washington, DC 20510-3202; U. S. Senator Kirsten E. Gillibrand, 531 Dirksen Senate Office Building, Washington, DC 20510; U. S. Congressman Eric J. J. Massa, 1208 Longworth HOB, Washington, DC 20515-3229;
Mr. Sprague stated last summer there was an indication by the US Army Corps of Engineers that they would be cutting back funding to support gauges in this area. Coming into this next year, the Corps is being tasked with funding the levies instead of funding the gauges, so we’re in jeopardy of losing that funding.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 033-09**

Introduced by P. Roche.  
Seconded by R. Argentieri.

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK OPPOSING GOVERNOR PATERSON’S PROPOSED 50 PERCENT REDUCTION IN FUNDING FOR THE FINGER LAKES – LAKE ONTARIO WATERSHED PROTECTION ALLIANCE.

WHEREAS, the Steuben County Legislature in concerned with the proposed 2009-2010 Governor’s proposal to cut funding in the Environmental Protection Fund (EPF) for the Finger Lakes – Lake Ontario Watershed Protection Alliance (FL-LOWPA); and

WHEREAS, the Governor proposes an EPF funding level of $1.2 million dollars for the 25 counties in the watershed, an almost 50% cut over the previous two funding cycles when $2.3 million was budgeted; and

WHEREAS, the proposed EPF budget represents a reduction in funds for Steuben County from $85,000 to $42,500; and

WHEREAS, the County of Steuben recognizes the value EPF funded programs that protect our natural and freshwater resources, resources that promote tourism, protect human health, and improve the quality of life in Steuben County; and

WHEREAS, such EPF funded programs promote environmentally sound agricultural practices, stabilize sites related to Stormwater Phase II regulations, prevent stream erosion, and improve aquatic habitat.

**NOW THEREFORE, BE IT**

RESOLVED, that the Steuben County Legislature strongly supports the Environmental Protection Fund (EPF) and urges New York State to include $300 million in the EPF in the FY 2009-2010 State Budget; and be it further

RESOLVED, that the Steuben County Legislature opposes the proposed reductions to FL-LOWPA funding; and be it further

RESOLVED, that the Steuben County Legislature supports full funding of FL-LOWPA through the EPF at $2.3 million in the 2009-2010 budget; and be it further

RESOLVED, that the Steuben County Legislature opposes changing the revenue source of the EPF from the State Real Estate Transfer Tax and urges at least $287 million be dedicated to the EPF via this revenue; 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, 503 State Capitol, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly
Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, James Tedisco, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

RESOLUTION NO. 034-09

Introduced by P. Roche. Seconded by Entire Legislature.


WHEREAS, the New York State Department of Transportation has projected that the design work for the remaining five miles of Route 15 / Future Interstate 99 in Steuben County, from Kuhl Road to Presho in the Town of Lindley, will be completed by the end of 2009; and

WHEREAS, current estimates place the cost of completing the roadway at over $100 million; and

WHEREAS, there is not sufficient funding available to bid the construction of these remaining five miles; and

WHEREAS, the completion of this link from the Pennsylvania border to Interstate 86 is critical to the economic development of Steuben County and the larger southern tier region.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby memorialize the President and the Congress of the United States to provide full funding for the completion of Route 15 / Future Interstate 99 from Kuhl Road to Presho in the Town of Lindley, thereby completing the four-lane connection from Pennsylvania to Interstate 86; and be it further

RESOLVED, that the above-requested funding be made available through the Economic Stimulus package; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to President Barack H. Obama, 1600 Pennsylvania Ave., Washington, DC 20500; U. S. Congressman Eric J. J. Massa, 101 Grove St., Suite 101, Pittsford, NY 14534; U. S. Senator Charles E. Schumer, 15 Henry St., Room M103, Binghamton, NY 13901; and U. S. Senator Kirsten E. Gillibrand, 531 Dirksen Senate Office Building, Washington, DC 20510.

Chairman Roche stated completion of I-99 is probably one of the biggest projects necessary for economic development.

Vote: Acclamation – Adopted.

RESOLUTION NO. 035-09

Introduced by P. Roche. Seconded by Entire Legislature.

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO CONTINUE TO WORK WITH COUNTIES TO REDUCE STATE SPENDING WITHOUT COST SHIFTING TO LOCAL PROPERTY TAXPAYERS.

WHEREAS, New York State is facing its greatest fiscal challenge since the Great Depression; and
WHEREAS, in response, Governor Paterson has presented an Executive Budget Proposal that balances available revenues with spending, leaving no area of State Budget spared from cuts, including the areas of healthcare and education; and

WHEREAS, while many proposals avoid cost shifts to counties associated with the funding of mandated entitlement programs and keeps in place the local Medicaid Cap, the plan negatively impacts several areas of county budgets in ways that will radically change the scope and cost of county services and programs; and

WHEREAS, areas of significant county impact include but are not limited to:
- Shifting local social services administrative costs to block grant funding;
- Retroactive elimination of the Community Optional Preventive Services Program (COPS);
- Reducing the reimbursement for general public health programs and emergency preparedness;
- Combining State funding for juvenile detention and local youth services to a block grant format;
- Eliminating reimbursement for parole violators and “state-ready” inmates housed in local jails;
- Freezing State real property tax payments and lowering PILOT payments on State owned lands;
- Drastically modifying the Empire Zone Program;
- Reducing State transportation aid to local governments;

WHEREAS, as budget negotiations continue, the State has an opportunity to mitigate the fiscal pain caused by these actions, by partnering with county leaders to identify areas where the State can significantly reduce State spending and while providing counties with enhanced local flexibility; and

WHEREAS, the County believes that the current economic crisis creates a unique opportunity to innovate and fundamentally reform programs and services that may be underperforming and not cost effective to the residents of the State.

NOW THEREFORE, BE IT

RESOLVED, that Steuben County calls on the Governor and the Legislature of the State of New York to partner with counties to reduce governmental spending while preserving core services and protecting local property taxpayers during this time of national economic recession; and be it further

RESOLVED, that any Federal stimulus monies provided to counties should not be used to balance the budget; and be it further

RESOLVED, that State spending reductions to mandated county programs should provide corresponding mandate relief to counties; 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, 503 State Capitol, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, James Tedisco, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

RESOLUTION NO. 036-09

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

MEMORIALIZING THE GOVERNOR AND LEGISLATURE OF THE STATE OF NEW YORK TO CONTINUE EFFORTS TO REFORM & IMPROVE LOCAL GOVERNMENT EFFICIENCY.
WHEREAS, in the last two years, there have been numerous attempts to identify and implement measures to impact overall Government Efficiency; and

WHEREAS, in 2007, the Commissioner on Local Government Efficiency and Competitiveness made meaningful recommendations which would help to move government in New York State forward; and

WHEREAS, recently, Attorney General Cuomo announced proposals to expand upon the Efficiency and Competitiveness theme by simplifying and streamlining existing processes for various local government initiatives; and

WHEREAS, the need to consolidate, reorganize and improve government efficiency is often impeded by the complicated and confusing statutes which currently exist.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature urges efforts of the Commission of Local Government Efficiency and Competitiveness and proposals to simplify the existing Legislation and processes be fully implemented; and be it further

RESOLVED, that these efforts continue their focuses on the citizens’ ability to propose and determine the changes needed at the grass roots level; 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, 503 State Capitol, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, James Tedisco, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

RESOLUTION NO. 037-09

Introduced by P. McAllister. Seconded by R. Weaver.

MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION PROHIBITING THE IMPLEMENTATION OF SUBSECTION 3402(t) OF THE INTERNAL REVENUE CODE REQUIRING 3% INCOME TAX WITHHOLDING ON PAYMENTS FOR PROPERTY AND SERVICES MADE BY GOVERNMENT ENTITIES BY THE UNITED STATES DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE.

WHEREAS, the Federal Government has enacted the Tax Increase Prevention and Reconciliation Act of 2005; and

WHEREAS, said statute contains a new subsection 3402(t) of the Internal Revenue Code; and

WHEREAS, said subsection mandates a 3% tax withholding on payments for property and services made by government entities after December 31, 2010; and

WHEREAS, said provision imposes needless bookkeeping and bureaucratic intervention, and more importantly, is contrary to economic stimulus in these dire times.

NOW THEREFORE, BE IT
RESOLVED, the President and the Congress of the United States are memorialized to adopt legislation prohibiting the implementation of subsection 3402(t) of the Internal Revenue Code requiring 3% income tax withholding on payments for property and services made by government entities by the United States Department of the Treasury, Internal Revenue Service; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to President Barack H. Obama, The White House, 1600 Pennsylvania Ave. N.W., Washington, DC 20500; U. S. Senator Charles E. Schumer, 313 Hart Senate Office Bldg., Washington, DC 20510-3202; U. S. Senator Kirsten E. Gillibrand, 531 Dirksen Senate Office Building, Washington, DC 20510; Washington, DC 20510; and U. S. Congressman Eric J. J. Massa, 1208 Longworth HOB, Washington, DC 20515-3229; and the Department of the Treasury, Internal Revenue Service, 1500 Pennsylvania Avenue N.W., Washington, DC 20220 and electronically www.regulations.gov.

Vote: Acclamation – Adopted.

RESOLUTION NO. 038-09


PRESENTATION OF THE 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. Frank H. Burnside – Son of Charles W. and Libbie Gunn Burnside, was born August 7, 1888. While attending a fair in Central New York during 1910, he caught the flying “bug” while watching Walter Johnson of the Thomas Brothers Flying School of Bath, NY perform an exhibition. He made his way to Bath a couple of months later and began taking flying lessons from Walter Johnson. He obtained his F.A.I. pilot license, No. 212 on February 10, 1913. He became an instructor at the Thomas Brothers Flying School and also practiced acrobatic flying. In December of that same year he married Alice Fluent, a Bath native. Early in his flying career in 1913 he set a new American altitude record of 12,950 feet flying over Bath and as witness to this important day, the Wright-Patterson Air Force Museum has Frank’s flying goggles and altigraph used during that flight. In 1914 Thomas Brothers moved to Ithaca and became known as the Thomas School of Aviation, one of only four in the country and Frank became the instructor. He continued his experimentation with hydroplanes, flying off Cayuga Lake as well as testing a new, highly advanced Thomas Military Tractor Biplane and began acceptance flights of the new planes sold to the British government. In 1915 he joined the
Curtiss staff as a test pilot. In 1916 he held the world speed record of 97.4 mph. Following World War I, in February 1919, he set a new official world’s speed record of 163.68 mph while flying a single-seat Thomas Morse Machine with a 300 horsepower Hispano motor. In July of 1923, Frank joined the Air Mail Service on the New York to Chicago run and became of the very first night pilots, along with Charles Lindbergh who had the Chicago to St. Louis run. He was appointed by the Post Office Department in 1926 as a test pilot and inspector for the Douglas mail planes that were being used at that time. Two years later, in 1928 he joined the Nation Air Transport as an airline pilot and had the pleasure of carrying scores of notable passengers, including one of his favorites, Will Rogers. He became an aviator consultant and chief test pilot for Smith Engineering in Cleveland in 1930. While there he developed the Smith Controllable Propeller, which was subsequently used by Wiley Post on his round-the-world flights. Ill health forced Frank to retire in 1932 and he retired to his home in Bath where he passed away on August 26, 1935. Memorabilia from Frank H. Burnside’s air mail career can be found at the National Post Museum and the Smithsonian Institute.

2. Herbert Leon MacDonell – Born in Bolivar, New York on July 23, 1928 to Leon John Duncan MacDonell and Catherine Williams MacDonell. He received his B. A. Degree in Chemistry from Alfred University in 1950 and received a full professorship at Milton College in Milton, Wisconsin in 1951. In 1956 he obtained a Master of Science Degree in Chemistry from the University of Rhode Island. Professor MacDonell moved to Steuben County in 1957 when he was employed as an Analytical Research Chemist at Corning Glass Works where he worked until his resignation in 1972. While working at Corning Glass Works, he began doing forensic consulting work on the side. Upon his resignation from Corning Glass Works, he became a full-time consulting criminalist and formed the Laboratory of Forensic Science in Corning. Professor MacDonell’s expertise in criminalistics lies in the areas of fingerprint analysis, firearms identification and bloodstain interpretation. In 1968, he became the first expert witness to testify in detail about bloodstain pattern interpretation in the United State, as well as in several foreign countries. He was awarded a grant from the United States Department of Justice in 1969 and in 1971 published “Flight Characteristics and Stain Patterns of Human Blood”, which was the first comprehensive research in the western hemisphere that was conducted on bloodstain patterns found at the scenes of accidents, homicides and suicides. His research has since evolved into a recognized forensic discipline. Another notable accomplishment was his invention of the MAGNA Brush Finger Print Device which was patented in 1965. This device develops latent fingerprints magnetically and has revolutionized the process of fingerprinting through the law enforcement community worldwide. Throughout his illustrious career, Herbert Leon MacDonell has shared his knowledge with thousands of students, both here and abroad.

3. Robert B. Van Valkenburg – Born September 23, 1821 in Prattsburgh, New York. He graduated from Franklin Academy as valedictorian in 1839. After graduation, he went to Bath, New York to study under the Honorable David Rumsey, whose sister, Catherine, he later married in 1844. In 1852 Robert was elected to the New York Senate and re-elected in 1857. He was also elected to Congress in 1860 and 1862. When the Civil War broke out, Robert was appointed by President Lincoln as commander of the recruiting depot in Elmira, New York where he organized 17 regiments. He was Colonel of the 107th NYS Volunteer Infantry that fought in the Battle of Antietam. In 1865 he was appointed Acting Commissioner of Indian Affairs and from 1866 – 1869 was the first Ambassador to Japan. During the time of his Ambassadorship, the United States had made a deal with Japan to sell the ironclad ship, the U.S.S. Stonewall. Since Japan had always had a dual government, when the Stonewall was delivered, the government that had ordered it was not in control, so the money was not available. Mr. Van Valkenburg took it upon himself to prevent the transaction, saying that if Japan had an ironclad ship, all the western powers would have to take all of their wooden boats home and they would need a fleet of ironclad ships to patrol the seas. Just 73 years later, these words proved to be correct at Pearl Harbor. At the time of his death in 1888, Robert Van Valkenburg was an Associate Justice of the Supreme Court in Florida.

BE IT FURTHER RESOLVED, the Agriculture, Industry and Planning Committee and the County Historian, for and 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: Roll Call – Adopted.
Minority Leader Gehl requested an adjournment to hold a Democratic Caucus relative to the next resolution. The meeting was reconvened following the Democratic Caucus at 10:44 a.m.

Chairman Roche noted that only the Democrats are to vote on the next resolution.

RESOLUTION NO. 039-09

Introduced by F. Gehl. Seconded by R. Argentieri.


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 Gilbert A. Sweet, 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 Gilbert A. Sweet, residing in Corning, New York, 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 March 2, 2009 and terminating December 31, 2010; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee at Corning, New York, 14830; Shawn Hogan, P.O. Box 627, 82 Main Street, Hornell, New York, 14843; Steuben County Clerk; Personnel Officer, and Clerk of the Steuben County Board of Elections.

Mr. Gehl introduced Gilbert Sweet. Mr. Sweet stated this is a challenging job and I didn’t expect it to be that way. I’m pleased at the level of training and cooperation I’ve received. I’m ready to go to work and do a good job. I appreciate your vote of confidence.

Vote: Roll Call – Democrats Only – Adopted.

Chairman Roche stated the next item on the agenda is the presentation of the Real Property Tax Assessment Study Report.

Mrs. Hatch introduced Randy H. Deal, who prepared a report on Countywide Collaborative Assessing Considerations for Steuben County. Mr. Deal is currently the Assessor for the Schuyler County Coordinated Assessing Program (CAP), so he is very knowledgeable on the issue. She also recognized Victor Mallison, the Executive Deputy Director of the New York State Office of Real Property Service (ORPS) and Jerry Pieklo, the ORPS Western Regional Manager whose office is located in Batavia.

Mr. Deal stated Mrs. Hatch distributed copies of the report to the Legislature a week ago. Therefore, I will only briefly touch on certain aspects of the report. This study came about because the State offered a $50,000 grant to every county to study reform opportunities for their local real property assessment systems. The intent is for counties to chart their own path to reform. What the state would like is for each county’s system to uniformly affect every parcel in the county, and result in the following performance standards: (1) A common level of assessment (LOA) for all of the 32 towns and 2 cities within the County. (2) A common database of assessment, inventory, pictures, and valuation data for all the assessing units within the County. (3) A single assessment for every parcel in the County by elimination of the one remaining assessing unit in the Village of Painted Post. (4) Consistent Assessment Administration Standards for all assessing units within the County.
Mr. Deal stated the goal of the study is to make the system transparent. It needs to be simple for taxpayers to understand. It needs to provide equity, so that every parcel is treated the same. It also needs to provide efficiency, making sure it is the lowest cost for a given level of service.

Mr. Deal stated the current cost of assessing within the county includes the County Real Property Tax Service Agency (RPTSA) budget of $638,886 and the city and town budgets for municipal assessing of $933,654, for a total cost of $1,572,540. There are 15 towns that haven’t been keeping up with their assessments. These towns have a total of 21,406 parcels. The cost to bring all the parcels up to the performance standard of 100 percent is $856,240. That cost is not typically borne by the County; they are town costs. There is reassessment aide of $5 per parcel, which would result in $107,030 in revenue to offset that cost. Therefore, the net initial cost to attain countywide equity within Steuben County’s current assessment system is $749,210.

Mr. Deal stated using the current structure of assessing, modified to provide equitable assessments to all properties, the total annual operational costs for equity would equal $1,452,269. This includes the one-time start up cost of $749,210 to bring all towns to 100 percent, plus the budgets of the County RPTSA, the city and town budgets for municipal assessing, and the annual assessment maintenance, offset by State aid of $5 per parcel.

Mr. Deal stated if they went to a County-run assessing unit (Option #1), the total annual operational costs would equal $1,271,700. The reason the County run unit is so much cheaper is because the State offers more aid. They would offer up to $7/parcel in State Consolidation Aid and $2/parcel in State Aid for County-run Assessing Referendum Approval. That aid would result in $500,000 in revenue. Please note that County-wide assessing requires a public referendum. In your case, with the Village of Painted Post being a separate assessing unit, you would have to have a triple referendum. The cities of Hornell and Corning would be on one referendum, the Village of Painted Post would be on one referendum, and then all of the towns together would be on another referendum. Therefore, you would have to convince all of those assessing units to go to a County-wide assessing unit. The cities would have to amend their charters, and all of the towns would have to be at 100 percent equalization coming into the program.

Mr. Deal stated the Countywide CAP (Option #2) doesn’t require a referendum or wouldn’t necessarily require an amendment to city charters. The total annual operational costs under this system would equal $1,463,193. This cost includes revenue of $1 per parcel for the County providing services to the towns and an additional $2 per parcel if the County managed the County-wide CAP. A CAP is where two or more towns get together and handle the assessing. The towns using the same assessor have the same equalization rates at all times. Therefore, it is good to have towns that have similar types of properties utilizing the same assessor. The study is based upon current State budget considerations as far as revenue; we don’t know what will happen after April 1st.

Mr. Deal stated Option #3 is what you have now with the idea of assessors of towns working for more than one town. The total annual operational costs under this system would equal $1,572,540.

Mr. Deal stated Option #4 is what we are doing in Schuyler County. The county went to the towns and asked if they wanted the assessing burden taken from them and put it on the County’s shoulders. The County paid the expense to bring the towns up to 100 percent, and they maintain them at 100 percent. We have three assessors in Schuyler County handling 8 towns. This is where a 1537 agreement comes into play. Currently, your County RPTSA handles a lot of services for the towns. A 1537 agreement between the County and each town would cover those services they already handle, and they could expand those services if they wanted. With the agreement, you could possibly charge $1 per parcel to increase County revenues.

Mr. Deal stated the last option, which really isn’t an option because it requires State Legislature approval, is to go with a reassessment cycle with matching valuation date. Because many towns are doing annual reassessments, it is difficult for people to see those reassessment notices coming to them every year, especially with the current economy. It’s also tough for the assessors. This option would create a tri-
annual cycle. In the off years, they value the properties based upon the revalue year. The State realizes there will be value changes, either up or down, but just doing it over three years, it won’t be as critical. It would be easier for everyone. So, that is what we are hoping for eventually.

Mr. Deal stated of the 27 appointed assessors and seven 3 person elected assessment boards in Steuben County, there are 5 assessors that assess for multiple jurisdictions. The reason you have 5 assessors working for multiple districts is because towns can’t find people to take the job. The towns need to think about that or, perhaps, if you get involved with the 1537 agreements, you should think about putting real property aides into the assessor curriculum just so there is somebody on board in case a municipality needs backup.

Mr. Deal stated the current personnel costs for all of the assessors and staff for all the towns is $933,654. There are a total of 55,505 parcels, resulting in a cost of $16.82 per parcel. Including the current RPTSA staff, the cost is $28.33 per parcel. Please note that if you go to County-wide assessing, it would require 19 additional employees in the County’s RPTSA. That is something to take into account because those positions would need to be Civil Service positions.

Mr. Deal stated there are various indicators of assessment equity. The first is the Coefficient of Dispersion or COD. He explained that the COD is a common statistical measure of uniformity. The lower the COD is, the more uniformity there is. A COD somewhere between 15 percent and 20 percent is acceptable. Most municipalities are good, but there are a few that are out of the acceptable range.

Mr. Deal explained that another indicator of assessment equity is the PRD or Price-related Differential. The standard range for PRD is 0.98 to 1.03. PRDs below 0.98 indicate assessment progressivity, the condition in which low-value properties are under-assessed relative to high-value properties. PRDs above 1.03 indicate assessment regressivity in which high-value properties are under-assessed relative to low-value properties. According to PRD data available from the State, 13 of your towns fall outside the acceptable ranges and lean towards being regressive. In the case of regressive assessment rolls, the lower valued properties are shouldering more than their fair share of the tax burden relative to higher valued properties.

Mr. Deal asked if there were any questions.

Mr. Farrand asked if we went to a County-run assessing unit, who handles Grievance Day; the town or the county? Mr. Pieklo stated Tompkins County has a five-member Board of Assessment Review and they have a panel with a member from each individual town board that makes recommendations to the County Assessment Board of Review.

Mr. Donnelly asked would the triple referendum be an all or nothing proposition? In other words, if it fails to pass in any one of those assessing jurisdictions does it fail for everybody? Mr. Deal stated the part that approves it goes to the County.

Mr. Donnelly asked have you had any experiences with that? Mr. Deal stated yes. Mr. Donnelly asked how did it work out for you? Mr. Deal stated terribly. Taxpayers know what they have now and they are afraid of what would happen if it went to the County level.

Mr. Farrand asked what happens in Schuyler County with the school taxes? How does it work out after towns go to 100 percent? Mr. Deal stated he’s not sure yet because they are still working on getting them all to 100 percent. They should be able to make a comparison later this year.

Mr. Farrand stated the Addison Central School District has 11 different towns. The towns that are at 100 percent full value pay more in school taxes than those towns that aren’t at 100 percent. Mr. Nichols noted that some of those towns that aren’t at 100 percent feel that they pay more than their fair share as compared to the towns that are at 100 percent.
Mr. Roche stated the additional expenses to the county for any of these options would be charged back to the towns? Mr. Deal stated yes, through the 1537 agreements.

Mr. Roche stated then this isn’t a savings to the towns. Do you have a realistic recommendation for us on one of these five options?

Mr. Deal stated the State ORPS will talk to Mrs. Hatch about what services are currently being offered to the towns to see if the County is eligible to charge them $1 per parcel for those services. Half of the towns really need to do some work and how do you get them to do that work and spend the money in this economy? At this point, you aren’t at a point where you can move forward. It is up to the town boards to come up with the money and have the political will to complete the reassessments.

Mr. Van Etten asked is there any worry that the aid for this would dry up with the State’s current economy? Mr. Deal stated he will have Mr. Mallison address that question later.

Mr. McAllister stated assuming everybody comes up to 100 percent, is there a recommendation of what would make sense for us?

Mr. Deal stated the County-run option is what the State likes to see done. The idea of getting it passed through a referendum is probably slim. The 1537 agreements on a County-wide basis is a good plan. The County-wide CAP option, the difficulty there would be determining who the County Assessor would be. Also, they would need to look into the Civil Service requirements.

Chairman Roche thanked Mr. Deal for his presentation.

Victor Mallison, Executive Deputy Director of the NYSORPS, stated thank you very much for having me here today. I must say that Mr. Pieklo is the real expert here.

Mr. Mallison stated there are 1,100 assessing units in New York State. Forty-five states have a clear statewide valuation standard, but New York does not. The vast majority of states require a periodic reassessment, but not New York. In New York State, our assessments are locally driven with very few rules. Despite that fact, over 60 percent of the units have reassessed since 2005, taking advantage of ORPS reassessment aid. From our perspective, the right thing is to have assessments at 100 percent to make things more equitable.

Mr. Mallison stated in NYS, more than 400 assessing jurisdictions with recent reassessments are at or near 100 percent of market value. Out of your 34 municipalities, about 12 of them are 90 percent or above in terms of level of assessment. For the ones left over, how do we get them to increase those assessment levels? Reassessments ensure that property owners pay only their fair share of taxes. When there is a lack of reassessment, properties that have appreciated most are paying less than their fair share of taxes.

Mr. Mallison stated we want to offer you every level of service we can, including convincing your constituents that this is the right thing to do. We will do everything necessary to help you get to the end result of equitable assessment.

Mr. Mallison stated as far as continued funding for municipalities, the budget proposal for this year maintains that funding, despite the fact that the State is $15 billion in the hole. We have two different grant programs out there right now. What we are losing is the funding for this grant program, the Centralized Property Tax Administration Program. We’re also losing the funding for STAR aid, which is the data collection for the STAR program. The program that allows us to pay money to municipalities to maintain 100 percent is still there. We are also pushing very hard in ORPS to try to grow these funding opportunities. We see the value of these programs because NYS is a locally run system and, if we want you to move in a certain direction, we want to be able to provide rewards for that behavior.
Mr. Walsh asked what happens if the market value goes down? Mr. Mallison stated the property owners would still be paying the same amount. Properties usually don’t appreciate or depreciate at the same pace.

Mr. Argentieri commented that assessors, in some cases, ignore the variables; at least in his experience.

Mr. Mallison stated I’ve heard of a few different municipalities and CAP programs that endeavored with certain assessors and there have been problems. Assessors, like anybody else, make mistakes. In some cases, the assessor did a good job but the taxpayers, and the local political community, had a hard time swallowing it. It is a tricky subject. The reality is whether you go with 1537 agreements, a county-run system or any myriad version; we are here to support you. Our perspective isn’t to not tell you what to do; it is to protect the taxpayers. We’ll maintain that funding and continue to push hard to find new pools of funding.

Mr. Haursky referred to the slide at the bottom of page 5 which states that some municipalities haven’t reassessed in decades, resulting in a significant loss of state aid. What is that loss?

Mr. Pieklo stated it refers to the towns in Steuben County that signed a 6 year agreement to participate in an annual or tri-annual assessment program. If they didn’t maintain their assessment plan, they lost that state aid.

Mr. Farrand stated under a zone system, if you start having a decrease in land value, your equalization rate should go above 100 percent, correct? Mr. Pieklo stated we measure full value each year. For Steuben County, we have broken it up into 5 market areas. We monitor the sales in those areas and see if the values and sales are increasing or decreasing. As values fall and assessments stay constant, the rate would increase. That’s where the fluctuation of rates occurs.

Mr. Donnelly stated if you have a small number of transfers in a particular area, wouldn’t it skew the numbers? Mr. Pieklo stated that is why we go with market areas and try to have at least 300 transfers to compare.

Mr. Donnelly stated what about waterfront properties; are they coded differently. Mr. Pieklo stated the assessors code them for waterfront and lakeview.

Chairman Roche thanked Mr. Mallison and Mr. Pieklo for their presentation.

Mr. Gehl stated he wanted it noted for the record that Mr. Argentieri voted in a positive mode the entire meeting.

*The meeting was adjourned upon the motion of Mr. Gehl, seconded by Mr. Weaver and duly carried.*
The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of March, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present.

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

Chairman Roche asked Janice Schuck to come forward. Mrs. Schuck is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche asked Lisa Adams to come forward. Ms. Adams is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche asked Diane Soper to come forward. Ms. Soper is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 25 years of service with Steuben County.

Chairman Roche asked Linda Tetor to come forward. Mrs. Tetor is the Director of the Office for the Aging. He presented her with a Certificate of Appreciation in recognition of over 35 years of service to Steuben County. Mrs. Tetor stated I’ve enjoyed what I do and I thank the Legislature, Fred Ahrens, Mark Alger and Chris Kane for their support. I love working here.

Chairman Roche recognized Steuben County Legislator, Richard A. Argentieri, for over 30 years of service to the County. He noted that under current rules, no other Legislator will be able to attain this length of consecutive service.

Chairman Roche asked Carol Whitehead and Tammy Hurd-Harvey to come forward. He presented Mrs. Whitehead and Mrs. Hurd-Harvey with the Excellence in Financial Reporting award. He noted that we know our departments do a good job, but it is particularly gratifying when we hear it from other people what a good job our departments are doing. He noted that Steuben County is only 1 in 10 counties in New York State who received this recognition. Mrs. Whitehead stated this is the 7th year we’ve received this award. Mrs. Hurd-Harvey took the lead on this program and the accolades should go to her.

The 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 Local Law Tentatively No. One for 2009, relative to an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, 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 for Posting for the Public Hearing upon Local Law Tentatively No. Two for the Year 2009, Establishing a reserve pursuant to Workers’ Compensation Law §69 for the County Self-Insurance Plan and appropriating the fund balance of the de facto reserve currently designated as MS38630000 Insurance Reserve. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, he declared the Public Hearing closed.
Chairman Roche opened the floor for comments by members of the public.

Martha Weale, Addison, stated I would like to speak to you regarding my experience with the voting machines. I had read in the paper that persons from the Board of Elections would be coming to our area to display how to use the voting machines. They brought a machine to use in the demonstration but it was very disappointing because the machine malfunctioned and they were unable to show us how to use the machine. I have not been able to see another demonstration and I believe that we should not be using these machines in the Fall 2009 elections. Also, I was asked to help with the November election and I told the Board of Elections that I didn’t know how to operate the new machines. I was told that it didn’t matter. I’m here to say that you really need to take the offensive on training people to use these machines, not the defensive. Thank you.

There being no further comments, he declared the public comment portion of the meeting closed.

Richard McCandless introduced this semester’s Youth in Government Interns. He noted that this is the 25th (plus) year for the program. This semester we have 24 students and 23 of them are seniors.

The minutes of the previous month’s meeting were adopted upon the motion of Mr. Donnelly, seconded by Mr. McAllister and duly carried.

Mrs. Kane announced that the May Legislative Meeting will be held on Wednesday, May 27th, due to the Memorial Day Holiday.

Mrs. Kane announced that there are barrels in the lobby for food donations for Turning Point. Please feel free to contribute.

Chairman Roche announced that the Legislature is scheduled to have lunch with the interns immediately following today’s meeting.

RESOLUTION NO. 040-09

Introduced by P. Donnelly. 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, with respect to that parcel contained in Schedule "B", and upon the recommendation and determination of the Finance Committee by motion duly adopted February 6, 2009, and pursuant to Real Property Tax Law §558 it is determined that the lien of such tax cannot be enforced and it is directed that the unpaid tax plus interest fees and penalties be cancelled, 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
SCHEDULE "A"

Resolution #____A-1
Name_________Suzanne S Scudder, Scudder Trust
Parcel #____281.00-01-005.110
Municipality_Hornby Town
Disposition_____Correction_(parcel split)

Resolution #____A-2
Name_________Michelle Mills
Parcel #____325.12-01-001.200
Municipality_Jasper Town
Disposition_____Correction

Resolution #____A-3
Name_________Susan Daniels
Parcel #____155.00-01-015.200
Municipality_Howard Town
Disposition_____Correction

SCHEDULE "B"

Resolution #_____B- 1
Name_________Gerald & Jane Enderle
Parcel #____422.00-03-008.200
Municipality_Lindley Town
Disposition_____Cancellation of taxes, interest and penalties; tax lien unenforceable; base 2006 City School Tax $637.40, plus interest, penalties; base 2007 Town & County Tax $1,191.59, plus interest, penalties.

Vote: Roll Call – Adopted.

RESOLUTION NO. 041-09

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

RECEIVING AND ACCEPTING THE MARCH 23, 2009 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 17, 2009
NYS Office for the Aging – Re: Revised notification of Grant Award (NGA) for the Long Term Care Insurance Education and Outreach Program (LTCIEOP) for the period of April 1, 2008 through March 31, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.
NYS Office for the Aging – Re: Revised notification of Grant Award (NGAs) for the New York State Long Term Care Ombudsman Program (State LTCOP) for the period of April 1, 2008- March 31, 2009 and the Older Americans Act (OAA) Title VII program for the period of January 1, 2008 through December 31, 2008. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

NYS Division of Housing and Community Renewal – Re: Federal regulations require New York State to submit a Consolidated Annual Performance Report (CAPER) to the United States Department of Housing and Urban Renewal (HUD) each year by March 31, 2009. The draft CAPER is subject to a 15-day public comment period which is scheduled to begin on Friday, February 27, 2009 and end on Friday, March 13, 2009. **Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.**

NYS Department of Labor – Re: Notice of violation and order to comply with the inspection held on 01/07/2009 at the Steuben County Health Care Facility located at 7002 Mount Washington Road, Bath, NY. **Referred to: Health & Education Committee; Dave McCarroll, HCF Administrator; Fred Ahrens, County Attorney; and Lew Eason, Risk Manager.**

NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distribute “clean-up” SFY 2008-2009 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. Anticipate the next quarterly payment of the first quarter SFY 2009-2010 STOA distribution due in May, 2009. **Referred to: Greg Heffner, Planning Director.**

**February 18, 2009**
Sheen Housing – Re: Request for a letter of support which would provide housing assistance to low-income residents, seniors and persons with disabilities. Letters of support are due no later than Wednesday, February 25, 2009. **Referred to: Chairman of the Legislature; Mark Alger, County Administrator; and Greg Heffner, Planning Director.**

**February 19, 2009**
New York State Board of Elections – Re: Announcement of the upcoming Annual Training Conference for county election commissioners and officials will be held on Monday, April 27th through Wednesday, April 29, 2009, at the Holiday Inn on Wolf Road, Albany, New York. **Referred to: Sandra Dennison, Democratic Elections Commissioner; and Vicki Olin, Republican Elections Commissioner.**

Seneca County Board of Supervisors – Re: A request to support and pass a resolution urging Governor Paterson to order the printing and issuing of tax exemption coupons for members of Indian tribes. **Referred to: Steuben County Legislature.**

NYS Emergency Management Office – Re: Notification of application for participation in the FFY08 Local Emergency Management Performance Grant has been approved. **Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.**

**February 20, 2009**
NYS Division of Criminal Justice – Re: Notification of response from Contract #T-078049, Aid to Prosecution, AP-07 audit report adequately addresses the issues cited. **Referred to: Public Safety & Corrections Committee; Finance Committee; John Tunney, District Attorney; and Carol Whitehead, Treasurer.**

**February 23, 2009**
Steuben County Democratic Committee – Re: Appointment of Gilbert Sweet to the office of Democratic Commissioner of Elections dated February 23, 2009. **Filed with the Clerk of the Legislature.**

**February 26, 2009**
Town of Pulteney – Re: Request to transfer ownership of the Nichol Inn from Steuben County to the Town of Pulteney. **Referred to: Finance Committee; Fred Ahrens, County Attorney; and Carol Whitehead, Treasurer.**
NYS Governor’s Traffic Safety Committee – Re: Notification of the availability for New York State Governor’s Traffic Safety Committee’s (GTSC) grant funding program for federal fiscal year 2010. The entire grant process will be administered online with a new electronic grants management system. All applications must be submitted to (GTSC) by May 15, 2009. Referred to: Public Safety & Corrections Committee; and Sheriff Ordway.

February 27, 2009
City of Hornell – Re: Sales Tax Agreement for the City of Hornell and the City of Corning. Referred to: Finance Committee; and Carol Whitehead, Treasurer.

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.

Harris Beach PLLC, Attorneys at Law – Re: Pilot agreement between Steuben County Industrial Development Agency and Wyckoff Gas Storage Company, LLC dated as of February 1, 2009 for the construction of a Natural Gas Storage in the town of Jasper, Steuben County. 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.

Dalrymple Gravel & Contracting, Co., Inc. – Re: Letter complimenting Steuben County’s Purchasing Department with the easily accessibility of bid information on the County’s website. Referred to: Administration Committee; and Jim Gleason, Purchasing Director.

March 2, 2009
Chesapeake Energy – Re: A request for the Extension of Term of Oil and Gas Lease #1-2281000-000 between Chesapeake Appalachia, LLC and the County of Steuben for an additional three (3) years. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

Harris Beach PLLC, Attorneys at Law – Re: Pilot agreement between Steuben County Industrial Development Agency and Empire State Pipeline/Empire Pipeline, Inc, distribution of form RP-412a and PILOT (Payment in Lieu of Tax) agreement. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

Harris Beach PLLC, Attorneys at Law – Re: Pilot agreement between Steuben County Industrial Development Agency and Canandaigua Power Partners, LLC (Cohocton Project), distribution of form RP-412a and PILOT (Payment in Lieu of Tax) agreement prior to March 1, 2009 tax status date. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

Harris Beach PLLC, Attorneys at Law – Re: Pilot agreement between Steuben County Industrial Development Agency and Canandaigua Power Partners II, LLC, (Dutch Hill Project) distribution of form RP-412a and PILOT (Payment in Lieu of Tax) agreement prior to March 1, 2009 tax status date. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

March 3, 2009
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $5,019 representing the January 2009 retained surcharge revenue for Steuben County from the WROTBC. Referred to: Rules and Finance Committees; and Carol Whitehead, County Treasurer.

March 5, 2009
NYS Office for the Aging – Re: Revised notification of Grant Award (NGA) for the State Transportation Program for the period April 1, 2008 to March 31, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.
Steuben County Industrial Development Agency – Re: Draft Environmental Impact Statement (DEIS) for the proposed EC & R Northeast, LLC, Steuben Wind Project. Written comments will be accepted until April 6, 2009 and a public hearing will be held at the Arkport Central School Performing Arts Center, 35 East Avenue, Arkport, New York, on March 25, 2009 at 6:00pm. *Referred to:* A.I.P. Committee; and Greg Heffner, Planning Director.

**Vote:** Acclamation – Adopted.

RESOLUTION NO. 042-09

Introduced by P. McAllister.         Seconded by F. Gehl.

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2009 PROVIDING FOR AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on February 23, 2009, County of Steuben Local Law Tentatively No. One for the Year 2009, providing for an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument, and this Legislature by resolution, preliminarily adopted said Local Law on February 23, 2009, making the final adoption of said Local Law subject to a Public Hearing to be held on March 23, 2009; 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 March 23, 2009, 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 2009, 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 2009

A LOCAL LAW providing for an increase in fees collected by the County Clerk for the recording, entering, indexing and endorsing a certificate on any instrument.

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

Section 1. Declaration of intent.

In accordance with subparagraph (2) of paragraph 4(a) of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 288 of the Laws of 2008, the Steuben County Legislature authorizes the Steuben County Clerk to increase the fees charged for certain documents recorded with the County Clerk’s office.

Section 2. Fees for recording documents.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Steuben County Clerk has placed an image of such cover page on line, the County Clerk shall make a good faith effort to redact such information.

67

Monday, March 23, 2009
Section 3. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared invalid in whole or in part by any court or competent jurisdiction, such portion shall be deemed severable and such invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 4. Effective date.

This local law shall take effect on May 1, 2009, a date that is in excess of thirty days after the enactment of this local law.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on March 23, 2009 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 2009, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

RESOLVED, 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 Steuben County Clerk and the Director of Steuben County Real Property Tax Service Agency.

Vote: Roll Call – Adopted. 
Yes: 9279; No: 593. (No-Ryan)

RESOLUTION NO. 043-09

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

FINAL ADOPTION OF LOCAL LAW TENTATIVELY NO. TWO FOR THE YEAR 2009 ESTABLISHING A RESERVE PURSUANT TO WORKERS’ COMPENSATION LAW §69 FOR THE COUNTY SELF-INSURANCE PLAN AND APPROPRIATING THE FUND BALANCE OF THE DE FACTO RESERVE CURRENTLY DESIGNATED AS MS38630000 INSURANCE RESERVE.

WHEREAS, there has been duly presented to the members of the Steuben County Legislature on March 10, 2009, County of Steuben Local Law Tentatively No. Two for the Year 2009, establishing a reserve pursuant to Workers’ Compensation Law §69 for the County Self-Insurance Plan and appropriating the fund balance of the de facto reserve currently designated as MS38630000 Insurance Reserve, making the final adoption of said Local Law subject to a Public Hearing to be held on March 23, 2009; 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 March 23, 2009, 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; and

WHEREAS, by Resolution No. 297 adopted July 16, 1973 the establishment of a reserve account for the Steuben County Self-Insurance Workmens’ Compensation Plan was authorized; and

WHEREAS, Workers’ Compensation Law §69 requires such a reserve to be established by local law, which local law shall prescribe the maximum amount which may be contributed to any such reserve; and

WHEREAS, the current reserve not being so created is a de facto reserve and by this local law a technical correction is necessitated.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Two for the Year 2009, 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 2009

A LOCAL LAW establishing a reserve pursuant to Workers’ Compensation Law §69 for the County Self-Insurance Plan and appropriating the fund balance of the de facto reserve currently designated as MS38630000 Insurance Reserve.

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

Section 1. Establishment of Self-Insurance Reserve.

Effective July 16, 1973 there is established a Steuben County Self-Insurance Workers’ Compensation Reserve. The establishment of this reserve is to coincide with and subsume the de facto reserve established by Resolution No. 297 adopted July 16, 1973.

Section 2. Transfer of Fund Balance.

Any balance of funds in the de facto reserve currently designated as MS38630000 Insurance Reserve shall be deemed transferred into and incorporated with the Insurance Reserve established herewith and shall be deemed available effective July 16, 1973.

Section 3. Maximum Amount of Reserve.

The maximum amount of the Insurance Reserve shall be $3,000,000.00.

Section 4. Effective date.

The within local law shall be effective immediately and shall be construed to have been adopted in place and instead of Resolution No 297 adopted July 16, 1973.

AND BE IT FURTHER RESOLVED, a Public Hearing on the within Local Law has been held on March 23, 2009 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 2009, the Clerk of this Legislature shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, and one certified copy in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by her for such records; and be it further

**RESOLVED**, 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 Steuben County Treasurer and Steuben County Risk Manager.

Mr. Schwartz asked how much is in the reserve? Mr. Alger stated $1.4 million; essentially we are properly creating the reserve as it was done by resolution and not local law, which is required by State Law.

**Vote:** Roll Call – Adopted.

### RESOLUTION NO. 044-09

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

REQUESTING LEGISLATION FOR AN EXTENSION AUTHORIZING AN ADDITIONAL ONE PERCENT SALES TAX FOR STEUBEN COUNTY FOR THE PERIOD COMMENCING DECEMBER 1, 2009 AND ENDING NOVEMBER 30, 2011.

Pursuant to Section 40 of the Municipal Home Rule Law.

**WHEREAS,** an increase in the rate of the Steuben County Sales and Use Tax from 3 percent to 4 percent for the period beginning December 1, 1992 through November 30, 2009 has heretofore been adopted; and

**WHEREAS,** it is necessary and desirable to avoid a disproportionate increase of the tax burden on real property owners; and

**WHEREAS,** the New York State Legislature could authorize the Steuben County Legislature to impose an additional one percent sales tax in order to equitably spread the need for additional revenues; and

**WHEREAS,** a necessity exists for the passage of such Legislation by the New York State Legislature.

**NOW THEREFORE, BE IT**

**RESOLVED,** the Steuben County Legislature hereby requests the New York State Legislature to adopt special legislation authorizing the Steuben County Legislature to establish an additional one percent sales tax for the period commencing December 1, 2009 through November 30, 2011; and be it further

**RESOLVED,** from said additional revenues for the period December 1, 2009 through November 30, 2011 the County of Steuben shall pay or cause to be paid to the City of Hornell the sum of $710,000.00, to the City of Corning the sum of $710,000.00 and in addition, the sum of $750,000.00 to the towns and villages of the County of Steuben, based on their respective equalized full value; and be it further
RESOLVED, certified copies of this resolution shall be forwarded to NYS Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; NYS Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Patricia Pinto, Esq., State of NY Dept. of Taxation and Finance, W.A. Harriman Campus, Albany, NY 12227; and to the Majority and Minority Leaders of the New York State Senate and Assembly.

Mr. Gehl asked is it possible the State will make this permanent? Mr. Alger stated NYSAC has attempted for years to get this in permanently. As you will recall we approved a resolution on this last month but we didn’t include the shares for each city. That is the only change from last month’s resolution.

Vote: Roll Call – Adopted.
Yes: 9359; No: 513. (No-Schwartz)

RESOLUTION NO. 045-09

Introduced by D. Creath and P. Donnelly. Seconded by F. Gehl.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO APPROPRIATE THE WANETA/LAMOKA WATERSHED FUND BALANCE ACCOUNT NO. A 39058742 IN THE AMOUNT OF $10,252.39 AND THE STEUBEN COUNTY 2009 TAX REVENUE FOR THE DISTRICT IN THE AMOUNT OF $33,750.00 TO THE SCHUYLER COUNTY TREASURER SO THEY MAY PAY THE ASSOCIATED COSTS RELATING TO THE WANETA/LAMOKA LAKES’ MILFOIL TREATMENT.

WHEREAS, the Legislatures of Steuben and Schuyler Counties have heretofore created Waneta/Lamoka Lakes’ Protection and Rehabilitation Districts for the express purpose of containment and abatement of Asian milfoil; and

WHEREAS, there are Intergovernmental Cooperation Agreements for the operation of said districts; and

WHEREAS, pursuant to said agreements the Schuyler County Treasurer serves as the Chief Financial Officer for said purposes.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized and directed to appropriate the Waneta/Lamoka Watershed Fund Balance Account No. A 39058742 in the amount of $10,252.39 and the Steuben County 2009 tax revenue for the district in the amount of $33,750.00 to the Schuyler County Treasurer so they may pay the associated costs relating to the Waneta/Lamoka Lakes’ milfoil treatment; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Steuben County Treasurer; Margaret Starbuck, Schuyler County Treasurer, County Office Bldg., Unit 17, 105 Ninth St., Watkins Glen, NY 14891; and Dennis A. Fagan, P.E., Fagan Engineers, 113 East Chemung Place, Elmira, NY 14904.

Vote: Roll Call – Adopted.

RESOLUTION NO. 046-09


ANTICIPATING REVENUE AND APPROPRIATING FUNDS TO THE TRUST IN THE LIVES OF OLDER WOMEN PROGRAM.

WHEREAS, the Office for the Aging began the Trust in the Lives of Older Women Program in conjunction with the Department of Social Services and the Office of Community Services; and
WHEREAS, this support group was created in 2008 for older women who have no familial support; and

WHEREAS, it is necessary to transfer funds to a new line item designated specifically for this program; and

WHEREAS, the Human Services Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from the Grant in Aid – Bacalles line item and the Inter-Department transfer – DSS line item to create a new line item entitled Institute for Human Services – Trust in the Lives of Older Women Program.

NOW THEREFORE, BE IT

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

- Anticipate Revenue 677700.4.3772900 Grant in Aid – Bacalles of $1,107.00; and
- Anticipate Revenue 677700.4.2801900 Inter-Department Transfer from the Department of Social Services of $10,685.00; and
- Appropriate $11,792.00 to 677700.5.440126 Institute for Human Services – Trust in the Lives of Older Women Program.

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

Mr. Alger stated during the budget process we didn’t have the two revenue numbers for this program and the department has requested we accept the revenue and appropriate it to the line item shown. This is to provide support to the women in our community who are widowed or otherwise alone and need support.

Mr. Creath stated we have a group of women meeting for the last 20 years at the Senior Center in Corning. We have another group in Hornell and we are forming more groups. We need to help people stay in their homes longer as far as the senior citizen’s care goes. If we give them the support they need we can keep them out of the nursing homes.

Mr. Gehl asked how sure are we of the funding from Assemblyman Bacalles? Mr. Alger stated Mrs. Tetor believes the funding is secure.

Vote: Roll Call – Adopted.

RESOLUTION NO. 047-09


RECLASSIFICATION OF A HEAD BUILDING MAINTENANCE MECHANIC POSITION, GRADE X, TO A DEPUTY SUPERINTENDENT OF BUILDINGS & GROUNDS POSITION, GRADE XI, WITHIN THE STEUBEN COUNTY BUILDINGS & GROUNDS DEPARTMENT.

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

WHEREAS, a position exists within the Steuben County Buildings & Grounds Department that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer, the Agriculture, Industry and Planning Committee and the Administration Committee have reviewed and approved the recommended changes for that position.

NOW THEREFORE, BE IT
RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Buildings & Grounds Department is hereby reclassified:

Head Building Maintenance Mechanic, Grade X ($35,131 - $42,156) to
Deputy Superintendent of Buildings & Grounds, Grade XI ($36,724 - $44,069)

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, County Treasurer, and the Superintendent of Buildings & Grounds Department.

Vote: Roll Call – Adopted.

RESOLUTION NO. 048-09

Introduced by D. Creath. Seconded by T. Schwartz.

AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2009 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 27th day of April, 2009, 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, Andrew Spencer, 8997 Burns Rd., Arkport, NY 14807; the Director of the Steuben County Planning Department; and James Grace, Cornell Cooperative Extension - Steuben County.

Vote: Acclamation – Adopted.
RESOLUTION NO. 049-09

Introduced by D. Creath. Seconded by R. Argentieri.

AUTHORIZING THE STEUBEN COUNTY PLANNING DEPARTMENT TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF HOUSING AND COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, Steuben County is an eligible applicant for the Community Development Block Grant (CDBG) Small Cities Program; and

WHEREAS, Arbor Development, Inc. is desirous of continuing its program of housing rehabilitation for low and moderate income households; and

WHEREAS, said housing rehabilitation activities are an eligible expenditure of CDBG funds; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to provide said rehabilitation.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Planning Department is hereby authorized to submit an application to the Department of Housing and Community Renewal for a Community Development Block Grant to provide funding for housing rehabilitation; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized to sign the application as the Chief Elected Official of Steuben County; and be it further

RESOLVED, that should said grant be awarded to Steuben County, the Steuben County Treasurer is hereby authorized to deposit said grant in the appropriate line item in the Steuben County Budget; and be it further

RESOLVED, that the Steuben County Planning Director 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 Steuben County Planning Director; and the Executive Director, Arbor Development, Inc., 16 William Street, Bath, New York 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 050-09

Introduced by P. Roche. Seconded by F. Gehl.

APPOINTING A MEMBER TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY.


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, one member’s term expired December 31, 2008.
NOW THEREFORE, BE IT

RESOLVED, the following individual, as recommended by the Chairman of the Legislature, is hereby appointed as a member of the Steuben County Industrial Development Agency for the term as indicated and shall hold office until reappointed or a successor is appointed, and has qualified to wit:

January 1, 2009 through December 31, 2011
Christine G. Sharkey, Corning Enterprises, One West Market Street – 6th Floor, Corning, NY 14831

AND BE IT FURTHER RESOLVED, said member 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 the appointee; 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, Corning, 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. 051-09

Introduced by F. Gehl. Seconded by D. Farrand.

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK FAVORING AND SUPPORTING ENACTMENT OF THE PROPOSED SENATE AND ASSEMBLY BILLS TO REMOVE THE REQUIREMENT THAT OPERATORS OF EMERGENCY VEHICLES HAVE A COMMERCIAL DRIVER’S LICENSE.

WHEREAS, the provisions of the New York State Vehicle and Traffic Law §§ 501 sub 2(d)(i) as amended by §6 of part E of Chapter 60 of the laws of 2005, and 501-a sub 4(b) as amended by Chapter 251 of the laws of 2007 require operators of emergency vehicles in situations other than during use of such emergency vehicles in emergency operations, that is while responding to an emergency, to possess a valid commercial drivers’ license (“CDL”); and

WHEREAS, given the current status of the law, an emergency vehicle operator without a CDL would be considered unlicensed in the event such operator were to drive an emergency vehicle from the site of an emergency to the home garage after the resolution of the emergency, creating the irrational situation whereby an operator may drive an emergency vehicle through traffic and traffic signals to the scene but not drive the same vehicle back following the emergency; and

WHEREAS, emergency vehicle operators receive periodic, extensive, and comprehensive training in the operation of emergency vehicles in general as well as operation of the specific emergency vehicle to which the operator is assigned; and

WHEREAS, the Steuben County Legislature in concerned with the chilling effect of the current law on the operations of local paid and volunteer first responder organizations as well as on recruitment of operators by such first responder organizations; and

WHEREAS, New York State Senate Bill S1624 Foley, New York State Assembly Bill A5875 Reilich, and New York State Assembly Bill A5952 Gordon would change the current law so that emergency vehicle operators would be
exempt from any requirement to possess a CDL in respect of operation of emergency vehicles whether in the act of responding or otherwise.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature memorializes the Governor and the Legislature of the State of New York to enact into law the legislation pending before both houses of the Legislature, being New York State Senate Bill S1624 Foley, New York State Assembly Bill A5875 Reilich, and New York State Assembly Bill A5952 Gordon; and be it further

RESOLVED, the Steuben County Legislature memorializes the Senate and Assembly of the State of New York to consider and approve the pending legislation, forthwith and independent of any other legislation; and be it further

RESOLVED, the Steuben County Legislature memorializes the Governor of the State of New York to consider and sign into law the Bills having been approved by the Senate and Assembly, forthwith and independent of any other legislation; 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, 503 State Capitol, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, James Tedisco, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Mr. Gehl stated under the current law, when a fire truck leaves the station in emergency mode the individual who is driving it doesn’t need a CDL. After the emergency is over, if the driver doesn’t have a CDL, they could be ticketed. We need to get this law changed.

Mr. Argentieri asked will this affect our liability or a community’s liability? Mr. Ahrens stated as it currently reads, it enhances the liability of the units providing fire service, as it is more likely they would have an accident on the way to an emergency.

Vote: Acclamation – Adopted.

Chairman Roche stated there is a resolution that needs to be entertained but it was not on the agenda. He asked if anybody had any objections to entertaining the resolution. There being no objections, the Clerk of the Legislature read the resolution.

RESOLUTION NO. 052-09

Introduced by F. Gehl and P. Donnelly. Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT GRANT FUNDS IN THE AMOUNT OF $30,000 TO PURCHASE LIVESCAN/CARDSCAN AND MUG SHOT PROCESSING SYSTEM.

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) is awarding Steuben County $30,000 under Operation IMPACT Tools Grant Program; and

WHEREAS, there is no local match required; and

WHEREAS, it has been established that this equipment would be used by the Steuben County Law Enforcement agency to transmit and receive data and other information from DCJS; and
WHEREAS, this system will be capable of producing electronic arrest fingerprint transactions, which comply with the requirement stated in the DCJS, New York State Criminal Justice Electronic Fingerprint Transmission Standard.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to accept $30,000 as revenue and appropriate that amount to 311000-5290000 (Major Equipment) LiveScan/CardScan Grant Fund of the Steuben County 2009 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.

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 Mr. Donnelly, seconded by Mr. McAllister and duly carried.

Motion to adjourn Executive Session and reconvene in Regular Session made by Mr. Van Etten, seconded by Mr. Gehl and Duly Carried.

Motion to adjourn made by Mr. Donnelly, seconded by Mr. McAllister and duly carried.
The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 27th day of April, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislators Gehl, Ryan and Schu (late).

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

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

Chairman Roche asked Amy Conrad to come forward. Ms. Conrad is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

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

Martha Weale, Addison, stated I am a concerned American and I want an honest unknown vote when I cast it in November. I want you to be as concerned as I am. We have 6 months to be ready for the November election, and even less time if there is a primary. I’m here to volunteer and I would like input and action so that Steuben County is ready as to how this vote is going to be accomplished. Thank you.

Susan Multer, League of Women Voters (LWV) of Steuben County, stated the LWV has long standing positions in support of air and water quality. We support stringent controls to protect drinking water supplies including protection of the watershed. The difference with drilling in the Marcellus shale is that they have to drill vertically, then horizontally, and then push down through the shale using the pressure of millions of gallons of water in order to reach the gas. Where is the water going to come from? It would be very easy for the Department of Environmental Conservation (DEC) to include that question in their application. This is the only way it can be monitored. Also, will there be water contamination? If and when the water gets contaminated, it is necessary to ask DEC to include in its regulations the requirement of water testing before drilling, a month after the hydrofracing is completed and then another 6 months later. She distributed copies of a CD with a radio broadcast on it regarding the Marcellus Shale, as well as the first 5 pages of an 80 page report that the public officials in Sullivan County wrote for their legislators regarding the Marcellus shale drilling. Surely, I know we all welcome economic benefit to the County, but at what cost will it come? There are things you can do to moderate it before it starts. Thank you.

There being no further comments, Chairman Roche declared the public comment portion of the meeting closed.

Chairman Roche asked Ms. Muller to come forward to present the Child Abuse Prevention Award.

Ms. Muller stated on behalf of the Steuben County Task Force for the Prevention of Child Abuse, it is my pleasure to be here once again, to acknowledge April as National Child Abuse Prevention Month. In keeping with the national theme, Chairman Roche on behalf of the Legislature signed a proclamation recognizing April as National Child Abuse Prevention Month. While April has been named as the month of recognition, it is only one of the twelve months in each year that we take opportunities to remember that child abuse exists and to renew our dedication to reducing child abuse in Steuben County. In our county alone, we receive approximately 1,800 reports of suspected abuse or neglect each year. I would
like to take this opportunity to thank Chairman Roche, and the Legislature for your continued support of our work; many thanks to Mr. Alger for your ongoing support and direction, Mr. Pruyn thank you for your partnership and all the work you do for our youth in Steuben County. I also want to thank; my staff: Teresa Deninger, Shelly Bentley, Jack Roche, all the attorneys, supervisors and caseworkers thank you for your dedication, your hard work, and direct care as you have the toughest job of all!

Ms. Muller stated the Department of Social Services in partnership with the Steuben County Youth Bureau established and has maintained the Steuben County Task Force for the Prevention of Child Abuse, for the past 18 years. The task force is charged with the ongoing responsibility of sponsoring events to promote awareness, education, and prevention to bring our communities and families together to protect our children against abuse and neglect. The task force has sponsored several activities throughout the month of April.

- The traditional blue ribbon campaign, the blue ribbon representing of course child abuse prevention.
- A family fling was held in Corning just this past Saturday, this is an event again, bringing families and the community together for both fun and education.
- An internet safety presentation will be conducted by the Attorney General’s office at Bath/Haverling School this Wednesday, April 29th.
- You may have noticed in the main lobby of our building the results of the t-shirt contest conducted county wide for grades 4 -6, with a theme of “what makes me happy”.
- And last but not least, today’s event, which is one of recognition. The task force sponsors the child abuse prevention award. This award is presented to an individual, team, program or in some cases an organization. The winner is recognized for outstanding willingness to go above and beyond normal expectations in helping the youth in our community to improve their lives.

Ms. Muller stated this year’s recipient is well known to our County, especially to the courts and to the Department of Social Services. She previously received recognition in the Courts Fourth Department as Law Guardian of the Year. She also received the Jack Lisi Youth Service Worker of the Year Award in 2007. And today, she will receive the Steuben County Child Abuse Prevention Award.

Ms. Muller asked Sally A. Madigan (Sissy), Esq., and Judge Latham to come forward. Ms. Madigan is an attorney and law guardian for children, and she was nominated by Judge Joseph Latham, the presiding Judge for Steuben County Family Court. She read the following nomination:

Sally Madigan has been the attorney for hundreds of children over the years here in our Steuben County Court System. Sally was admitted to practice in 1996 having distinguished herself academically as an undergraduate at Wells College and then at the University of Miami School of Law. She has been an active worker for community betterment, serving as a Vice-Chair of the Board of Steuben County Churchpeople Against Poverty, now known as Arbor Development, member of the Steuben County Integrated Services Planning Board, Planning Team Member of the Steuben County Family Dependency Treatment Court, and Co-Chair of the Bath Business and Professional Women’s Club Scholarship Committee. Since 2001 she has been the Steuben County Law Guardian Liaison for the Fourth Department. She is a zealous advocate, possessing a calm and professional courtroom demeanor. She provides her youthful clients with consistently professional service, frequently with outstanding performance in not only routine cases but also those of a more complex nature.

Attorney Madigan diligently and zealously represents her clients in family court matters pertaining to custody, visitation, child neglect and abuse; in many cases she represents children whose family environments are dysfunctional and dangerous. She promotes safety for her young clients, and responsible parenting by the adults in the home. Her clients rely on her both in court, and outside the courtroom.

Attorney Madigan is able to develop a rapport with her clients and to exercise a degree of perception and professionalism that enable her to represent children not only competently but in a way that promotes long-term success. She is practical in evaluating available options; she is respected by her peers and is a
well-prepared and effective voice in formal court proceedings, which requires significant out-of-court preparation and effort.

Attorney Madigan practiced for many years as a law guardian, long before the compensation for such work was raised to its present level. Prior to assuming the bench, Judge Latham notes that he practiced for well over twenty years in Steuben County and throughout all his years of practice he also participated as a law guardian. Having actively practiced in that capacity and now as a Judge with a large family court caseload, he is well aware of the dedication and industry shown by Attorney Madigan in her role as a general practitioner and as a law guardian in Steuben County.

As we all know, Steuben County is a large county. Travel to visit with clients and to the courthouse sometimes involves one-way trips of as many as 40 or 50 miles. It is routine for Attorney Madigan to make home visits on a regular basis, to confer with clients and witnesses in locations not easily accessible to her office. She does this notwithstanding frequent bad weather conditions we experience here in the often overcast lands situated in the southern part of the Fourth Department.

On behalf of the Task Force, the Department of Social Services and Steuben County, I would echo Judge Latham’s words and just add how difficult it was to get you to the chambers! Without further adieu, it is my distinct pleasure as Commissioner and as your friend, to present to you this year’s Child Abuse Prevention Award. **CONGRATULATIONS SISSY!**

Tom Carr, Corning Community College, stated Dr. Amann expressed his regrets about not being able to be here today. I am here today to provide a brief budget status on the college and to request your support of legislation introduced at the State level.

Mr. Carr stated enrollment at the college is on the upswing. We are predicting nearly 3,400 full time equivalent students (FTEs). The current year’s enrollment of 3,340 is higher than we predicted. What happened in our Country and State has created an economic crisis and many have returned to college for additional training because they are out of work. We instituted a strategic enrollment planning effort. As the economy of the region began to change, we needed to better manage the enrollment. Therefore, we continued admitting students to the college after the start of the spring semester. Because so many were being laid off, we began a “second semester” to accommodate the need of the community.

Mr. Carr stated the Board of Trustees has put into place slight tuition increases over time unlike the 14 percent increase proposed by the State University system. At one point the Governor planned for a 10 percent reduction in funding for the colleges. Thankfully, the State Legislature restored our aid to the same level of aid as last year. He noted that aid has stayed the same for the college for the past 3 years. Discussion followed.

Mr. Carr reviewed the renovation projects they are planning to begin this summer. He noted that the State Legislature has also included allocations for three capital projects at the college in the amount of $11 million. This brings forth the point of us asking for your support of legislation that has been introduced at the State level that will allow a regional community college to borrow from the State Dormitory Authority. This would allow us to pledge our revenue stream as payment of the loan. County community colleges already have this capability, but regional colleges do not. It has been introduced by Senator Winner and today I ask for your support to amend this State law. Discussion followed.

Chairman Roche thanked Mr. Carr for his presentation.

The 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 relative to land submitted for inclusion in certified agricultural districts during the 2009 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 Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, he declared the Public Hearing closed.
Mrs. Hatch stated we’ve prepared a new application available on the County website. The data on the website is the same information you can get in our office. I encourage everybody to take a look at it. It is current to July 2008. Hopefully in early May we will have the current 2009 information. Mr. Creath complimented Mrs. Hatch on this much needed service.

Mr. Pruyn introduced Sherry DeGaetano, Reality Check Program Coordinator, and Dave Taylor Smith, WVIN. Ms. DaGaetano stated we strongly support the youth and we wanted to thank Chairman Roche for his support of the youth by serving as the Tyrtle Beach jumper. On behalf of the Reality Check Program we thank you for your participation on Friday and, because you did such a good job, we are providing you with a jump package consisting of an umbrella, bath toy, a Reality Check beach towel, and a pen.

Mr. Smith thanked Chairman Roche for his participation in the Tyrtle Beach fundraiser. Tyrtle Beach started back in 1972 as a joke. This is our 18th year and we never would have thought this event would go so long. One of the challenges we have every year is finding an appropriate candidate. It is a very cold lake in April. This year we thought our fundraising goal would be challenging with the current economy. However, we received over $30,000 in pledges for you to go jump in the lake. On behalf of the County, community, WVIN radio and the Youth Bureau, we thank you very much.

Mr. Pruyn stated it is not too late to donate. We’ll distribute the funds in early May. He presented Chairman Roche with his own special shirt, a champion for children pen, and a framed color edition of the photo they used for the t-shirt print.

Chairman Roche stated thank you for allowing me to be a part of this event. We also held a fund-raising challenge for the Legislators. For each $25 contributed, they would have their name entered in a drawing to win the Chairman’s parking spot for the month of May. Legislator Weaver won the honor. Chairman Roche stated they offered the same challenge to the Department Heads and we will hold that drawing next month for the month of June. Thank you.

Chairman Roche announced that an Insurance Committee meeting will be held immediately following today’s Legislative meeting.

Chairman Roche announced that a Special Legislative Meeting will be held on Wednesday, May 13, 2009, at 10:00 a.m. for a presentation on the Matrix 911 Evaluation. The Youth in Government will conducting their simulated session on Thursday, May 14th, and the May Legislative Meeting has been moved to Wednesday, May 27th due to the Memorial Day Holiday.

**RESOLUTION NO. 053-09**


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"

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Carla Schneider</td>
</tr>
<tr>
<td>Parcel #</td>
<td>116.00-01-002.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Wheeler Town</td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>George A Pavlick, Jr</td>
</tr>
<tr>
<td>Parcel #</td>
<td>366.00-01-019.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Tuscarora Town</td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction (parcel split)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Harold Nixon Trust</td>
</tr>
<tr>
<td>Parcel #</td>
<td>349.08-02-047.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Village</td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>American Tower Corporation</td>
</tr>
<tr>
<td>Parcel #</td>
<td>135.00-01-010.120/2</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Disposition</td>
<td>Refund</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution #</th>
<th>A-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Shane T Mulholland</td>
</tr>
<tr>
<td>Parcel #</td>
<td>097.00-01-006.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Howard Town</td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction &amp; Refund</td>
</tr>
</tbody>
</table>
Resolution # _____B-1____________________________
Former Owner ___ Stephen B Levinson _______________________
In Rem Index No. 95453, 2006 sale ______________________________
Parcel # ____ 151.06-01-005.000 ________________________________
Municipality ___ North Hornell Town ___________________________
Grantee(s) _____ Stephen B Levinson ________________________________
Grantee(s) Address ___ 339 Cleveland Ave, Hornell, NY 14843_______
Consideration $9,049.86, together with $121.00 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. 054-09

Introduced by P. Roche. Seconded by D. Farrand.

RECEIVING AND ACCEPTING THE APRIL 27, 2009 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 13, 2009
NYS Department of Health – Re: Notification to consider revising the supplemental Medicaid Upper Payment Limit
(UPL) payment schedule to take advantage of the possible FMAP (Federal Medical Assistance Percentage) increases for
any UPL payments not yet issued. The requested payment dates and amounts for Steuben County nursing facilities need
to be submitted by March 27, 2009. Referred to: Health & Education Committee; Human Services Committee; David
McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.

March 16, 2009
Columbia County Board of Supervisors – A request to support a resolution that was passed by the Columbia County
Board of Supervisors urging Governor Paterson to order the printing and issuing of tax exemption coupons for members
of Indian tribes so that as much as $1 billion a year in sales and excise taxes can be collected from non-Indians when they
purchase cigarettes, gasoline and other products from Indian enterprise, on and off reservations. Referred to: Steuben
County Legislature.

March 20, 2009
Alger, County Administrator.

March 23, 2009
NYS Department of Health – Re: Notification of the implementation of the American Recovery and Reinvestment Act
(ARRA) as if affects the federal matching rate for the Medicaid Program in New York State. Referred to: Health &
Education Committee; Human Services Committee; David McCarroll, HCF Administrator; Kathryn Muller,
Commissioner of Social Services; and Carol Whitehead, Treasurer.

March 27, 2009
NYS Department of Health – Re: Notification of payment for the County’s share of the estimated benefit of the
enhanced Federal Medical Assistance Percentage (FMAP) authorized by the American Recovery and Reinvestment Act
for January-March 2009 quarter. Referred to: Health & Education Committee; Human Services Committee; David
McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.
Town of Erwin – Re: Letter regarding support for stimulus packages designed to increase economic activity through infrastructure development. **Referred to: Jack Wheeler, Assistant County Administrator.**

**March 30, 2009**
New York State Association of Counties – Re: Notification of the Green Innovation Grant Program is accepting applications and must be post marked no later than May 9, 2009. **Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Jack Wheeler, Assistant County Administrator.**

NYS Department of Health – Re: Notification of the County’s initial Medicaid local share cap amount for the State Fiscal Year (SFY) 2009-2010. **Referred to: Health & Education Committee; Human Services Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.**

**April 1, 2009**
NYS Department of Health – Re: Corrected weekly cap notification for the Medicaid payment amounts for the State Fiscal Year (SFY) 2009-2010. **Referred to: Health & Education Committee; Human Services Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.**

Western Regional Off-Track Betting Corporation – Re: Check #46763 in the amount of $5,375 representing the February 2009 retained surcharge revenue for Steuben County. **Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.**

**April 8, 2009**
New York State Department of Environmental Conservation – Re: Notification of Public Information Meeting for the Keuka Highlands Draft Unit Management Plan is scheduled for Wednesday, May 6, 2009 at 7291 Coon Road, Bath, NY 14810 (informational open house 2:00pm-4:00pm & presentation @ 7:00pm). **Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.**

**April 9, 2009**
NYS Department of Transportation – Re: Notification of the Job Access and Reverse Commute (JARC) and New Freedom Programs is accepting applications to fund innovative and flexible programs which identify and address the transportation needs of individuals with limited incomes and persons with disabilities. **Referred to: Greg Heffner, Planning Director.**

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 055-09**

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

REQUESTING THE ADOPTION OF SENATE BILL NO. S-4096 AND ASSEMBLY BILL NO. A-7454 EXTENDING THE ADDITIONAL ONE PERCENT (1%) SALES TAX FOR STEUBEN COUNTY.

Pursuant to Article IX of the Constitution of the State of New York and Section 40 of the Municipal Home Rule Law.

WHEREAS, it appears that the County could be facing a sizeable tax increase without extension of the additional sales tax; and

WHEREAS, this increase would impose a disproportionate share of the increase on property owners; and

WHEREAS, the need for additional revenues should be spread among all segments of the County's populace in order to minimize impact on any one segment of the people; and

WHEREAS, the Steuben County Legislature heretofore requested Home Rule legislation authorizing an additional one percent sales tax pursuant to Resolution No. 044-09 duly adopted March 23, 2009; and
WHEREAS, the Finance Committee subsequently approved increasing the cities shares to $710,000 each for Hornell and Corning, and in addition, the sum of $750,000 to the towns and villages of the County of Steuben, based on their respective equalized full value; and

WHEREAS, Senate Bill No. S-4096 and Assembly Bill No. A-7454 have been introduced authorizing the extension of the one percent sales tax relative to a home rule request for an extension of an additional one percent sales tax; and

WHEREAS, a necessity exists for the passage of such legislation by the New York State Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby requests the New York State Legislature adopt special Home Rule legislation as presented in Senate Bill No. S-4096 and Assembly Bill No. A-7454, to authorize the Steuben County Legislature to extend the additional one percent sales tax; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senator George H. Winner, Jr., 802 Legislative Office Building, Albany, NY 12247; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Senate Minority Leader, Dean G. Skelos, 503 State Capitol, Albany, NY 12247; Senate Majority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; and Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248.

Vote: Roll Call – Adopted. Yes-8224; No-513; Absent-1135
(No: Schwartz; Absent: Gehl and Ryan)

RESOLUTION NO. 056-09

Introduced by P. Donnelly. Seconded by R. Argentieri.


WHEREAS, Corning Community College was established by state statute as a regional community college, and

WHEREAS, by resolution duly adopted the 17th day of December, 1984, the County of Steuben resolved to become a participant in the community college region; and

WHEREAS, community college regions under current law do not have the authority to issue debt to finance capital projects, placing community college regions at a distinct disadvantage vis-à-vis all other county community colleges; and

WHEREAS, the Regional Board of Trustees of Corning Community College now finds it necessary to amend the public authorities law with respect to such financings, which would allow community college regions to borrow the local share of capital projects directly from the Dormitory Authority of the State of New York; and

WHEREAS, the New York State Senate and Assembly will propose legislation for such amendment of state law.

NOW THEREFORE, BE IT

RESOLVED, that the County of Steuben hereby requests the New York State Senate and the New York State Assembly to enact the Community College Region Capital Financing Act of 2009, and move its adoption; and be it further
RESOLVED, that the Clerk of this Legislature shall forward a certified copy of this resolution to Dr. Floyd Amann, President of Corning Community College; Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Majority Leader, Dean G. Skelos, 503 State Capitol, Albany, NY 12247; Senate Minority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, Brian M. Kolb, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, Jr., 802 Legislative Office Building, Albany, NY 12247; and Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted.

RESOLUTION NO. 057-09


AUTHORIZED TO CHARGE A TRANSACTION OR CONVENIENCE FEE TO USERS OF MERCHANT CARDS IN PAYMENT OF TAXES OR FEES.

WHEREAS, Steuben County issued a Request for Proposals (RFP) for Merchant Card services and has entered into a contract with M&T Bank; and

WHEREAS, payments initiated via the internet either by credit card or eCheck processing require a transaction or convenience fee established by the service provider; and

WHEREAS, the costs of processing other credit card payments for certain taxes and fees should be assessed to the user of the card rather than paid by the County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Treasurer is hereby authorized to establish a transaction or convenience schedule for non-internet transactions; and be it further

RESOLVED, that Steuben County Administration Committee and Finance Committee shall approve the initial schedule and any subsequent changes in rates; and be it further

RESOLVED, the Administration Committee and Finance Committee shall approve which Departments and types of transactions will be assessed transaction or convenience fees and which transaction costs will be paid by the County; and be it further

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

Vote: Roll Call – Adopted. Yes-7773; No-964; Absent-1135.
(No: Argentieri and Schwartz. Absent: Gehl and Ryan)

RESOLUTION NO. 058-09

Introduced by R. Nichols and D. Creath. Seconded by R. Argentieri.

ENCOURAGING ROADSIDE BEAUTIFICATION.

WHEREAS, beautiful scenery is one of Steuben County’s most valuable assets; and

WHEREAS, many rural areas of Steuben County are marred by illegal refuse dumping; and

86

Monday, April 27, 2009
WHEREAS, bucolic views and a clean natural environment are crucial to economic development, tourism, property values, and general quality of life; and

WHEREAS, local municipalities have the authority to enforce existing property maintenance codes and junk car laws and the authority to enact more stringent local laws; and

WHEREAS, Steuben County has had a lottery system to assist selected towns with the disposal of roadside refuse; and

WHEREAS, this lottery system for refuse disposal has had low participation by those selected.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature encourages citizens and local governments to clean up roadsides and eliminate littering and illegal dumping; and be it further

RESOLVED, Steuben County municipalities are encouraged to enforce existing laws, pursue prosecution of those who illegally dispose of refuse, and adopt enhanced laws if needed; and be it further

RESOLVED, the Steuben County Department of Public Works and the Steuben County Environmental Management Council are hereby directed to develop a roadside beautification program wherein towns submitting proposals that meet specified parameters and criteria may be granted reduced disposal fees at the Steuben County Landfill; and be it further

RESOLVED, that those towns’ plans approved by the Environmental Management Council will be submitted to the Public Works Committee for review and final approval of the number of participants and extent of any landfill rate reduction to be given to the towns as a result of the proposals; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Commissioner of Public Works and the County Planning Director.

Vote: Roll Call – Adopted.

RESOLUTION NO. 059-09

Introduced by D. Creath.        Seconded by R. Argentieri.

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 27th day of April, 2009 at 10:00 a.m.

NOW THEREFORE, BE IT

RESOLVED, that the following tax parcels shall be added to Agricultural District No. 1:

462800 274.00-01-004.113 462800 292.00-01-011.210

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 2:

462403 206.06-01-001.121

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 3:

466000 035.00-01-019.111

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 4:

467289 104.00-01-086.000 467289 132.00-01-027.100 468000 116.00-01-021.110

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 7:

464400 096.00-01-030.200 467489 082.00-01-018.120

AND BE IT FURTHER RESOLVED, that the following tax parcel shall be added to Agricultural District No. 13:

463400 426.00-01-029.112

AND BE IT FURTHER RESOLVED, that the following tax parcels shall be added to Agricultural District No. 22:

463889 283.00-01-027.100 463889 283.00-01-028.000

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. 060-09

Introduced by D. Farrand.                Seconded by R. Argentieri.

SETTING A DATE FOR A PUBLIC HEARING RELATIVE TO THE ADOPTION OF THE STEUBEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.
WHEREAS, the County of Steuben, with assistance from the State of New York, has gathered information and prepared the Steuben County Multi-Jurisdictional Hazard Mitigation Plan (the “Plan”); and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the County of Steuben Public Safety Committee has reviewed the Plan and affirms that the Plan will be updated no less than every five years from FEMA approval; and

WHEREAS, a Public Hearing is necessary prior to the adoption of the aforesaid Plan in order to receive public input regarding same.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby set the 27th day of May, 2009 for a Public Hearing relative to the Steuben County Multi-Jurisdictional Hazard Mitigation Plan; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Director Emergency Management.

Vote: Acclamation – Adopted.

RESOLUTION NO. 061-09

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

APPOINTING MEMBERS TO THE MARSH DITCH WATERSHED PROTECTION DISTRICT ADMINISTRATIVE BOARD.

WHEREAS, vacancies have occurred on the Marsh Ditch Watershed Protection District Administrative Board; and

WHEREAS, the following appointees have been recommended for appointment by the District's Board of Directors, the Soil and Water Conservation District, and the Agriculture, Industry & Planning Committee of the Steuben County Legislature for the term as indicated:

Steve Hoeffner
14 Florence Street, Hornell, NY 14843
01/01/09 – 12/31/12

William J. Phelps
1297 Sharps Hill Road, Arkport, NY 14807
01/01/09 – 12/31/12

NOW THEREFORE, BE IT

RESOLVED, that these appointees are hereby appointed to the Marsh Ditch Watershed Protection District Administrative Board for terms as indicated; and 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 Marsh Ditch Watershed Protection District Administrative Board; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the above-named appointees; the Steuben County Auditor; and the Steuben County Soil & Water Conservation District.

Vote: Acclamation – Adopted.
RESOLUTION NO. 062-09

Introduced by P. Roche. Seconded by R. Argentieri.

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 establishment of a Steuben County Conference and Visitors’ Bureau; and

WHEREAS, Resolution No. 156-93 stated that the terms of appointment for voting members of the Board of Directors shall be three (3) years; and

WHEREAS, the term has expired for various members of the Board.

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

<table>
<thead>
<tr>
<th>Attractions</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mary Shupp, Pinnacle State Park</td>
<td>01/01/08 – 12/31/10</td>
</tr>
<tr>
<td>Heather Hughes, Group Sales Manager, Corning Museum of Glass</td>
<td>01/01/09 – 12/31/11</td>
</tr>
<tr>
<td>Beth Harvey, Marketing &amp; Communications Specialist, Rockwell Museum</td>
<td>01/01/07 – 12/31/09</td>
</tr>
<tr>
<td>Joe Serphillips, Dr. Konstantin Frank Vinifera Wine Cellars</td>
<td>01/01/09 – 12/31/11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accommodations</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan Ebeling, General Manager, Radisson Hotel Corning</td>
<td>01/01/08 – 12/31/10</td>
</tr>
<tr>
<td>Jim Heil, Vinehurst Inn, Hammondsport</td>
<td>01/01/09 – 12/31/11</td>
</tr>
<tr>
<td>Yvonne Sloan, Halcyon Place Bed and Breakfast</td>
<td>01/01/08 – 12/31/10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Restaurants</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Pfuntner (Resigned 12/08 – position still vacant)</td>
<td>01/01/07 – 12/31/09</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Professional Services Representative</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey A. James, Five Star Bank</td>
<td>01/01/09 – 12/31/11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Travel Agency</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terry Lewis, Vice President, Covered Wagon &amp; Finger Lakes Tours</td>
<td>01/01/09 – 12/31/11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Campground</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randy Lehman, Hickory Hill Camping Resort</td>
<td>01/01/07 – 12/31/09</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Community-at-Large</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen Fusco</td>
<td>01/01/09 – 12/31/11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chambers of Commerce Representative</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carol Mehlenbacher, Director, Bath Area Chamber of Commerce</td>
<td>01/01/09 – 12/31/09</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>County Legislators</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donald B. Creath, District 2</td>
<td>01/01/09 – 12/31/11</td>
</tr>
<tr>
<td>Thomas J. Ryan, District 9</td>
<td>01/01/07 – 12/31/09</td>
</tr>
</tbody>
</table>

90

Monday, April 27, 2009
RESOLUTION NO. 063-09

Introduced by D. Farrand and P. Donnelly. Seconded by R. Argentieri.

MEMORIALIZING THE STATE OF NEW YORK TO HOUSE NEW YORK STATE PAROLE VIOLATORS IN THE NEW YORK STATE DEPARTMENT OF CORRECTIONS.

WHEREAS, county jails in New York State continue to house increasing numbers of parole violators, including parole violators held on technical charges and parole violators who have become “state-ready” and are awaiting transfer to a state correctional facility; and

WHEREAS, many jails report that a significant portion of their entire jail population is comprised of such parole violators and state ready inmates; and

WHEREAS, in many county jails the average length of stay of a parole violator prior to his final parole hearing is one hundred twenty (120) days; and

WHEREAS, there are sixty-nine state correctional facilities, in addition to the 902-bed Willard Drug Treatment Facility in Seneca County, New York, meaning that there is a state correctional facility in or near each county of New York State; and

WHEREAS, the number of inmates incarcerated in state prisons has been reduced so significantly in recent years that the Governor and some members of the New York State Legislature have called for a closing of several state correctional facilities; and

WHEREAS, these inmates held on parole violations have always been considered a State responsibility, the State no longer reimburses counties for the housing costs incurred in maintaining these inmates while their parole revocation proceedings are held and completed, and provides no reimbursement for medical costs for such inmates incurred by New York State counties; and

NOW THEREFORE, BE IT

RESOLVED, that Steuben County seeks appropriate relief from the Division of Parole and the Department of Correctional Services to lessen the amount of time that parole violators and state ready inmates are held at county jails; and be it further

RESOLVED, that Steuben County memorializes the State of New York to pass legislation to allow parolees awaiting a parole violation hearing to be incarcerated in a state correctional facility in or near the county where the alleged parole violation occurred, rather than in a county jail; and be it further
RESOLVED, that until such time as a parolee awaiting a parole violation hearing is held at a state correctional facility, that Steuben County requests reasonable compensation for housing such parolees, at a sum equal to the actual cost of confinement, including actual medical expenses incurred by the county; and be it further

RESOLVED, that certified copies of the resolution be forwarded to the Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; Wayne E. Zyra, President, InterCounty Association of Western New York, c/o Monroe County Legislature, 39 West Main Street, Rochester, NY 14614; New York State Sheriff’s Association, 27 Elk Street, Albany, NY 12207; New York State Commission of Corrections, 80 Wolf Road, 4th Floor, Albany, NY 12205; Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12247; 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.E. Collective Negotiations Pursuant To Article Fourteen Of The Civil Service Law Made By Mr. Van Etten, Seconded by Mr. Stachnik and Duly Carried.

Motion to adjourn Executive Session and reconvene in Regular Session Made by Mr. Donnelly, Seconded by Mr. McAllister and Duly Carried.

RESOLUTION NO. 064-09


AMENDING THE DEPUTIES’ CONTRACT RELATIVE TO SALARIES FOR NEWLY HIRED DEPUTIES.

WHEREAS, it has become increasingly difficult to recruit and retain Deputy Sheriffs in the Sheriff’s Office; and

WHEREAS, the Sheriff’s Office requires flexibility in hiring Deputy Sheriffs; and

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

WHEREAS, the Deputies Association has accepted this Amendment.

NOW THEREFORE, BE IT

RESOLVED, the proposed changes in the current contract contained in the Proposed Memorandum of Agreement between the Steuben County, Steuben County Sheriff and the Deputies Association of the County of Steuben are hereby approved; and be it further

RESOLVED, that the above reference changes will become effective the pay period following the signing of the attached Memorandum; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Administrator; County Attorney; County Personnel Officer; County Treasurer; and Eric Tyner, Acting President Steuben County Deputies Association.

Memorandum of Agreement

By and Between, the County of Steuben and the Deputies Association of the County of Steuben (DACS) represented by the New York State Law Enforcement Officers Union, Council 82.
Whereas, the above parties have met and conferred in regards to starting wages/salaries for lateral transfers into the Steuben County Sheriff's Office, and

Whereas, the parties have agreed to establish and agree to a definitive understanding of such wages/salaries for lateral transfers, and

Whereas, the parties have agreed, that said agreement and understanding will take effect immediately upon the full execution of this Agreement and will remain in effect until negotiated otherwise.

Now therefore, the parties herein agree as follows:

A. All Deputy Sheriff’s who are re-hired or reinstated as lateral transfers by the County of Steuben with at least two (2) years prior Steuben County Sheriff’s Office permanent, full-time experience** as a Deputy Sheriff or Building Security Deputy, will have a choice of 1 or 2 below.

1. All former Deputy Sheriff’s shall be reinstated at the same salary step they held when they left their prior employment with Steuben County. The lateral transfer may start the progression up the salary grid, as outlined in accordance with the provisions of the current collective bargaining agreement. Employees hired after Jan 1, 1998 the date of salary increase will be on January 1 or July 1, after completing one year of service from the new date of hire without prejudice.

   Example: Deputy X completes a lateral transfer from Anywhere PD to the SCSO. Deputy X had prior SCSO full-time Deputy Sheriff experience and left at Year 3. Deputy X’s starting salary will be at Year 3 and after completion of one year of service will move to Year 4 on either January 1 or July 1. Deputy X will continue to climb the salary grid as years of service are completed.

   OR

2. All former Deputy Sheriff’s shall be reinstated as follows:
   For every (2) years of outside permanent, full-time** law enforcement experience, as a Deputy Sheriff or Police Officer, a lateral transfer has acquired, he/she shall be credited with (1) one year on the SCSO Year grid. The maximum salary Year step for any outside lateral transfer covered in this category shall be Year 4. The lateral transfer may begin the progression up the salary grid, as outlined in accordance with the provisions of the current collective bargaining agreement. Employees hired after Jan 1, 1998 the date of salary increase will be on January 1 or July 1, after completing one year of service from the new date of hire without prejudice.

   Example: Deputy X completes a lateral transfer from Anywhere PD to the SCSO. Deputy X has 6 years full-time experience with Anywhere PD. Deputy X’s starting salary will be at Year 3 and will move to Year 4, on January 1, or July 1 after completion of one year of service with the County of Steuben. Deputy X will then continue to climb the salary grid as years of service are completed.

**All permanent, full time experience will be confirmed by appropriate Civil Service documents, such as a roster record or similar record.

IT FURTHER AGREED THAT,

B. With the signing of this Memorandum of Agreement, any current SCSO full-time, permanent member covered under the provisions of the DACS contract, with at least two (2) years of prior SCSO full-time, permanent law enforcement experience shall receive one (1) Year step to their current level on the salary grid, as outlined in accordance with the provisions of the current collective bargaining agreement.

C. Walter Feely is a full-time, permanent Deputy Sheriff with 13 years verified service in the Town of Cohocton. By way of this agreement Deputy Feely will become eligible for Year 9 salary on July 1, 2009 rather than July 1, 2010.
D. Any new full-time, permanent appointments, as Deputy Sheriff or Building Security Deputy, from a valid competitive civil service list, may be hired up to Year 4 of the salary grid based on past permanent law enforcement experience in New York State. For every two (2) years of full-time, permanent NYS law enforcement experience a new hire has acquired, prior to being appointed to SCSO, he/she will be credited with one (1) year on the salary grid up to a maximum of Year 4. The new hire will continue progression up the salary grid, as outlined in accordance with the provisions of the current collective bargaining agreement.

IT IS ALSO AGREED THAT,

E. Any Deputy Sheriff hired as a lateral transfer, regardless of their years of full-time service with the SCSO or any other law enforcement agency, shall not be given preference in “in-house” seniority in regards to vacation, longevity, or any other benefit other than those described in the current collective bargaining agreement. “In-house” seniority for any Deputy Sheriff hired as a lateral transfer shall be the lateral transfer’s new date of hire.

F. Civil Service seniority and probationary periods for all Deputy Sheriff’s shall be set by the Steuben County Civil Service Rules.

G. All promotional exams will be offered according to Civil Service Law.

The parties herein acknowledge that during the course of resolving this matter they were fully and fairly represented and all parties had the unlimited right and opportunity to propose any terms to this Agreement.

All parties acknowledge that they voluntarily and knowingly enter into this agreement and have read and understood the terms as outlined above.

The parties acknowledge that this Agreement constitutes the entire Agreement and understanding between the parties and this Agreement supersedes all prior agreements and understanding, whether written or oral.

The parties acknowledge that this signed Agreement, represents the entire Agreement between the parties on the Salaries/Wages for Lateral Transfers and shall be added to the collective bargaining agreement during the next contract negotiations.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date shown after each of the signatures below.

For the County of Steuben; For the Deputies Association of the County of Steuben;

_________________________ __________________________
Chairman of the Legislature President, DACS

_________________________ __________________________
Sheriff of Steuben County Staff Representative – Council 82

This Agreement shall take effect on the _______ day of ______________________, 2009.

Vote: Roll Call – Adopted. Yes-8286; Abstained-451; Absent-1135.
( Abstained: Argentieri; Absent: Gehl and Ryan)

Motion to adjourn made by Mr. Farrand, seconded by Mr. Schwartz and duly carried.
The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, New York, on Wednesday, the 13th day of May, 2009, at 10:00 a.m. and was called to order by the Vice Chairman of the Legislature, Patrick F. Donnelly.

Roll call and all members present except Legislators Argentieri, Creath (late), Schwartz, Nichols, Roche (late) and Stachnik.

Mr. Nichols offered the invocation and the Pledge of Allegiance was led by Mr. Weaver.

Vice Chairman Donnelly introduced Travis Miller of the Matrix Consulting Group, who provided a presentation regarding the E-911 Department.

Mr. Miller stated Steuben County has a state of the art, technologically-advanced E-911 system. Your Director and Assistant Director do a great job managing the center and reaching out to stakeholders in the system. It was a pleasure to work with staff and management of the County during the course of the study. The E-911 Department, County Administrator’s Office and Personnel assisted in providing information needed for this analysis.

Mr. Miller stated our scope of services was to evaluate operational issues in the current PSAP operations, analyze staffing needs for the E-911 Department, and consider current practices including the way in which calls for service are answered and dispatched. He provided a summary of the key activities the project team conducted as part of the project in order to develop the key findings and recommendations contained within the report. A copy of the report is on file with the Official Minutes in the Clerk of the Legislature’s Office.

Mr. Miller stated the key finding is that shift supervision must be improved. Supervisors are too involved with providing coverage for employee breaks and meals in the 911 department. This impacts their ability to adequately supervise operations. Increasing the number of dispatchers will enable the center to refocus supervisors on key tasks. The fiscal impact of these five dispatcher positions would be $231,000 annually. Supervisors should focus on call/dispatch review, quality control, delivery of training and other supervisor tasks. This will also take some of the administrative burden off of the Director and Assistant Director.

Mr. Miller stated that because of the advanced technology of your system, the use of dedicated call takers and dispatchers is appropriate. Current technology and service level objectives do not support a return to a single individual handling each call from receipt through call completion. He recommended the continued use of dedicated call takers and dispatchers, as the system is too complicated to do otherwise without impacting effectiveness. However, it is critical that steps be taken to enhance the consistency of call handling and dispatching in the 911 department. Dispatch supervisors must be focused on ensuring that dispatchers are handling calls consistently and that critical information is reaching emergency responders.

Mr. Miller stated currently the call taker gets the basic information, dispatches agencies, and then is the go-between between the agency and the caller. Several agencies want you to go back to one dispatcher handling each call. The problem is, with all the cell phones out there, you could get 15 calls on the same incident so who is really handling the dispatching at that point? He recommended they continue the current system they are using. The biggest complaint in the field is the lack of consistency in how calls are handled and dispatched. If you want consistency, you need somebody consistently monitoring how the call takers and dispatchers are handling the calls. Once sufficient staffing levels are available, they should focus on the implementation of a quality control process using the Dispatcher Supervisors.
Mr. Miller stated the E-911 Department should work with the various constituencies of fire, EMS and law enforcement to find ways to improve upon and expedite emergency and non-emergency responses. While they cannot compel the responding agencies in these issues, they do have a vital role to play in initiating and coordinating these approaches. He stated that it should be viewed as unacceptable for a dispatcher to page out an agency four times, with 3 minutes in between each page, before they are allowed to go to the next closest agency. On the fire and EMS side, we suggest that each agency report their status to the E-911 Department a certain number of times each day. You need to know whether or not the units are coming before a call comes in. Similarly, I think there is an opportunity in law enforcement to work out arrangements for responding to calls. This would keep cars from being pulled out of their patrol area and would enhance the level of service. Discussion followed.

Mr. Miller stated workload and assignments are both valid ways of determining staffing. In a busy, urban or rural center, workload is more critical in assessing staffing requirements. The staffing analysis for call takers supports the current level of 2 per shift. However, the analysis for dispatchers does not adequately take into account the potential for large events or concurrent events. The analysis does show that additional dispatching workload could be handled by the department.

Mr. McAllister stated in order to get consistency in dispatching, we need user groups? Mr. Miller stated you need dedicated supervisors.

Mr. Gehl asked when are we going to start putting dispatchers in a patrol car? Mr. Hopkins stated we’ve been looking into it; he’s spoken with the Sheriff about it but right now he is trying to fill road patrol vacancies. Also, we need to adjust staff before we can proceed with it.

Mr. Creath asked if they observed any deficiencies in the hardware or software. Mr. Miller stated on the software side, you’ve made the investment in protocols in EMS and you may find that you need to move towards using Fire and Law Enforcement Protocols as well.

Mr. Van Etten stated you are recommending we increase staff by 5 people. Could we take a less aggressive approach and cover different shifts with different numbers of people? Mr. Miller stated absolutely. We tried to err on the conservative side of the process.

Mr. Van Etten asked is there seasonality to dispatching activity? Obviously, winter storms would keep them busy. Mr. Miller stated no, not really.

Chairman Roche opened the floor to those present to comment and ask questions about the report. He noted this is going to be an on-going process, today’s not the end of it. There were no comments or questions.

Chairman Roche stated Mr. Miller has given us a lot to think about here and I look forward to feedback from the Law Enforcement, Fire and EMS agencies.

Chairman Roche thanked Mr. Miller for his presentation.

Chairman Roche announced that an Insurance Committee meeting will be held immediately following this meeting.

Motion to adjourn made by Mr. Van Etten, seconded by Mr. Ryan and duly carried.
The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Wednesday, the 27th day of May, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislators Argentieri and Schu (late).

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

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

Chairman Roche asked Frank Kiff to come forward. Mr. Kiff is an employee in the Department of Probation and Correctional Alternatives. He presented him with a Certificate of Appreciation and a pin in recognition of 15 years of service with Steuben County.

Chairman Roche asked Bonnie Smith to come forward. Ms. Smith is an employee in the Department of Motor Vehicles. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche stated in 1984, the County established the Office for the Aging. Since then, they have served over 19,000 senior citizens. Therefore, I have declared this week as Office for the Aging Week in Steuben County. He presented a proclamation to Linda Tetor, Director, and the employees of the Steuben County Office for the Aging. Mrs. Tetor thanked everybody for their support and thanked the staff, stating they are the ones who do all the hard work.

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

Lee Hersch, Steuben County Environmental Management Council, stated I wanted to speak about concerns regarding the Marcellus shale project. He distributed copies of an article from the Ithaca Journal about a Tompkins County resolution outlining their concerns about the state regulatory process, which is being re-evaluated by the Department of Environmental Conservation to take into account the potential for large-scale horizontal hydro-fracture drilling. Tompkins County is urging the state to delay the permitting of natural gas drilling in the Marcellus shale until it has adequately developed and funded an inspection and enforcement program. They ask that the state calculate how many inspectors and staff will be needed to adequately oversee the fracking process; charge gas drilling companies severance taxes and permit fees to underwrite the cost of regulation and oversight; identify substances that might be introduced into wells through the drilling process; and extend the comment period on the state’s draft proposals to at least 60 days. I urge you to consider passing a similar resolution. Thank you for your time.

Rachel Treichler, Sierra Club, stated I’m here to urge you to take action at the County level regarding gas drilling. It looks like the State is poised to approve hydro-fracking. When we look at what is happening in other states where this process is being used, it is important for Steuben County to study and take action on this. Sullivan County created a Gas Drilling Task Force to study the issue and develop recommendations and comments. These recommendations were adopted by resolution and then they directed their Planning Department to study the different impacts this drilling process would have on aquifers and roads. I think if Steuben County follows Sullivan County’s example by directing the Planning Department to study this and prepare recommendations, the county will be in a better position. We need our county government to step in and make sure the citizens are protected. Thank you.
Rosellen McFarland, Painted Post, stated I’m a citizen with a well that I want to keep clean. During the 1972 flood, I was proud that our well never got dirty and I never want it to get that way. Do what you can to keep our water pure and our roads safe. Thank you.

Terry Gerych, Steuben Green Party, distributed copies of an economic impact comparison regarding drilling in the Marcellus Shale. For a potential gain of $22 billion in gas income over 20 years, you are risking approximately $200 billion in agriculture and recreational uses of the land. There will be short term economic benefit but long term environmental damage. It shouldn’t be done. Thank you.

Mark Cook, Urbana, stated I recommend the Legislature take a close look at the chemicals that will be used with the hydro-fracture drilling process. I have endocrine difficulties that change your nervous system due to chemical exposure in a previous job. It takes very little chemical exposure to change your system. The hydro-fracture process requires pressurized injection of millions of gallons of water containing proprietary chemicals in the underground shale to release the gas. This could result in the contamination of aquifers and water wells. There currently are no federal regulations to safeguard against this. I would really like to see as much research done on this before they can begin drilling. Thank you.

A resident of Hornby stated I was distressed to learn that in 2005, oil and gas drilling was exempted from the provisions of the Clean Water Act. There is a bill being prepared by an Assemblyman from Colorado to put those back under the EPA regulations. With the limited number of staff people in the NYSDEC, there appears to be a vacuum of supervision that puts pressure on you to have a watchful eye. Thank you.

The 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 relative to the resolution on the agenda Adopting the Steuben County Multi-Jurisdictional Hazard Mitigation Plan. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing.

Mr. Marshall stated in 2000, the Federal Government said that each jurisdiction had to adopt a Hazard Mitigation Plan. We felt it would be better to pool resources and develop one on a county level to cover all municipalities in the county. What we are doing now is going to each municipality to have them approve this plan as their local jurisdiction’s plan. It isn’t site specific for the county or municipalities; it is open ended so they can put the processes in place at the local level. This is the key to accessing grant funding so we need to adopt this plan.

Dan Farrand asked how many municipalities have signed on already? Mr. Marshall stated about half at this point.

There being no further comments, Chairman Roche 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 for Posting for the Public Hearing relative to the resolution on the agenda Authorizing and Directing the Steuben County Treasurer to transfer $245,000 from the “Building Repair and Renovations Reserve” and appropriate $20,000 to a capital project entitled “Corning Courthouse – Exterior Painting Capital Project” and $225,000 to a capital project entitled “County Office Building – Roof Replacement Capital Project”. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the public hearing closed.

The minutes of the previous month’s meetings were adopted upon the motion of Mr. Donnelly, seconded by Mr. McAllister and duly carried.

Mr. Creath stated he would like to amend the agenda for Monday’s Agriculture, Industry and Planning Committee meeting to include the topic of the Marcellus shale drilling. He invited the individuals who spoke here today to join us at the meeting on Monday at 10:30 a.m.
Mrs. Hunter stated I wanted to thank the legislature for authorizing me to expend the funds for the pistol permit program. Since the new system has been implemented we’ve had 78 new applications, 20 new licenses were issued, 125 duplicate licenses were issued with 35 awaiting judicial approval, 189 amendments were made and 6 transfers were processed. The public is very happy with this program. It really is a win-win situation and I can’t thank you enough. Mr. Ryan thanked the County Clerk’s staff for working on this project and Legislator Van Etten for being the task master. Discussion followed.

On another note, I would like to call to your attention another possible scam that has been reported by the Attorney General’s Office. Residents in a neighboring county have received a letter from an attorney stating their property has been listed as being in foreclosure proceedings based on records in the County Clerk’s Office. The letter continues to offer help to save the individual’s property and stop the foreclosure sale from taking place if quick action is taken. The property of the residents was not in foreclosure according to the Attorney General’s Office. She asked them to please let their constituents know about this in case they receive similar letters.

Chairman Roche stated as part of the Tyrtle Beach fundraiser, I will now draw the winner of the Chairman’s parking spot from the Department Head group of donors. Frank Justice won the parking spot for the month of June.

RESOLUTION NO. 065-09

Introduced by P. Donnelly. Seconded by D. Stachnik.

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 # A-1 __________________________
Name Mark & Cynthia Ostrander __________________________
Parcel # 202.00-01-009.100 __________________________
Municipality Cameron Town __________________________
Disposition Correction __________________________
Resolution # B-1
Former Owner ___ Scott & Kimberly McGregor ______________
In Rem Index No. 98375, 2007 sale ____________________________
Parcel # ______ 197.16-01-001.100 ____________________________
Municipality ___ Canisteo Town ________________________________
Grantee(s) _____ Scott McGregor & Kimberly McGregor __________
Grantee(s) Address _ 49 E Main Street, Canisteo, NY 14823 _______
Consideration $7,118.69, together with $130.00 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 ___ Michael Sharp ______________________________
In Rem Index No. 98375, 2007 sale ____________________________
Parcel # ______ 317.12-02-029.200 ____________________________
Municipality ___ Corning City ________________________________
Grantee(s) _____ Michael Sharp ______________________________
Grantee(s) Address _ 277 Walnut Street, Fall River, MA 02720 _______
Consideration $3,980.73, together with $270.00 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 ___ Don L & Emma J Jackson _________________
In Rem Index No. 98375, 2007 sale ____________________________
Parcel # ______ 426.00-01-004.100 ____________________________
Municipality ___ Caton Town ________________________________
Grantee(s) _____ Don L Jackson & Emma J Jackson __________
Grantee(s) Address _ 630 Buckwheat Hollow Rd, Lindley, NY 14858 ______
Consideration $13,494.46, together with $180.00 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. 066-09

Introduced by P. Roche. Seconded by F. Gehl.

RECEIVING AND ACCEPTING THE MAY 27, 2009 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 20, 2009
NYS Department of Environmental Conservation – Re: Notification of failure to comply with the terms of their SPDES General Permit for Concentrated Animal Feeding operations (CAFO’s) which occurred at 8545 Canaseraga Road, in the town of Hornellsville. Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Amy Dlugos, SCEMC.
Office of Community Renewal – Re: Result findings from the Comprehensive Monitoring Report for NYS CDBG Project #1115HR154-06. Referred to: Greg Heffner, Planning Director.


Office of Community Renewal – Re: Concurrence of determination of categorical exclusion under 24 CFR 58.35 (a) for the NYS CBDG Project #1115HR22-08. Referred to: Greg Heffner, Planning Director.

CSEA, AFSCME Local 1000, AFL-CIO – Re: Contract between Steuben County (Corrections) and the CSEA Employee Benefit Fund for the Horizon Dental Plan and the Platinum 12 Vision Plan. Referred to: Administration Committee; Robert Biehl, Personnel Director; and Carol Whitehead, Treasurer.

April 21, 2009
NYS Office for the Aging – Re: Revised notification of Grant Award (NGA) for the period of April 1, 2008- March 21, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

April 22, 2009
Assemblyman Jim Bacalles – Re: Approved Consolidated Highway Improvement Program (CHIPs) allocation enacted for the 2009-2010 budget. Referred to: Public Works Committee; and Vince Spagnoletti; Public Works Commissioner.

April 30, 2009

May 1, 2009
Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: 1st Quarter Report for 2009 and an invoice for payment in the amount of $1,406.25. Referred to: Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

May 5, 2009
Western Regional Off-Track Betting Corporation - Re: Check in the amount of $14,040 which represents the March 2009 retained surcharge revenues and the municipality’s share of the 2009 1st quarter net revenues. Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.

May 7, 2009
NYS Office for the Aging – Re: Second notification of Grant Award (NGA) for the federal fiscal year 2009 (FFY 2009) Nutrition Services Incentive Program (NSIP). Referred to: Human Services Committee; and Linda Tetor, OFA Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 067-09

Introduced by R. Nichols and P. Donnelly. Introduced by D. Stachnik.

RECOGNIZING THE AGREEMENTS BETWEEN THE COUNTY OF STEUBEN AND FIRST WIND FOR THE RECONSTRUCTION OF COUNTY ROUTES 35 AND 121 AND ANTICIPATING THE APPROPRIATION AS A RESULT OF THE AFORESAID AGREEMENTS.

WHEREAS, various agreements have been entered into with UPC Wind Management, LLC for protection of County roads and rights of way (UPC Wind Management, LLC has since changed its name to First Wind Holding, LLC); and
WHEREAS, First Wind Holding, LLC has agreed to compensate the County in respect to the damage and degradation caused by the hauling and traffic utilized in the execution of the wind farm project, (hereinafter “the project”); and

WHEREAS, First Wind Holding, LLC and Steuben County have developed road use and repair agreements to establish the foregoing principles and bind the parties thereto; and

WHEREAS, pursuant to the agreements the cost of damage to CR35 is estimated as $686,024 and to CR121 as $85,269; and

WHEREAS, the project cannot be initiated unless and until Steuben County receives the funds.

NOW THEREFORE, BE IT

RESOLVED, the result of the aforesaid agreements appropriations are anticipated as follows for the sum of $771,293:

- $686,024 CR35, Permanent Road Improvement D fund account 511200 5 250000(R035-00)
- $85,269 CR121, Permanent Road Improvement D fund account 511200 5 250000(R121-00)

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

Mr. McAllister asked what if the cost changes for these projects? Mr. Spagnoletti stated the price is based upon the May asphalt index. After the road is built, we determine the actual cost and then settle the bill after it is completed. Discussion followed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 068-09


ECONOMIC RECOVERY PROJECTS MUNICIPAL RESOLUTION COUNTY ROUTE 14, SECTION 1, 1.9 MILES.

WHEREAS, the Resurfacing of Steuben CR 14-1 from CR 15 South 1.9 miles, Town of Bath, Steuben County Economic Recovery Project(s) (hereinafter the “the Projects”) in the Town of Bath, in Steuben County, (hereinafter “the Municipality/Sponsor”) is (are) 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 100% Federal funds and 0% non-federal funds.

NOW, THEREFORE, the Municipal/Sponsor Board duly convened does hereby:

RESOLVE, that the Municipal/Sponsor Board hereby approves the above Projects; and it is hereby further

RESOLVED, that the Municipal/Sponsor agrees to advance the Projects through: (Check only of the following boxes):

☒ 1) The Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipal/Sponsor to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates $309,000 to D fund account 511200 5 250000(R014-01) from Revenue account 999901 4 3600800 the funds necessary to complete the Project(s) including all phase(s) or portions thereof

-OR-
2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor
to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates
from ________ (or pursuant to ________) the funds necessary to complete the Project(s) including all phase(s) or portions
thereof; and it is further

RESOLVED, that the Municipal/Sponsor Board makes a 100% commitment of the non-federal share (if any) of
the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal
share of such costs to be applied directly by the New York State Department of Transportation (hereinafter “NYSDOT”)
pursuant to the State/Local Agreement and it is hereby further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the
Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and
it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount
appropriated above, the Municipal/Sponsor Board shall convene as soon as possible to appropriate said excess amount
immediately; and it is hereby further

RESOLVED, that the Chairperson of the Steuben County Legislature is hereby authorized to execute all
necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor
Attorney’s approval as to form and content), with NYSDOT in connection with the advancement or approval of the
Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the
municipality’s first instance funding of the non-federal share 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 the
Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and it is
further

RESOLVED, that this Resolution shall take effect immediately.

Mr. Weaver asked what is this for? Mr. Spagnoletti stated there are two resolutions totaling
approximately $854,000 in economic stimulus money to resurface parts of County Route 14. Discussion
followed.

Vote: Roll Call – Adopted.

RESOLUTION NO. 069-09


ECONOMIC RECOVERY PROJECTS MUNICIPAL RESOLUTION COUNTY ROUTE 14, SECTION 2, 3.35
MILES.

WHEREAS, the Resurfacing of Steuben CR 14-2 beginning 2.9 miles south of CR 15 and proceeding 3.35 miles
to CR 69 in the Towns of Bath and Howard, Steuben County Economic Recovery Project(s) (hereinafter the “the
Projects”) in the Towns of Bath and Howard, in Steuben County, (hereinafter “the Municipality/Sponsor”) is (are)
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 100% Federal funds and 0% non-federal funds.

NOW, THEREFORE, the Municipal/Sponsor Board duly convened does hereby:

RESOLVE, that the Municipal/Sponsor Board hereby approves the above Projects; and it is hereby further
RESOLVED, that the Municipal/Sponsor agrees to advance the Projects through: (Check only of the following boxes):

☒ 1) The Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipal/Sponsor to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates $545,000 to D fund account 511200 5 250000(R014-02) from Revenue account 999901 4 3600800 the funds necessary to complete the Project(s) including all phase(s) or portions thereof.

-OR-

☐ 2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from________ (or pursuant to________) the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and it is further

RESOLVED, that the Municipal/Sponsor Board makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter “NYSDOT”) pursuant to the State/Local Agreement and it is hereby further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Municipal/Sponsor Board shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

RESOLVED, that the Chairperson of the Steuben County Legislature is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor Attorney’s approval as to form and content), with NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality’s first instance funding of the non-federal share 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 the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and it is further

RESOLVED, that this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 070-09

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

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO APPROPRIATE $245,000 FROM THE “REPAIR AND RENOVATIONS RESERVE” TO INCREASE THE BUDGET FOR THE COUNTY OFFICE BUILDING-ROOF REPLACEMENT CAPITAL PROJECT AND THE CORNING COURTHOUSE-EXTERIOR PAINTING CAPITAL PROJECT.

WHEREAS, it is necessary to appropriate funds to increase the budget amount of $300,000.00 adopted on December 3, 2008 to $525,000.00 for the County Office Building – Roof Replacement Capital Project; and
WHEREAS, it is necessary to appropriate funds to increase the budget amount of $25,000.00 adopted on December 3, 2008 to $45,000.00 for the Corning Courthouse – Exterior Painting Capital Project; and

WHEREAS, funds are available within the Buildings and Grounds Department "Repair and Renovations Reserve".

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to appropriate the sum of $225,000.00 from the "Repair and Renovations Reserve" to the County Office Building – Roof Replacement Capital Project; and be it further

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to appropriate the sum of $20,000.00 from the "Repair and Renovations Reserve" to the Corning Courthouse – Exterior Painting Capital Project; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Treasurer and the County Superintendent of Buildings and Grounds.

Vote: Roll Call – Adopted.

RESOLUTION NO. 071-09


CLOSING CAPITAL PROJECT 6050H2, DETENTION SPRINKLER PROJECT AND TRANSFERRING PROJECT FUNDS AND DETENTION PROGRAM FUNDS INTO 6050H3, DETENTION REPAIR PROJECT TO FUND ROOF REPAIRS.

WHEREAS, the Capital Project, Detention Center Sprinkler Project is complete; and

WHEREAS, the roof at the Detention Center has been assessed and written quotes have been received and the Capital Project Account, Detention Center Repairs, 6050H3 exists; and

WHEREAS, the cost of the roof repair will be $11,624.00.

NOW THEREFORE, BE IT

RESOLVED, the County of Steuben closes account 6050H2 and transfers the remaining account funds into account 6050H3; and be it further

RESOLVED, Steuben County Treasurer appropriates funds in the 2009 Steuben County Budget as follows to cover said roof repairs:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>6050H3</td>
<td>52500000 Capital Projects</td>
<td>$11,624.00</td>
</tr>
<tr>
<td>6050H3</td>
<td>43623200 Detention Revenue State</td>
<td>$3,059.42</td>
</tr>
<tr>
<td>6050H3</td>
<td>41823240 Detention Revenue Repayment</td>
<td>$2,752.58</td>
</tr>
<tr>
<td></td>
<td>Close 6050H2 – Sprinkler Project</td>
<td>$2,030.88</td>
</tr>
<tr>
<td></td>
<td>Detention Center Operations - 605000 General Fund-Contractual</td>
<td>$3,781.12</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioner of Social Services and the County Treasurer.
RESOLUTION NO. 072-09

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A GRANT IN THE AMOUNT OF $123,750 FROM THE OFFICE OF HOMELAND SECURITY AND ALSO ACCEPT A GRANT IN THE AMOUNT OF $41,250 FROM THE OFFICE OF HOMELAND SECURITY FOR THE STEUBEN COUNTY SHERIFF’S DEPARTMENT.

WHEREAS, Steuben County has identified the risks associated with the affects 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 2008 grant funds in the amount of $41,250 under the Law Enforcement Terrorism Prevention Program (LETPP) to support prevention and planning for terrorist incidents to aid and assist the Sheriff’s Department; and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2008 grant funds in the amount of $123,750 under the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents to aid and assist the Office of Emergency Management.

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 $41,250 for implementation of the Law Enforcement Terrorism Prevention Program (LETPP) to support education, prevention and planning; and be it further

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 $123,750 for implementation of the State Homeland Security Program (SHSP) to support response, education, prevention and planning for terrorist incidents; and be it further

RESOLVED, the County Administrator, the Sheriff, and the Director of Emergency Management are authorized and directed to execute the requisite documentation to effectuate the grant and agreement from LETPP; 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 the grant and agreement from SHSP; 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 Sheriff for the purpose of fulfilling the LETPP grant; 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 Country Office of Emergency Management for the purpose of fulfilling the SHSP 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; the Steuben County Sheriff; and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 073-09

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 October, 2008, to the 31st day of March, 2009, 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, 2009, 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, 2008, 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 $731,833.04.

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 - 5/2009**

<table>
<thead>
<tr>
<th>TOWN &amp; CITIES</th>
<th>TOWN/CITY AMT DUE</th>
<th>VILLAGES AMT DUE</th>
<th>VILLAGES AMT DUE</th>
<th>TOTAL AMT DUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDISON</td>
<td>6,773.07</td>
<td>ADDISON</td>
<td>2,860.62</td>
<td>9,633.69</td>
</tr>
<tr>
<td>AVOCA</td>
<td>4,063.27</td>
<td>AVOCA</td>
<td>528.51</td>
<td>4,591.78</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BATH (1)</td>
<td>9,067.95</td>
<td></td>
</tr>
<tr>
<td>BATH</td>
<td>31,987.92</td>
<td>SAVONA (2)</td>
<td>887.48</td>
<td>41,943.35</td>
</tr>
<tr>
<td>BRADFORD</td>
<td>1,962.56</td>
<td></td>
<td></td>
<td>1,962.56</td>
</tr>
<tr>
<td>CAMERON</td>
<td>6,985.82</td>
<td></td>
<td></td>
<td>6,985.82</td>
</tr>
<tr>
<td>CAMPBELL</td>
<td>14,713.05</td>
<td></td>
<td></td>
<td>14,713.05</td>
</tr>
<tr>
<td>CANISTEO</td>
<td>8,103.45</td>
<td>CANISTEO</td>
<td>2,623.29</td>
<td>10,726.74</td>
</tr>
<tr>
<td>CATON</td>
<td>12,913.80</td>
<td></td>
<td></td>
<td>12,913.80</td>
</tr>
<tr>
<td>COHOCTON</td>
<td>5,722.72</td>
<td>COHOCTON</td>
<td>773.32</td>
<td>6,496.04</td>
</tr>
<tr>
<td>CORNING CITY</td>
<td>56,423.31</td>
<td>RIVERSIDE (1)</td>
<td>2,082.79</td>
<td>58,506.09</td>
</tr>
<tr>
<td>CORNING TOWN</td>
<td>50,203.24</td>
<td>S CORNING (2)</td>
<td>3,200.07</td>
<td>53,403.31</td>
</tr>
</tbody>
</table>

107

Wednesday, May 27, 2009
Mr. Stachnik asked how is this amount compared to last year? Mrs. Hunter stated there was a large $200,000 tax that was collected in Jasper. Without that, collections would have been down approximately $75,000.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 074-09**

Introduced by F. Gehl and P. Donnelly. S e c o n d e d b y D. Farrand.

**REINSTATING THE APPROPRIATION OF $35,000 FOR THE PURCHASE OF FIVE THERMAL IMAGING CAMERAS.**

**WHEREAS,** the State of New York had heretofore authorized the grant for the Office of Emergency Management to procure five thermal imaging cameras for a total of $35,000; and

**WHEREAS,** the State of New York caused said grant to lapse thus eliminating the appropriation of the aforesaid sum for those purposes; and

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dansville</td>
<td>7,694.15</td>
<td></td>
<td>7,694.15</td>
</tr>
<tr>
<td>Erwin</td>
<td>73,900.54</td>
<td>5,864.39</td>
<td>79,764.93</td>
</tr>
<tr>
<td>Fremont</td>
<td>3,950.26</td>
<td></td>
<td>3,950.26</td>
</tr>
<tr>
<td>Greenwood</td>
<td>1,567.07</td>
<td></td>
<td>1,567.07</td>
</tr>
<tr>
<td>Hartsville</td>
<td>760.26</td>
<td></td>
<td>760.26</td>
</tr>
<tr>
<td>Hornby</td>
<td>11,886.68</td>
<td></td>
<td>11,886.68</td>
</tr>
<tr>
<td>Hornell City</td>
<td>17,034.00</td>
<td></td>
<td>17,034.00</td>
</tr>
<tr>
<td>Hornellsville</td>
<td>17,147.24</td>
<td>1,787.09</td>
<td>20,460.22</td>
</tr>
<tr>
<td>Howard</td>
<td>3,425.95</td>
<td></td>
<td>3,425.95</td>
</tr>
<tr>
<td>Jasper</td>
<td>243,191.72</td>
<td></td>
<td>243,191.72</td>
</tr>
<tr>
<td>Lindley</td>
<td>9,394.73</td>
<td></td>
<td>9,394.73</td>
</tr>
<tr>
<td>Prattsburg</td>
<td>8,182.23</td>
<td></td>
<td>8,182.23</td>
</tr>
<tr>
<td>Pulteney</td>
<td>17,679.85</td>
<td></td>
<td>17,679.85</td>
</tr>
<tr>
<td>Rathbone</td>
<td>2,157.42</td>
<td></td>
<td>2,157.42</td>
</tr>
<tr>
<td>Thurston</td>
<td>5,860.73</td>
<td></td>
<td>5,860.73</td>
</tr>
<tr>
<td>Troopsburgh</td>
<td>6,805.83</td>
<td></td>
<td>6,805.83</td>
</tr>
<tr>
<td>Tuscarora</td>
<td>3,912.15</td>
<td></td>
<td>3,912.15</td>
</tr>
<tr>
<td>Urbana</td>
<td>18,698.57</td>
<td>1,653.30</td>
<td>20,351.87</td>
</tr>
<tr>
<td>Wayland</td>
<td>14,225.25</td>
<td>3,358.44</td>
<td>17,583.69</td>
</tr>
<tr>
<td>Wayne</td>
<td>20,959.37</td>
<td></td>
<td>20,959.37</td>
</tr>
<tr>
<td>West Union</td>
<td>646.51</td>
<td></td>
<td>646.51</td>
</tr>
<tr>
<td>Wheeler</td>
<td>2,954.06</td>
<td></td>
<td>2,954.06</td>
</tr>
<tr>
<td>Woodhull</td>
<td>3,733.12</td>
<td></td>
<td>3,733.12</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>695,619.90</td>
<td>36,213.14</td>
<td>731,833.04</td>
</tr>
</tbody>
</table>

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


STEUBEN COUNTY LEGISLATURE

By: Philip J. Roche, Chairman

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

DATED: May 27, 2009.

Christine Kane, Clerk
Steuben County Legislature

Mr. Stachnik asked how is this amount compared to last year? Mrs. Hunter stated there was a large $200,000 tax that was collected in Jasper. Without that, collections would have been down approximately $75,000.
WHEREAS, the State of New York has reinstituted the grant in the amount of $35,000 for the procurement of the thermal imaging cameras.

NOW THEREFORE, BE IT

RESOLVED, that the appropriation of $35,000 for the purchase of five thermal imaging cameras be and the same hereby is reinstated; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 075-09


ADOPTING THE STEUBEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

WHEREAS, Steuben County has gathered information and prepared the Steuben County Multi Jurisdictional Hazard Mitigation Plan (the “Plan”); and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Steuben County held a Public Hearing on May 27, 2009 affording all citizens an opportunity to comment and to provide input regarding the Plan and the actions in the Plan; and

WHEREAS, the Steuben County Legislature has reviewed the Plan and affirms that the Plan will be updated no less than every five years from its adoption.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby adopt the Steuben County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan including all corrections as may be required by FEMA upon review and as revised from time to time; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Director of Emergency Management.

Mr. Farrand stated he thinks all of the Legislators should talk to their towns about adopting this plan. If they don’t adopt this plan and a disaster happens, they won’t be eligible for funds. Mr. Gehl asked Mr. Marshall to provide a list of the towns who have not adopted the plan to the Legislature.

Mr. Van Etten stated if towns already have a mitigation plan in place are they all right?

Mr. Sprague stated this isn’t an emergency operation plan. This is an additional plan to the emergency operation plan. To Mr. Farrand’s point, if they don’t sign on, they are not eligible for mitigation funds. There is a portion of a disaster that is set aside for mitigation grants. The Soil and Water Conservation District makes excellent use of those funds so it is important for towns to get into the process.

Mr. McAllister stated he hasn’t seen anything in writing that shows that the Legislature has informed the towns of the necessity to adopt this plan. The towns might not understand. If you send the towns a letter listing what is needed and why, that would cover us because you can explain it better than I could in a town or village meeting.
Mr. Donnelly stated when you visit the towns can you make sure they know that it is permissible for them to adopt our plan but they can also develop their own if they so choose. Mr. Sprague stated they will let them know.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 076-09**

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

**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 2009 Delinquent Real Property Tax Auction shall be conducted on Wednesday, July 15, 2009, commencing at 10:00 A.M. at the Haverling High School, Bath, New York; and be it further

RESOLVED, the final date to repurchase parcels listed for auction prior thereto is Friday, July 10, 2009, 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:** Acclamation – Adopted.

**RESOLUTION NO. 077-09**

Introduced by T. Ryan.  
Seconded by D. Farrand.

**AUTHORIZING AND DIRECTING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH PRO ACTION FOR THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM.**

WHEREAS, Pro Action of Steuben and Yates, Inc. has contacted the County of Steuben for purposes of entering into an agreement for the Senior Community Service Employment Program (SCSEP); and

WHEREAS, SCSEP fosters and promotes useful part-time temporary training opportunities in community service assignments for unemployed, low-income people ages 55 and older; and

WHEREAS, the program also fosters individual economic self-sufficiency resulting in an increase to the number of older Americans who may enjoy the benefits of unsubsidized employment in the public and private sectors.

NOW THEREFORE, BE IT
RESOLVED, the County hereby directs that the County Administrator execute an agreement by and between the County of Steuben and Pro Action of Steuben and Yates, Inc. as a host agency for the SCSEP; and be it further RESOLVED, certified copies shall be forwarded to David G. McCarroll, Administrator of Steuben County Health Care Facility; and Linda Pierce, Project Director of Pro Action.

Vote: Roll Call – Adopted.

RESOLUTION NO. 078-09


MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK IN OPPOSITION OF ASSEMBLY BILL A05899 AND SENATE BILL S4091 PROVIDING AN ELECTION BY A DEFENDANT IN CRIMINAL MATTERS IN VILLAGE AND TOWN COURTS TO HAVE THEIR CASE APPEAR BEFORE A JUDGE OR JUSTICE ADMITTED TO PRACTICE LAW IN THE STATE OF NEW YORK.

WHEREAS, Assembly Bill A05899 and Senate Bill S4091 have been introduced and provide for an election by a defendant in criminal matters in village and town courts to have their case appear before a magistrate who is a duly admitted attorney in the State of New York; and

WHEREAS, approximately 1500 of the 2200 active town and village magistrates are not attorneys; and

WHEREAS, extending the opportunity to “opt out” of using a non-attorney justice when charged with criminal matters simply results in an unfunded State mandate and imposes further burdens on those local courts which have attorneys presiding; and

WHEREAS, of all the magistrates in the County of Steuben only five (5) of such local justices are attorneys and some counties have none; and

WHEREAS, an overhaul has been undertaken to improve the quality of the town and village court system; and

WHEREAS, said legislation will ultimately lead to the termination of the justice court system, a system which is “closest to the people.”

NOW THEREFORE, BE IT RESOLVED, that this Legislature does hereby memorialize the Governor and the Legislature of the State of New York in opposition to Assembly Bill A05899 and Senate Bill S4091 providing for an election by a defendant in criminal matters in village and town courts to have their case appear before a judge or justice admitted to practice law in the State of New York; 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 Skelos, 503 State Capitol, Albany, NY 12247; Senate Majority Leader Malcolm Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader Brian Colb, 933 Legislative Office Building, Albany, NY 12248; Senator George Winner, 802 Legislative Office Building, Albany, NY 12247; Assemblyman James Bacalles, 439 Legislative Office Building, Albany, NY 12248; Assemblyman Daniel O’Donnell, 819 Legislative Office Building, Albany, NY 12248; Senator John Sampson, 506 Legislative Office Building, Albany, NY 12247; and the Steuben County Magistrates Association, Hon. Cathy P. Rouse-Nicholson, RN, PO Box 359, Avoca, NY 14809-0359.

Vote: Acclamation – Adopted.

Chairman Roche introduced Mark Kakuvka, Labella Associates, and Kyle Tuttle, LP Ciminelli, who are here today to make a presentation regarding the former Health Care Facility.
Mr. Kakuvka stated we were hired in September of 2007 as you were nearing construction of the new facility to evaluate what we could do with the old facility. The two options you asked us to review were assisted living and additional office space. Some of the activities we completed is we went through some of the departments to interview and define the space needs. We conducted an assessment on how much space they would need. We took the floor plan of the existing building and conducted a concept layout. We also assessed the building and looked at the systems. This is a 1960’s building; it primarily doesn’t have air conditioning so, as a modern office building function, you would want to add air conditioning. Also there are minimal sprinklers or fire protection in the walls, so we would have to bring the building up to code. The plumbing in the building is old galvanized pipes with several leaks. However, we wouldn’t need much plumbing in an office building function. The building currently isn’t handicapped accessible, and the electric would need to be upgraded. We conducted an asbestos survey of the building and asbestos is found primarily in the floor tile. The County is currently doing an abatement of the tile. The only other issue is there is asbestos material in the core of the doors. A new roof has already been installed. Because it is a 1960’s building, it isn’t very energy efficient. We looked into installing new windows and adding insulation to make it more energy efficient. We packaged it all together and had LP Ciminelli provide you with cost options.

Mr. Tuttle stated we took every one of the designs Labella came out with and we provided Mr. Alger with several different options. The cost to convert the building into an assisted living facility was $16,987,945 and to convert it into office space would cost $13,874,869. We then looked at scaling everything back to phase the work in over time, which came to $9,038,000. After we presented you with those options, you asked us about the cost of new building construction. The cost to build a new 58,000 gross square foot (gsf) 2-story office building is $15,027,213 which is slightly less than a 58,000 gsf 1-story building, which is $15,232,059. You also asked us the cost of completely demolishing the building and placing a new 14,000 gsf pre-engineered building on the site to accommodate the Records Center and the voting machines. The cost of this option is $3,453,237.

Mr. Crossett asked what was the cost of just the demolition? Mr. Tuttle stated $1.9 million. He noted the prices are updated to reflect current market conditions.

Mr. Haurycki asked what was the cost of the new roof? Mr. Alger stated about $400,000.

Mr. Van Etten asked what is the life of the roof? Mr. Kakuvka stated it is a 15 to 20 year roof.

Mr. Van Etten asked do the first two options include demolition of the existing building? Mr. Tuttle stated no, it does not.

Mr. Creath asked how much square footage is involved in the scaled back renovation of the building for County Offices? Mr. Tuttle stated about 60,000 and the balance of the building would be a shell for the County to grow into.

Mr. Ryan stated Chemung County was talking about restructuring their Medicaid and relocating everything to one area. Would we be able to accommodate something like that in this building in the future? Mr. Alger stated no, there wouldn’t be enough space. What Mr. Santulli has proposed is a new structure with a complete medical facility for direct care for Medicaid recipients.

Mr. Van Etten asked what are the efficiencies of renovating an old building versus building new?

Mr. Kakuvka stated with the plans they developed for converting the building into office space, he doesn’t think there is as much wasted space as there could have been. Certainly the large meeting rooms provide flexibility for the future. We had 15 or 20 percent spare space for future growth. I thought it was a decent solution to get the flow of space and I think the departments were pleasantly surprised.

Mr. Van Etten stated is there a percentage on how much more it would cost to heat the facility? Mr. Tuttle stated this building is a very solid structure. With technology the way it is, I’m not sure you would lose a
ton of value by reconditioning that asset versus building a new asset. I think you can build some efficiency into it. Discussion followed.

Mr. Weaver asked how did you determine 58,000 gsf for a new facility versus the 83,000 gsf for the renovated facility? Mr. Alger stated there are several large rooms in the existing facility that we would probably keep for large gatherings. The corridor resident wings had a solarium at each end. Those weren’t programmed into the office space but they are included in the square footage.

Mr. Donnelly asked how the departments that would move were identified. Mr. Alger stated some volunteered; others were in need of additional space. Mr. Donnelly asked would any of those departments generate revenue to offset the cost of the building? Mr. Alger stated possibly Public Health Nursing Services, but mostly no.

Mr. Gehl asked how long would construction take? Mr. Tuttle stated 8 or 9 months. Mr. Kakuvka stated they would need 4 to 6 months for design work to take it from where we are today and get it out to bid.

Mr. Schwartz asked is there any outside funding available through the economic stimulus program? Mr. Alger stated we’ve made several applications for stimulus funding. We’ve also applied for alternative energy funding through the stimulus. We’re just waiting to see if we are awarded anything. Discussion followed.

Mr. Alger stated the reason we invited Mr. Kakuvka and Mr. Tuttle here today is because we need to decide how you want to proceed. We’re removing the asbestos right now. We currently have the Records Center and voting machines in the existing facility. We have no place else to put the voting machines so ultimately, we have to do something with them. We are removing the floor tile and to continue use the room we are using for the elections machines, we will have to do something with the floors. They conduct training on these machines periodically and, in my view, it isn’t a good idea to have people wandering the building when the floors are torn out.

Mr. Alger stated ProAction has expressed interest in utilizing the kitchen for Meals on Wheels food preparation. The large meeting rooms could be utilized by county departments. Also, the Soil and Water Conservation District is going to have to start paying for their space in the Federal building and they have requested space in our building. It would be nice to make a decision one way or another this year so we know where we are headed.

Mr. Stachnik stated if we demolish the building and place a pre-engineered building on the site for the Records Center and the voting machines, we may regret that decision the way the departments are growing.

Chairman Roche stated one of the options has been to form an Ad Hoc Committee consisting of Legislators and staff to decide and present 3 options to the Legislature. Timing would be critical in order to have a decision made by the end of the year. Discussion followed.

Mr. Walsh asked is there any money left from the jail project? Mr. Alger stated we have some, but we’ve been using that to pay off the debt associated with the jail construction.

Mr. Van Etten commented that you need to understand the other costs involved with changes to this building once you move offices out there.

Mr. Stachnik stated with the needs of the department advancing as they are, we would be derelict in our duty by not looking at this and making a decision this year.

Chairman Roche thanked Mr. Kakuvka and Mr. Tuttle for their presentation.
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 Made By Mr. Donnelly, seconded by Mr. Van Etten and duly carried.

Motion to adjourn Executive Session and reconvene in Regular Session Made by Mr. Gehl, seconded by Mr. Stachnik and duly carried.

Motion to adjourn Made by Mr. McAllister, seconded by Mr. Donnelly and duly carried.
REGULAR MEETING  
Morning Session  
Monday, June 22, 2009  
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 June, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members present except Legislators Gehl, Schwartz and Stachnik.

Mr. Walsh provided the Invocation and the Pledge of Allegiance was led by Mr. Argentieri.

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

Ristiina Wigg, Director, Southern Tier Library System, stated she is here with three library directors to thank you for your support and to tell you about how the services of the libraries are benefiting people in the area. The $110,000 in funding allows us to provide electronic services as well as programs and materials to our patrons. We have seen an increase in the number of individuals using our electronic/Internet services.

Jenny Peer, Savona Free Library, stated they have seen a significant increase in public library use given the economic climate as it is an inexpensive form of entertainment. We are working really hard to be good stewards of the funding you provide for us.

Carol Berry, Dormann Library, stated we have been focusing on early literacy as well as focusing on expanding our young adult collection. We have started gaming in the library as we really want to get the kids to come in and see what other things we have to offer them. Thank you for your continued support.

Lorraine Nelson, Howard Free Library, stated Steuben County is listed number one for unemployment in the State. People are always welcome at the library and we thank you for your support.

The minutes of the previous month’s meeting were adopted upon the motion of Mr. Ryan, seconded by Mr. McAllister and duly carried.

Mr. Donnelly announced the next meeting of the AdHoc Health Care Facility Committee will be Tuesday, June 29th at 9:30 a.m. and we will be meeting at the entrance to the old facility for a tour.

Mr. Ahrens introduced the newest member of his staff, Judy Hillman.

Mr. Donnelly announced that there will be a Special Finance Committee immediately following the Board Meeting and Mr. Roche stated that the Insurance Committee will be meeting immediately following the Finance Committee.

RESOLUTION NO. 079-09

Introduced by P. Donnelly. 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, 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 #_____A-1____________________________________
Name__________Don Coon/Stonebridge Motor Co., LLC________
Parcel # ________318.47-01-020.000________________________
Municipality ____Corning City____________________________
Disposition _____Correction_______________________________

Resolution #_____A-2____________________________________
Name__________Kevin Chilson____________________________
Parcel # ________424.00-01-002.121________________________
Municipality ____Lindley Town____________________________
Disposition _____Correction_______________________________

SCHEDULE "B"

Resolution #_____B-1_____________________________________
Former Owner___Lura Harnden & Ella Peterson________________
In Rem Index No. 95453, 2006 sale___________________________
Parcel # ________262.00-01-068.000_________________________
Municipality ____Campbell Town____________________________
Grantee(s)______Lura Harnden & Ella Peterson_________________
Grantee(s) Address_79 Murray Street, Mt. Morris, NY 14510_____
Consideration $3,473.13, together with 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___Robert Clark & Pamela Clark
In Rem Index No. 98375, 2007 sale
Parcel #______015.05-02-015.000
Municipality__Wayland Village__________
Grantee(s)___Robert Clark & Pamela Clark
Grantee(s)Address_126 Charles Street, Wayland, NY 14572________
Consideration $6,085.80, together with 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___David J Knickerbocker & Donna L Knickerbocker
In Rem Index No. 98375, 2007 sale
Parcel #______261.00-01-009.000
Municipality__Campbell Town____________
Grantee(s)___David J Knickerbocker & Donna L Knickerbocker
Grantee(s) Address_9055 St Rt 415, Campbell, NY 14821_________
Consideration $6,623.68, together with 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___David Dudley & Judith Dudley
In Rem Index No. 98375, 2007 sale
Parcel #______102.00-01-066.200
Municipality__Wheeler Town____________
Grantee(s)___David Dudley & Judith Dudley
Grantee(s) Address_6975 Carey Rd, Bath, NY 14810_________
Consideration $5,985.05, together with 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___Reuben W Dickison & Angela L Dickison
In Rem Index No. 98375, 2007 sale
Parcel #______281.00-01-025.200
Municipality__Hornby Town_____________
Grantee(s)_____Reuben W Dickison & Angela L Dickison
Grantee(s) Address_3627 Dyke Rd, Corning, NY 14830_________
Consideration $2,082.11, together with 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-6
Former Owner__Donald E Gilmore Estate______________________________
In Rem Index No. 95453, 2006 sale______________________________
Parcel # ________166.25-02-060.000____________________________
Municipality__Hornell City_____________________________________
Grantee(s)_____Donald E Gilmore Estate_________________________
Grantee(s) Address_c/o Shull & Coyles Law Offices, 2300 Grand Central
Ave, Horseheads, NY 14845-2500
Consideration $8,551.51, together with 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-7
Former Owner__Route 81 Radio Group A____________________________
In Rem Index No. 98375, 2007 sale______________________________
Parcel # ________336.14-01-072.000____________________________
Municipality__Corning Town____________________________________
Grantee(s)______Route 81 Radio Group A_________________________
Grantee(s) Address_770 E Market St Ste 110, West Chester, PA 19382
Consideration $16,722.15, together with 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-8
Former Owner__John Wedd & Penny L Wedd_________________________
In Rem Index No. 95453, 2006 sale______________________________
Parcel # ________299.11-02-004.200____________________________
Municipality__Corning City_____________________________________
Grantee(s)______John Wedd & Penny L Wedd_______________________
Grantee(s) Address_56 Hamilton Rd, Corning, NY 14830____________
Consideration $13,886.91, together with 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
Name________Suburban Propane________________________________
Parcel # ______099.00-01-004.000/2____________________________
Municipality__Avoca Town_____________________________________
Disposition____CANCELLATION OF ALL TAXES PURSUANT
TO REAL PROPERTY TAX LAW §558 SUBJECT
TO CANCELLATION OF ALL OTHER EXISTING
MUNICIPAL TAXES.

Vote: Roll Call – Adopted.
RESOLUTION NO. 080-09

Introduced by P. Roche. Seconded by D. Farrand.

RECEIVING AND ACCEPTING THE JUNE 22, 2009 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 18, 2009
NYS Task Force on the future of Off-Track Betting - Re: Request to provide impacts on how the regional Off-Track betting system has been to Steuben County, as well as what the County would like their future role to be (Need to be submitted by June 15, 2009). Referred to: Mark Alger, County Administrator; and John Clifford, Steuben County WROTBC Board of Director.

NYS Emergency Management Office – Re: FFY 2008 Citizen Corps Grant Program Amendment Letter. Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

May 28, 2009

May 29, 2009
Western Regional Off-Track Betting Corporation – Re: Task Force on the Future of Off-Track Betting. Referred to: Mark Alger, County Administrator.

June 1, 2009
New York State Department of Health – Re: The implementation of the Health Facilities Information System (HFIS) to enable the department to maintain more accurate information on beds and services throughout the state and to issue and amend operating certificates (licenses) in a more efficient manner. (New operating certificate enclosed and directed to destroy the existing certificate) Referred to: Health & Education Committee; and Vicki Fuerst, Public Health & Nursing Services Director.

Western Regional Off-Track Betting Corporation – Re: Check #46913 in the amount of $5,185 representing the April 2009 retained surcharge revenue for Steuben County. Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.

June 5, 2009
NYS Office of Homeland Security – Re: Notification of funding available for three new targeted grant programs to enhance local first responders’ capabilities: the Explosive Detection Canine Grant Program, the Companion Animal Sheltering Equipment (CASE) Grant Program, and the Technical Rescue/Urban Search and Rescue (USAR) Grant Program. All applications are due on July 15, 2009. Referred to: Public Safety & Corrections Committee; Sheriff Ordway; and Mike Sprague, EMO Director.

Eric J. J. Massa, 29th District – Re: Notification of proposal being submitted for the Centerway Arch Bridge as a Surface Transportation High Priority Project (HPP) authorized in the Safe, Accountable, Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the amount of $1,500,000. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.
Eric J. J. Massa, 29th District – Re: Notification of proposal being submitted for the reconstruction of Steuben County Route 119A and the rehabilitation of Steuben County Route 120A as Surface Transportation High Priority Projects (HPP) authorized in the Safe, Accountable Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the amount of $3,309,027. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.

Eric J. J. Massa, 29th District – Re: Notification of proposal being submitted for the reconstruction of sixteen miles of Steuben County Route 70A as a Surface Transportation High Priority Project (HPP) authorized in the Safe, Accountable Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the amount of $3,042,715. Referred to: Public Works Committee; and Vince Spagnoletti, Commissioner of Public Works.

June 8, 2009
Office of Community Renewal – Re: Notification of Conditional Certificate of Completion will be issued upon receipt and approval of the final audit to formally conclude and closeout Steuben County’s CDBG grant #111HR154-06. Referred to: Greg Heffner, Planning Director.

NYS Department of Transportation – Re: Statewide Mass Transportation Operating Assistance (STOA) payments for the first quarter SFY 2009-2010 (formula). Referred to: Greg Heffner, Planning Director.

NYSAC – Re: The New York State Office of Aging (NYSOFA) and the New York State Association of Counties have joined to assist county leaders in planning a process for addressing the opportunities and challenges of New York’s rapidly growing older population. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

NYS Department of Environmental Conservation – Re: Request for public comments as it reviews a draft work plan to investigate the Tioga Avenue site located at 213, 219 and 239 East Tioga Avenue in the city of Corning, Steuben County, New York. NYSDEC is accepting written public comments about the draft Remedial Investigation (RI) for 30 days, from June 17, 2009 through July 17, 2009. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

Vote: Acclamation – Adopted.

RESOLUTION NO. 081-09

Introduced by R. Nichols/P. Donnelly. Seconded by L. Crossett

AUTHORIZING AND DIRECTING A MODIFICATION OF THE TIPPING FEE AT THE LANDFILL FOR AUTO FLUFF FROM $12/TON TO $8/TON.

WHEREAS, auto fluff is the shredded upholstery of automobiles; and

WHEREAS, the New York State Department of Environmental Control (NYSDEC) approves the use of this material as an alternate daily cover material, thus reducing the amount of soil that must be excavated from the site to cover garbage; and

WHEREAS, the market price for auto fluff has decreased such that we are not able to receive auto fluff at our $12.00/ton price; and

WHEREAS, the landfill receives this material from out of county; and

WHEREAS, the Public Works Committee and Finance Committee have approved the decrease of the auto fluff tipping fee from $12.00 / ton to $8.00/ton.

NOW THEREFORE, BE IT
RESOLVED, the Commissioner of Public Works is authorized to change the auto fluff tipping fee at the landfill from $12.00/ton to $8.00/ton; and be it further

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

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 082-09**

Introduced by R. Nichols. Seconded by R. Argentieri.

**AUTHORIZING THE EXECUTION AND DELIVERY OF A PERMANENT EASEMENT TO FACILITATE THE INSTALLATION OF A MUNICIPAL WATER UTILITY WITHIN AND UNDER MEADS CREEK ON THE SOUTH SIDE OF NY STATE ROUTE 415 IN THE TOWN OF ERWIN.**

WHEREAS, on or about November 14, 1927, the County acquired lands under Acquisition Map No. 0 ½ A, “Land to be Provided for the Painted Post-Campbell State Highway No. 5211” now known as NYS Route 415, and also commonly known as Victory Highway in the Town of Erwin, said Acquisition Map filed in the Records Access Office of the NYS DOT Office in Hornell, New York; and

WHEREAS, the Town of Erwin has commenced construction of a municipal water utility service the main line of which is to lie along NYS Route 415, Victory Highway, and in particular to cross Meads Creek within and under the said lands acquired by the County; and

WHEREAS, the Town of Erwin is in need of a permanent easement within and under the said lands acquired by the County; and

WHEREAS, the Town of Erwin has performed the appropriate SEQRA procedures and has obtained a Permit from the NYS DOT relative to its water project; and

WHEREAS, the installation of the water service main line and any related components will in no way interfere with the interests of the County within the said lands acquired by the County.

NOW THEREFORE, BE IT

RESOLVED, the Commissioner of Public Works shall be and is hereby authorized and directed to execute and deliver a permanent Public Utility Easement in favor of the Town of Erwin within and across the lands acquired by the County under Acquisition Map No. 0 ½ A, “Land to be Provided for the Painted Post-Campbell State Highway No. 5211” now known as NYS Route 415, and also commonly known as Victory Highway in the Town of Erwin, said Acquisition Map filed in the Records Access Office of the NYS DOT Office in Hornell, New York more particularly described as follows:

ALL THAT TRACT OF PARCEL OF LAND situate in the Town of Erwin, County of Steuben and State of New York, bounded and described as follows:

Beginning at a point at the intersection of the south limit of NYS Route 415, known as Victory Highway, with the east line of lands of Jeffrey Boylan (2012/235); thence running easterly along the south limit of Victory Highway to a point in the west line of lands of the O’Bryan Family Trust (1573/115); thence running southerly along the west line of the lands of the O’Bryan Family Trust a distance of approximately 12 feet to a point; thence running westerly on a line parallel with and ten feet distant from the south limit of Victory Highway to a point in the east line of Boylan; thence running northerly along the east line of Boylan a distance of approximately 12 feet to the point and place of beginning.
BEING a ten foot wide easement in and upon the lands, as they border the south line of NYS Route 415, conveyed to the party of the first part pursuant to County Acquisition Map No. 01, Parcel No. 0 ½ A – Land to be Provided for the Painted Post-Campbell State Highway No. 5211 and filed in the records access office of the NYS DOT Office in Hornell New York, dated 11/14/1927.

AND BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the Commissioner of Public Works, the County Attorney, and David B. Erwin, Supervisor, Town of Erwin, 117 W. Water St., Painted Post, NY 14870.

**Vote: Roll Call – Adopted.**

**RESOLUTION NO. 083-09**

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

**AUTHORIZING AND DIRECTING AGREEMENTS BETWEEN THE COUNTY OF STEUBEN AND INDUSTRIAL DEVELOPMENT AGENCIES & HOUSING PROJECTS FOR PAYMENT IN LIEU OF TAX BILLINGS AND PAYMENTS.**

WHEREAS, the Steuben County Industrial Development Agency (SCIDA) has requested formalizing the relationship between the County of Steuben by and through the Real Property Tax Service Agency (RPTSA) relative to payment in lieu of tax (PILOT) billings and payments; and

WHEREAS, such formalization by contract will assure greater accountability by providing checks and balances relative to PILOT agreements; and

WHEREAS, SCIDA currently provides RPTSA with copies of all SCIDA PILOT agreements and provides the requisite data so as to locate the sponsoring agency, the municipality, the corporate identity, assessment roll parcel number or numbers, together with PILOT date and terms of years; and

WHEREAS, upon all new PILOT agreements the assessment information is verified with the appropriate assessor to confirm taxable exempt status; and

WHEREAS, SCIDA is responsible for billing and prior to same provide RPTSA with a spreadsheet for review to verify the municipality and identity of the PILOT project, the assessment and exemption percentage if used as the tax base, or the agreed tax dollar amount to be distributed and each taxing unit’s respective percentage of the summed tax rates as well as each calculated tax extension and sum totals checked; and

WHEREAS, formalizing such an agreement is desirable for all Industrial Development Agencies (IDA) & Housing Projects to properly account for PILOT payments as well as the SCIDA.

NOW THEREFORE, BE IT

**RESOLVED**, the Director of the Steuben County RPTSA be and the same hereby is authorized and directed to enter into an agreement with SCIDA incorporating the above terms and conditions; and be it further

**RESOLVED**, said Director is authorized to enter into such agreements with all relevant IDA’s & Housing Projects for this purpose; and be it further

**RESOLVED**, certified copies of this resolution shall be forwarded to Donna Hatch, Director, Real Property Tax Service Agency; James Sherron, Executive Director, Steuben County Industrial Development Agency, 7234 Rte. 54N, PO Box 393, Bath, NY 14810; and Jim Griffin, Executive Director, Hornell City Industrial Development Agency, 40 Main Street, Hornell, NY 14843.
Mr. McAllister stated this is something Mrs. Hatch has been doing for a long time. This is just formalizing that process and we are entering into a contract to embody that.

Mr. Creath asked does this impact the existing agreements?

Mr. Alger stated this does not impact the PILOT’s.

Vote: Roll Call – Adopted.

RESOLUTION NO. 084-09


CREATING CERTAIN MISCELLANEOUS MANAGEMENT POSITIONS AS REQUIRED BY THE IRS AUDIT 2009.

WHEREAS, certain functions were being performed by contracted vendors; and

WHEREAS, the IRS audit has deemed this work does not qualify as a contractual situation; and

WHEREAS, several positions must be created to comply with the IRS audit.

NOW THEREFORE, BE IT

RESOLVED, the following positions are created:

In the Steuben County Health Care Facility:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational Therapist (1)</td>
<td>Misc. Management</td>
</tr>
<tr>
<td>Speech Therapist (2)</td>
<td>Misc. Management</td>
</tr>
<tr>
<td>Dentist (1)</td>
<td>Misc. Management</td>
</tr>
<tr>
<td>Physician (1)</td>
<td>Misc. Management</td>
</tr>
<tr>
<td>Dietician (1)</td>
<td>Misc. Management</td>
</tr>
</tbody>
</table>

In the Steuben County Department of Community Services:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psychiatrist (2)</td>
<td>Misc. Management</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer; County Treasurer; Health Care Facility Administrator; and Director of Community Services.

Mr. Alger stated we were audited by the IRS and this resolution and the next are a result of that audit. In every case, the position duties were being done through a contract. The IRS required us to change from a contracted position to a staff position. For the most part, these are part-time positions where they would have very limited benefits available to them. The net result is an additional cost to us if one or more want to join the retirement system. Otherwise the cost will remain the same.

Mr. Argentieri asked is this just a matter of changing their titles? Mr. Alger replied we are switching from direct contracts to part-time positions in the Health Care Facility and the Office of Community Services.
We had attempted getting third party contracts, but the individuals were not interested in assuming the health care liability.

Mr. Weaver asked does this increase our liability? Mr. Alger replied no, we were already liable.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 085-09


CREATING CERTAIN POSITIONS AS REQUIRED BY THE IRS AUDIT 2009.

WHEREAS, certain functions were being performed by contracted vendors; and

WHEREAS, the IRS audit has deemed this work does not qualify as a contractual situation; and

WHEREAS, several positions must be created to comply with the IRS audit.

NOW THEREFORE, BE IT

RESOLVED, the following positions are created:

In the Steuben County Health Care Facility:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Therapist PT (2)</td>
<td>Grade XVIII, $51,867 - $73,225</td>
</tr>
</tbody>
</table>

In the Steuben County Department of Community Services:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>GRADE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psychologist PT (1)</td>
<td>Grade XIX, $60,562 - $85,499</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Personnel Officer; County Treasurer; Health Care Facility Administrator; and Director of Community Services.

Mr. Argentieri asked are these new positions or are we just changing the title and grade? Mr. Alger replied we are creating new positions. These were functions that were previously done through contracts. The IRS said that we could not provide these services through a contract and that they needed to be employees.

Mr. Argentieri asked are these 16B positions? Mr. Alger replied no, we are required to do them. The IRS tells us this yet the State Comptroller says that they are not employees due to the nature of the relationship. We will discuss this further with the State Comptroller, but at this point we are forced to do this.

**Vote:** Roll Call – Adopted.

RESOLUTION NO. 086-09

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

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 10.

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 Canisteo, Greenwood, Hartsville and Jasper 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 27, 1978; and

WHEREAS, it is anticipated that the Notice of Review from the State of New York, Department of Agriculture and Markets will be forthcoming from said Department of Agriculture and Markets within the next 90 days, and that, pursuant to said Law, the procedure for the necessary review of the Steuben County Agricultural District No. 10 will be required to commence thereafter; and

WHEREAS, it is in the best interests of the County to commence this review period at this time.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Towns of Canisteo, Greenwood, Hartsville, and Jasper, 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 County Planning Board and Steuben County Agricultural and Farmland Protection Board, which Boards shall report to the Steuben County Legislature their recommendations 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 the 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. 087-09

Introduced by D. Creath. Secended by D. Farrand.

COMMENCING THE REVIEW PERIOD FOR AGRICULTURAL DISTRICT NO. 11.

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 Town of West Union did submit to the Steuben County Board of Supervisors a proposal to create an agricultural district within the specified areas of said Town; 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 16, 1983; and

WHEREAS, it is anticipated that the Notice of Review from the State of New York, Department of Agriculture and Markets will be forthcoming from said Department of Agriculture and Markets within the next 90 days, and that, pursuant to said Law, the procedure for the necessary review of the Steuben County Agricultural District No. 11 will be required to commence thereafter; and

WHEREAS, it is in the best interests of the County to commence this review period at this time.

NOW THEREFORE, BE IT

RESOLVED, that the Review period of the said Agricultural District located in the Town of West Union, 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 County Planning Board and Steuben County Agricultural and Farmland Protection Board, which Boards shall report to the Steuben County Legislature their recommendations 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 the 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; James Grace, Cornell Cooperative Extension, County Office Building, Bath, NY 14810.

Mr. Alger stated the expectation is to combine Agricultural Districts 10 and 11 into one district. Doing so will have no impact on individuals who are currently in those districts.

Vote: Acclamation – Adopted.

RESOLUTION NO. 088-09

Introduced by P. Roche. Seconded by R. Argentieri.

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 2009-2010 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. 089-09

Introduced by P. McAllister. Seconded by R. Argentieri.

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO ADOPT BILLS NO. S.4080-A AND A.7504-A RELATIVE TO COLLATERAL SOURCES.

WHEREAS, under current state law, public employees hurt on the job are paid twice, both times out of the taxpayers pocket for the same lost future earnings; and

WHEREAS, there is a bill proposed by the NYS Trial Lawyers Association has now been introduced in the Legislature (S.4080-A by Senator Schneiderman/A.7504-A by M. of A. Weinstein) which, in addition to ending the unfair double recoveries against public employers, it removes an impediment to the settlement of tort actions; and

WHEREAS, the bill would protect all parties in the lawsuit (including public employer defendants) who settle the case from then being subjected to a claim by a health benefit provider or other collateral source payer for reimbursement of monies paid to the plaintiff-unless there is a statutory right to such reimbursement, thereby encouraging settlement.

NOW THEREFORE, BE IT

RESOLVED, that that this Legislature does hereby memorialize the Governor and the Legislature of the State of New York supporting these bills and urges our lawmakers to vote into law; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Peter J. Kierman, Counsel to the Governor, Executive Chamber, State Capitol, Albany, NY 12224; Senator Dean G. Skelos, 907 Legislative Office Building, Albany, NY 12247; Senator 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; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248.
Mr. Ahrens informed the committee this resolution is requesting that public employers be put on the same footing as private employers with regard to settlement of claims. Currently public employees who are hurt on the job are paid twice. First they are paid by settlement of the claim and then are paid again through a settlement of claim by a health benefit provider or other collateral source.

**Vote:** Acclamation – Adopted.

RESOLUTION NO. 090-09

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

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO RELEASE BUDGETED FUNDING FOR THE STEUBEN COUNTY SOIL AND WATER CONSERVATION DISTRICT.

WHEREAS, the Steuben County Soil and Water Conservation District provides numerous services to the residents of Steuben County, in the areas of agriculture, flood mitigation, water quality, and others; and

WHEREAS, the State of New York currently owes the Steuben County Soil and Water Conservation District approximately $170,000 from the Environmental Protection Fund, said funding in several programs including Agricultural Environmental Management, Finger Lakes-Lake Ontario Watershed Protection Alliance, and general state reimbursement; and

WHEREAS, the State of New York has advised the Soil and Water Conservation District that said funding will not be received by the District for at least four to eight months; and

WHEREAS, failure to receive this funding in a timely manner will result in a significant curtailment of District projects, and possibly require a reduction of personnel.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby memorialize the Governor and the Legislature of the State of New York to provide the funding budgeted for the Steuben County Soil and Water Conservation District; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor David A. Paterson, Executive Chamber, State Capitol, Albany, New York 12224; Senator George H. Winner, Jr., 105 E. Steuben St., Bath, New York 14810; Assemblyman James Bacalles, 105 E. Steuben St., Bath, New York 14810; and Jeffrey Parker, District Manager, Steuben County Soil and Water Conservation District, 415 W. Morris St., Bath, New York 14810.

**Vote:** Acclamation – Adopted.

Mr. Roche asked if there were any objections to a resolution not on the agenda being placed on the floor. There being none, the following resolution was presented.

RESOLUTION NO. 091-09


AUTHORIZING AN INCREASE IN THE PETTY CASH FUND IN THE COUNTY CLERK’S OFFICE FROM $350 TO $400.

Pursuant to Article 5 of the County Law of the State of New York.
WHEREAS, the switch to a plastic card pistol permit has generated a large amount of activity in the County Clerk’s office; and

WHEREAS, as a result of this activity there is a need to increase the amount in the cash drawers for the purpose of making change in the Steuben County Clerk’s Office.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized and directed to increase the petty cash fund in the Steuben County Clerk’s Office by an additional $50 for a total of $400; and be it further

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

Mr. McAllister explained there has been a lot of activity with pistol permit applications and there is a need for extra petty cash.

Vote: Roll Call – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officer’s Law, Article 7§ 105.1.D. Discussion Regarding Proposed, Pending or Current Litigation Made by Mr. Van Etten, seconded by Mr. Farrand and Duly Carried.

RESOLUTION NO. 092-09

Introduced by P. Roche. Seconded by P. Donnelly.

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

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

WHEREAS, the following civil action has been initiated in the United States District Court, Western District of New York:

ROBERT L. WEGMAN, Plaintiff,

v.

JOHN GRIMMKE, et al., Defendants.

CASE NO. 03-CV-234S

; and

WHEREAS, the matter has been referred to mediation following a conference with the Federal Magistrate; and

WHEREAS, the parties are desirous of settling said claim.

NOW THEREFORE, BE IT

RESOLVED, the County does hereby ratify the settlement of the above-entitled claim in the amount of Fifty Thousand Dollars ($50,000.00); and be it further

RESOLVED, the within resolution shall be reported out within five (5) days following the execution of the settlement documents; and be it further
RESOLVED, a certified copy of this resolution shall be forwarded to Davidson & O’Mara, P.C., Attention Donald S. Thompson, Esq., 243 Lake Street, Elmira, NY 14901-3192; and Lewis Eason, Steuben County Risk Manager.

**Vote:** Roll Call – Adopted.

*Motion to Adjourn Executive Session and Reconvene in Regular Session Made by Mr. Argentieri, Seconded by Mr. Donnelly and Duly Carried.*

*Motion to Adjourn Made by Mr. Weaver, Seconded by Mr. Farrand and Duly Carried.*
The County Legislature of the County of Steuben, convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 27th day of July, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present.

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

Chairman Roche asked Marsha Drake to come forward. Ms. Drake is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Mrs. Kane asked Jerry Miller, Phil Hink and Commissioner Spagnoletti to come forward. She stated Mr. Miller was nominated for Employee of the Month for the month of August by Mr. Hink. Commissioner Spagnoletti read the following nomination: Jerry Miller is the Machine Shop Supervisor for the Department and has held this position for the past two years. He is the first person to hold this position and assumed it at a very difficult time in the Department. He gives 100% to the County on a daily basis in this position. There is no argument on that count. However, he has also gone above and beyond in so many ways. Mr. Miller has a real talent in promoting cooperation between many, many different employees, vendors and County departments. He is an exemplary example of an employee who promotes teamwork between areas which previously had worked viewing specific areas of work as territorial in nature. In addition to promoting cooperation, Mr. Miller assisted with the development of policies which have facilitated the implementation of more efficient and cost effective methods of purchasing automotive supplies, saving the County thousands of dollars. He does his very best at keeping a $25,000,000 equipment fleet up and running which in and of itself saves the County countless thousands of dollars in lost productivity. It is not unusual to find him at work late at night making sure everything is working smoothly. Speaking with the County’s Purchasing Specialist regarding Mr. Miller, I was told that he is extremely supportive in the concept of working together to achieve a means, that he is far from being considered myopic and that he has always been responsive to any and all requests from their department. He is very diligent and never fails to reach out for advice and assistance to resolve a problem before it becomes an issue. Working with Mr. Miller has been a very positive experience for him and he always goes out of his way to let us know that he appreciates our assistance.

Commissioner Spagnoletti stated on a personal note, Jerry Miller means a lot to me. He is honest and very meticulous in his purchasing and backup to the invoices. He knows equipment, he’s a very hard worker and he’s tough enough to stand up to me, Bryce Foster, Phil Hink and the 135 employees in the field. CONGRATULATIONS JERRY!

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

Martha Weale, Addison, stated you need to do your homework before you agree to the pay increase proposal for Election Commissioners. You need a list of what you expect of these commissioners as full time people versus part time people. In addition, the League of Women Voters would like you to address a letter to DEC with regard to gas drilling in New York State and the health hazards fracking poses. Chairman Roche thanked Mrs. Weale for her comments.

The minutes of the previous month’s meeting were approved upon the motion of Mr. Gehl, seconded by Mr. Donnelly and duly carried.
Mr. Donnelly stated the Ad Hoc Committee on the Reuse of the old Health Care Facility has concluded their meetings. We had a number of discussions on the use of the kitchen by ProAction. It is anticipated that any necessary work in the kitchen should be paid for by ProAction. Any plan at the facility would require a massive update of the electric. We held a number of discussions on constructing a new building, either at the old facility site, or on concrete piers over the parking lot. To construct a new building at the existing facility site would cost $15 million and to put a new building over the parking lot would cost $25 million. To tear down the existing building and do nothing would cost approximately $1.9 million. The Committee has recommended to continue storing the voting machines on the 2nd floor of the old facility and install air conditioning to that area. They also recommend moving the Elections Office to the old administration area. We will need to replace the flooring in that area once the asbestos remediation is completed. They have asked the County Administrator to study using the current Elections Office area in this building to ease up the overcrowding in the Department of Social Services. Thank you.

RESOLUTION NO. 093-09

Introduced by P. Donnelly. 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"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>NYS DOT</td>
<td>299.18-01-060.000</td>
<td>Riverside Village</td>
<td>Correction</td>
</tr>
<tr>
<td>A-2</td>
<td>Raymond &amp; Sharon Ball</td>
<td>369.00-01-016.000</td>
<td>Lindley Town</td>
<td>Correction</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Former Owner</td>
<td>Parcel No.</td>
<td>Municipality</td>
<td>Disposition</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------</td>
<td>------------------</td>
<td>--------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>A-3</td>
<td>Duane Bergstresser</td>
<td>024.00-01-031.100</td>
<td>Pulteney Town</td>
<td>Refund &amp; Correction</td>
</tr>
</tbody>
</table>

**SCHEDULE "B"**

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>In Rem Index No.</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Grantee(s)</th>
<th>Grantee(s) Address</th>
<th>Consideration</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1</td>
<td>Jeffrey Austin</td>
<td>98375, 2007 sale</td>
<td>208.00-03-033.112</td>
<td>Campbell Town</td>
<td>Jeffrey Austin</td>
<td>5654 McNutt Run Rd, Campbell, NY 14821</td>
<td>$1,521.41, together with recording fees</td>
<td></td>
</tr>
<tr>
<td>B-2</td>
<td>George J Hakes, Jr</td>
<td>98375, 2007 sale</td>
<td>262.00-01-022.110</td>
<td>Campbell Town</td>
<td>George J Hakes, Jr c/o Jean M Hakes</td>
<td>PO Box 949, Corning, NY 14830</td>
<td>$2,269.16, together with recording fees</td>
<td></td>
</tr>
<tr>
<td>B-3</td>
<td>Greg L Evingham &amp; Brenda Evingham</td>
<td>98375, 2007 sale</td>
<td>167.00-03-015.200</td>
<td>Howard Town</td>
<td>Greg L Evingham &amp; Brenda Evingham</td>
<td>6249 Hammer Creek Rd, Canisteo, NY 14823</td>
<td>$18,137.08, together with recording fees</td>
<td></td>
</tr>
<tr>
<td>B-4</td>
<td>Wesley J Smith</td>
<td>98375, 2007 sale</td>
<td>037.00-02-013.200</td>
<td>Pulteney Town</td>
<td>Wesley J Smith</td>
<td>2630 Carter Rd, Geneva, NY 14456</td>
<td>$2,067.38, together with recording fees</td>
<td></td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>-----</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Former Owner</td>
<td>Edward J Dilaura, Jr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcel No.</td>
<td>318.54-02-089.000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Edward J Dilaura, Jr</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>211 E Third St, Corning, NY 14830</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consideration</td>
<td>$8,019.60, together with recording fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Anthony John Kanaval</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>042.00-01-014.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Anthony John Kanaval</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>42 Park Ave, Dansville, NY 14437-1712</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,185.20, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Maxine Hendershot</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>348.00-01-018.600</td>
</tr>
<tr>
<td>Municipality</td>
<td>Rathbone Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Maxine Hendershot</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>6858 Hardscrabble Rd, Addison, NY 14801-9140</td>
</tr>
<tr>
<td>Consideration</td>
<td>$14,227.59, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Linda Webster, LC to Terry Sr &amp; Darlene Brown</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>299.75-02-030.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Linda Webster, LC to Terry Sr &amp; Darlene Brown</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>158 Deerland Ave, Painted Post, NY 14870</td>
</tr>
<tr>
<td>Consideration</td>
<td>$13,586.30, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Frank G Dicandia</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>144.00-02-008.110</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Frank G Dicandia</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>405 South Oakwood Dr, Laurel, NY 11948</td>
</tr>
<tr>
<td>Consideration</td>
<td>$17,351.75, together with recording fees</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Herbert J Townsend &amp; Shirley K Townsend</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>188.00-01-026.115</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Herbert J Townsend &amp; Shirley K Townsend</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>5752 Windfall Rd, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$643.50, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>John Lockwood</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>043.17-02-003.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Village</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>John Lockwood</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>30 N Main St, Cohocton, NY 14826</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,091.35, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Frank Elwood</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>301.00-02-013.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Frank Elwood</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>4004 College Ave, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,873.24, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Debra S Vincent</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>094.00-03-012.300</td>
</tr>
<tr>
<td>Municipality</td>
<td>Fremont Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Debra S Vincent</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>8390 County Route 46, Arkport, NY 14807</td>
</tr>
<tr>
<td>Consideration</td>
<td>$798.28, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-14</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Robert J Lee</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.10-05-017.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Robert J Lee</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>36 Pine St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$17,634.59, together with recording fees</td>
</tr>
</tbody>
</table>

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 Sheryl R Harnas
In Rem Index No. 98375, 2007 sale
Parcel No. 034.20-01-026.000
Municipality Prattsburgh Town
Grantee(s) Sheryl R Harnas
Grantee(s) Address 8965 Fleet Rd, Hammondsport, NY 14840
Consideration $2,884.48, together with 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 Mary Smalley
In Rem Index No. 98375, 2007 sale
Parcel No. 034.20-01-027.000
Municipality Prattsburgh Town
Grantee(s) Mary Smalley
Grantee(s) Address 8965 Fleet Rd, Hammondsport, NY 14840
Consideration $1,686.10, together with 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 Garfield Space & Brenda Space
In Rem Index No. 98375, 2007 sale
Parcel No. 347.00-02-016.113
Municipality Rathbone Town
Grantee(s) Garfield Space & Brenda Space
Grantee(s) Address 2035 Williams Rd, Addison, NY 14801-9134
Consideration $2,691.18, together with 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 John E Wills & Wren Owens
In Rem Index No. 98375, 2007 sale
Parcel No. 362.00-01-007.200
Municipality Troupsburg Town
Grantee(s) John E Wills & Wren Owens
Grantee(s) Address 11271 Hendy Hollow Rd, Corning, NY 14830
Consideration $11,502.51, together with 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 John E Wills & Wren E Owens
In Rem Index No. 95453, 2006 sale
Parcel No. 363.00-01-045.200
Municipality Woodhull Town
Grantee(s) John E Wills & Wren E Owens
Grantee(s) Address 11271 Hendy Hollow Rd, Corning, NY 14830
Consideration $1,770.50, together with 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 Douglas Horton & Marjorie Horton
In Rem Index No. 98375, 2007 sale
Parcel No. 136.14-01-045.000
Municipality North Hornell Village
Grantee(s) Douglas Horton & Marjorie Horton
Grantee(s) Address 2 Avondale Ave, Hornell, NY 14843
Consideration $3,636.69, together with 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 Robert O Quick & Laura M Quick
In Rem Index No. 98375, 2007 sale
Parcel No. 218.00-01-035.110
Municipality Canisteo Town
Grantee(s) Robert O Quick & Laura M Quick
Grantee(s) Address 3799 Catatunk Rd, Canisteo, NY 14823
Consideration $4,327.75, together with 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 Stephen L Parulski
In Rem Index No. 98375, 2007 sale
Parcel No. 046.00-01-041.310
Municipality Prattsburgh Town
Grantee(s) Stephen L Parulski
Grantee(s) Address PO Box 165, Prattsburgh, NY 14873
Consideration $1,674.08, together with 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 Michelle LaDieu & Rodney LaDieu
In Rem Index No. 93123, 2005 sale
Parcel No. 242.00-01-054.000
Municipality Campbell Town
Grantee(s) Michelle LaDieu & Rodney LaDieu
Grantee(s) Address 7825 99th Court, Vero Beach, FL 32967
Consideration $5,408.82, together with 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 Twfanch-One Co
In Rem Index No. 98375, 2007 sale
Parcel No. 151.72-01-028.000
Municipality Hornell City
Grantee(s) Twfanch-One Co
Grantee(s) Address ATTN: Tax Department
PO Box 7467, Charlotte, NC 28241
Consideration $4,491.04, together with 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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Twfanch-One Co</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.72-01-029.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Twfanch-One Co</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>ATTN: Tax Department, PO Box 7467, Charlotte, NC 28241</td>
</tr>
<tr>
<td>Consideration</td>
<td>$810.00, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Twfanch-One Co</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.72-01-011.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Twfanch-One Co</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>ATTN: Tax Department, PO Box 7467, Charlotte, NC 28241</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,403.79, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-27</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Cameron Valley Estates Corp</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>274.00-01-001.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cameron Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Cameron Valley Estates Corp</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>PO Box 1187, Fort Lee, NJ 07024</td>
</tr>
<tr>
<td>Consideration</td>
<td>$5,782.95, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Dennis Howe</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>256.00-01-037.120</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cameron Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Dennis Howe</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>2728 Church Rd, Hamlin, NY 14464</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,994.18, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-29</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Raymond &amp; M Donovan</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.25-03-042.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Michael J Donovan</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>169 Leach Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$240.13, together with recording fees</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Richard Fiandach</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>046.00-01-061.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Prattsburgh Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Richard Fiandach</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>639 Whitney Rd W, Fairport, NY 14450</td>
</tr>
<tr>
<td>Consideration</td>
<td>$986.13, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Stephen B Levinson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>136.18-01-048.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>North Hornell Village</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Stephen B Levinson</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>339 Cleveland Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$11,895.88, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Stephen B Levinson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.06-01-031.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>North Hornell Village</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Stephen B Levinson</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>339 Cleveland Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$28,933.59, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-33</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Yvonne C Smith</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>207.00-01-005.782</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bradford Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Yvonne C Smith</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>5792 Parker Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,416.79, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-34</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Michael J Donovan</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>152.00-01-028.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Michael J Donovan</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>169 Leach Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,372.36, together with recording fees</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-35</th>
<th>B-36</th>
<th>B-37</th>
<th>B-38</th>
<th>B-39</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Walter S Cook III &amp; Josephine Cook</td>
<td>Walter S Cook III &amp; Josephine Cook</td>
<td>Dan F Wright</td>
<td>Malcolm A Lane</td>
<td>Malcolm A Lane</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>259.00-01-016.000</td>
<td>259.00-01-014.000</td>
<td>118.06-02-060.000</td>
<td>128.00-01-001.541</td>
<td>390.00-02-010.212</td>
</tr>
<tr>
<td>Municipality</td>
<td>Thurston Town</td>
<td>Thurston Town</td>
<td>Hammondsport Village</td>
<td>Avoca Town</td>
<td>Caton Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Walter S Cook III &amp; Josephine Cook</td>
<td>Walter S Cook III &amp; Josephine Cook</td>
<td>Dan F Wright</td>
<td>Malcolm A Lane</td>
<td>Malcolm A Lane</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>8788 Vieley Road, Campbell, NY 14821</td>
<td>8788 Vieley Road, Campbell, NY 14821</td>
<td>40 Lake St, Hammondsport, NY 14840</td>
<td>7202 State Route 54, Bath, NY 14810</td>
<td>7202 State Route 54, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,198.01, together with recording fees</td>
<td>$5,441.30, together with recording fees</td>
<td>$11,499.64, together with recording fees</td>
<td>$2,381.75, together with recording fees</td>
<td>$1,162.61, together with recording fees</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-40</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Pearl Thompson &amp; Sheila A Thompson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>254.00-01-006.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Pearl Thompson &amp; Sheila A Thompson</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>3090 Livingston Rd Apt #5, Cleveland, OH 44120</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,239.00, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-41</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Scott M Turner &amp; Angelia L Turner</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>318.14-01-058.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Scott M Turner &amp; Angelia L Turner</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>237 Canisteo St, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,872.58, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-42</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Russell W Pierce</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>182.19-01-024.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Village</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Russell W Pierce</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>5 Green St, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,655.18, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-43</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Russell Pierce</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>182.00-01-064.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Russell Pierce</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>5 Green St, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Consideration</td>
<td>$896.59, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-44</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Russell Pierce &amp; Mary T Pierce</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>182.00-01-065.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Russell Pierce &amp; Mary T Pierce</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>5 Green St, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Consideration</td>
<td>$752.80, together with recording fees</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-45</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Michael Schroeder, Jr</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>337.00-02-029.230</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Michael Schroeder, Jr</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>215 Bridge St, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,211.38, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-46</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Lilieth Harvey</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.64-01-006.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Lilieth Harvey</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>15 Liberty Ave, New Rochelle, NY 10801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,066.45, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-47</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>James D Hanmore &amp; Edith J Hanmore</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>347.00-02-027.110</td>
</tr>
<tr>
<td>Municipality</td>
<td>Rathbone Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>James D Hanmore &amp; Edith J Hanmore</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>2244 County Route 81, Addison, NY 14801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,177.39, together with recording fees</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Clair T Heckart &amp; Ann R Heckart</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>236.00-01-031.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Lorraine G Chapin</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>4943 Angel Rd, Cameron, NY 14819</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,000.00, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-49</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Seth R Warren &amp; Stanley R Warren</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>299.18-01-010.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning Riverside</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>Village of Riverside</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>35 Stanton Street, Painted Post, NY 14870</td>
</tr>
<tr>
<td>Consideration</td>
<td>$274.79, together with recording fees</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-50</td>
</tr>
<tr>
<td>----------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Dennis Eiffert &amp; Rosemary Eiffert</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.09-01-073.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$257.71, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-51</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Dennis Eiffert &amp; Rosemary Eiffert</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.09-01-074.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$242.90, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-52</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Dennis Eiffert &amp; Rosemary Eiffert</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.09-01-075.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$273.52, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-53</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Paul E Egger</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.19-01-040.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,986.87, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-54</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>One World &amp; Coddington Agency</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.55-01-001.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,606.90, together with recording fees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Louis Lai &amp; Mary Lai</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.79-01-057.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Grantee(s)</td>
<td>City of Hornell</td>
</tr>
<tr>
<td>Grantee(s) Address</td>
<td>82 Main Street, PO Box 627, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,815.27, together with recording fees</td>
</tr>
</tbody>
</table>
RESOLUTION NO. B-56

Former Owner: Douglas G Butters
In Rem Index No.: 98375, 2007 sale
Parcel No.: 166.11-04-026.000
Municipality: Hornell City
Grantee(s): City of Hornell
Grantee(s) Address: 82 Main Street, PO Box 627, Hornell, NY 14843
Consideration: $1,843.71, together with recording fees

Vote: Roll Call – Adopted.

RESOLUTION NO. 094-09

Introduced by P. Roche. Seconded by R. Argentieri.

RECEIVING AND ACCEPTING THE JULY 27, 2009 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 18, 2009**
New York State Office of Homeland Security – Re: Notification of the National Incident Management System (NIMS) implementation requirements for Federal Fiscal Year 2009. The NIMSCAST reports are due by close of business on August 28, 2009. **Referred to: Public Safety & Corrections Committee; Mike Sprague, EMO Director; and Greg Heffner, Planning Director.**

New York State Office of Homeland Security – Re: Announcement of applications being accepted to participate in regional exercises to expand regional preparedness capabilities for first responders to respond to major terrorist events and/or natural disasters. Regional Exercise Grant Program Applications are due by August 10, 2009. **Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.**

**June 22, 2009**
Office of Community Renewal – Re: Notification of the Project Status Report NYS CDBG Project #1115HR22-08 is due by July 15, 2009. **Referred to: Greg Heffner, Planning Director.**

NYS Office for the Aging – Re: Notification of the 2009-2010 Annual Implementation Plan (AIP) for Steuben County has been approved. The applications for Older American 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, along with the notification of Grant Awards (NGAs). In addition, 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, 2009-March 31, 2010 has also been approved. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

**June 24, 2009**
NYS Office for the Aging - Re: Notification of Grant Award and approved applications for funding for the American Recovery and Reinvestment Act (ARRA) Nutrition Program for the Elderly for the period March 18, 2009 through December 31, 2009. Also enclosed are recently issued requirements of the ARRA funds, Rider A, American Recovery and Reinvestment Act of 2009, vendor obligations. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

**June 26, 2009**
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, 2009 to March 31, 2010 and the Older Americans Act
(OAA) Title VII program for the period January 1, 2009-December 31, 2009. **Referred to:** Human Services Committee; and Linda Tetor, OFA Director.

**June 29, 2009**
Regional Economic Development & Energy Corporation/REDEC Relending Corporation – Re: Request of an allocation of $10,000 in the 2010 budget, with similar commitments for 2011 and 2012 budgets. **Referred to:** A.I.P. Committee; Finance Committee; and Greg Heffner, Planning Director.

**July 2, 2009**
NYS Department of Health – Re: Notification of the Medicaid Upper Payment Limit (UPL) payments to the public nursing facilities have been scheduled for Wednesday, July 22, 2009. **Referred to:** Health & Education Committee, Human Services Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.

NYS Department of Labor – Re: Notice of Violation and Order to Comply with the inspection held on 6/30/2009 at the Steuben County Highway Department/Caton Shop. **Referred to:** Public Works Committee; Vince Spagnoletti, Commissioner of Public Works; Fred Ahrens, County Attorney; and Risk Manager.

**July 6, 2009**
NYS Department of Environmental Conservation – Re: Notification of availability for the Water Quality Improvement Projects (WQIP) Grant Program. The application deadline is October 16, 2009. **Referred to:** A.I.P. Committee; and Greg Heffner, Planning Director.

NYS Office of the Attorney General – Re: Notice of complete filing for the Jack Lisi Youth Award, Inc. annual filing for the year ending 12/31/03. **Referred to:** Human Services Committee; and Gary Pruyn, Youth Bureau Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $7,508 which represents the May 2009 retained surcharge revenue for Steuben County. **Referred to:** Finance and Rules Committees; and Carol Whitehead, County Treasurer.

**July 9, 2009**
NYS Department of Environmental Conservation – Re: Notification of sufficient evidence for an enforcement action against Fitzpatrick Poultry Farms for failure to obtain and comply with the terms of their SPDES General permit for Concentrated Animal Feeding Operations (CAFOs). **Referred to:** A.I.P. Committee; Greg Heffner, Planning Director; and Amy Dlugos, Steuben County Environmental Management Council.

**July 13, 2009**
NYS Office of the Attorney General – Re: Notice of complete filing for the Jack Lisi Youth Award, Inc. annual filing for the year ending 12/31/08. **Referred to:** Human Services Committee; and Gary Pruyn, Youth Bureau Director.

NYS Office of the Attorney General – Re: Notice of complete filing for the Jack Lisi Youth Award, Inc. annual filing for the year ending 12/31/04. **Referred to:** Human Services Committee; and Gary Pruyn, Youth Bureau Director.

**July 16, 2009**
NYS Department of Health – Re: Updated Medicaid Cap Amount for the State Fiscal Year of 2009-2010. **Referred to:** Health & Education Committee; Human Services Committee; David McCarroll, HCF Administrator; Kathryn Muller, Commissioner of Social Services; and Carol Whitehead, Treasurer.

NYS Division of Criminal Justice Services – Re: Notification of grant extension approval for the DCJS#BJ07820737/Drug Enforcement Unit. **Referred to:** Public Safety & Corrections Committee; Sheriff Ordway.

**Vote:** Acclamation – Adopted.
RESOLUTION NO. 095-09


Pursuant to New York State Municipal Home Rule Law §§10, 20 and 24, New York State County Law §201, and New York State Election Law §3-208.

WHEREAS, the adoption and implementation of the Help America Vote Act of 2002 (“HAVA”), and of the Election Reform and Modernization Act of 2005 of the State of New York have imposed comprehensive and meticulous administration and training requirements upon the Boards of Election of counties in the State; and

WHEREAS, it has been determined by the Legislature of the County of Steuben that the positions of Election Commissioner of the County of Steuben appropriately be and become full-time to accommodate the demands of the duties of that office as expanded by HAVA and the State Election Law; and

WHEREAS, the Administration Committee has reviewed, studied, and does approve and recommend the establishment of annual salaries commensurate with full-time employment for the Election Commissioners; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Three for the Year 2009, establishing the conditions of employment and annual salaries of Election Commissioners for the present term of office.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Three for the Year 2009, establishing the standard work day and adjusting the annual salaries of the duly appointed Election Commissioners of the County of Steuben, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. THREE FOR THE YEAR 2009

A LOCAL LAW establishing the standard work day and adjusting the annual salaries of the duly appointed Election Commissioners of the County of Steuben.

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

SECTION 1: Effective the first county payroll period commencing following the adoption of this Local Law, the standard work day for appointed Election Commissioners of the County of Steuben shall be and become seven and one-half (7½) hours, and the standard work week shall be and become five (5) days thus comprising thirty-seven and one-half (37½) hours.

SECTION 2: Effective the first county payroll period commencing following the adoption of this Local Law, the annual salary of each Election Commissioner of the County of Steuben shall be Forty-Five Thousand Dollars ($45,000.00), provided however, the said salary shall be pro-rated for the remainder of the year 2009, and provided further that the Election Commissioners shall be subject to the conditions for Management Employees as set forth in the Administrative Code of the County of Steuben.

SECTION 3: The Election Commissioners to whom this Local Law applies are serving presently with terms of office to expire December 31, 2010.
SECTION 4: Should either of the Election Commissioner 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 5: 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 Legislative Meeting on August 24, 2009, at 10:00 A.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 Election Commissioners (2).

Mr. Gehl stated all of the work that used to be done by the towns is now being done by the Election Commissioners since HAVA. They also have to test the machines every two months to make sure they are operable. I think it behooves us to make sure we are not one of the counties that has brutal mistakes with our elections.

Mr. Donnelly stated if we supplemented the staff with more part time help it would result in a revolving door of employees.

Mr. Stachnik stated we are entering an era of legal challenges every post election. I think it is time for Steuben County to step up and make this a full time position to thwart any errors that could result after the election.

Mr. McAllister stated I don’t have a doubt that the workload has switched as a result of HAVA. I think the Commissioners are working full time now on a part-time salary. The Administration Committee looked at the salaries from comparable counties and we are in the ball park for average salaries with starting them at $45,000.

Mr. Van Etten stated I am of the belief that it is more appropriate to have more indians than chiefs. This is a very seasonal position. They have a heavy workload from May to November, but I don’t think it is full time year round. I wouldn’t be opposed to giving them a stipend during the busy time or until all the changes have been made and the workload evens out. I don’t think we should consider adding two full time jobs to the County payroll when we don’t know what is around the corner. I believe in the future that any proposals to add full time jobs should include a way to pay for it without increasing the tax rate.

Mr. Schwartz stated we are supposed to be in a money saving mode. We have no control over this job. People in my district are not in favor of this. We don’t have the money and it is an increase in taxes and an expansion of bureaucracy.

Mr. Schu stated if this came about as a result of the HAVA laws, won’t there be a learning curve where the additional time won’t be required in the future by the Commissioners. Why not include a sunset provision in this local law where we would be forced to revisit the full-time issue. Discussion followed.
Mr. Alger stated this group will be voting on the standard work day/work week for several officials every two years, including the Commissioners. This is a new requirement by the State.

Mr. Gehl stated I agree that they will have a lot of this work done in the future, but every year they will still have to train 400 or 500 people for each election.

Mr. Nichols stated I’ve been here almost 10 years and you don’t see many positions reduced to part time. If this is made full time you will never get it back to part time. This will be on the taxpayers forever. Let’s give them an extra stipend for a year or two and see if that workload stays as high as it is now.

Mr. Van Etten stated one of the Commissioners has no intention of staying in this position if it is full time. Last year, in recognition of the additional workload, we budgeted $10,000 in additional funding for temporary hire from October through the end of the year and they only spent $400. Discussion followed.

Mr. Farrand stated I’m still not sure which way to go, but I’ll agree to vote in favor of the presentation. Until next month, I’m going to keep an open mind and talk to the people in my district. We’re going to be coming on tough times in the next couple of years and the landowners are the ones who suffer. Discussion followed.

Mr. Creath stated in my experience, part time management doesn’t work as effectively as full time management. I see this as an expense that we have to shoulder as a result of consolidation efforts of having the machines managed by the county instead of the towns.

**Vote:** Acclamation - Unable to determine outcome by acclamation. Vote by Roll Call – Adopted.  
(Yes-5981; No-3891) (No: Argentieri, Haurycki, Nichols, Schu, Schwartz, Van Etten, Walsh)

RESOLUTION NO. 096-09

Introduced by P. Donnelly.  
Seconded by D. Stachnik.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER THE UNEXPENDED TOBACCO PROCEEDS FROM THE PBS-JAIL EXPANSION CAPITAL PROJECT TO THE FORMER HEALTH CARE FACILITY RENOVATIONS CAPITAL PROJECT.

WHEREAS, the Jail Expansion Capital Project is nearly completed; and

WHEREAS, there are unspent tobacco proceeds of approximately $2,749,000; and

WHEREAS, these funds are most appropriately to be expended to finance capital projects; and

WHEREAS, renovation of the former Health Care Facility requires funding.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is authorized and directed to transfer the unspent tobacco proceeds of approximately $2,749,000 from the PBS-Jail Expansion Capital Project to the Former Health Care Facility Renovations Capital Project; and be it further

RESOLVED, the Steuben County Treasurer is authorized and directed to appropriate the unspent tobacco proceeds revenue (HB0301 – 4 2690 000) for Former Health Care Facility Renovations (HB0301 – 5 250 000); and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Treasurer, the Steuben County Sheriff, and Health Care Facility Administrator.
Mr. Argentieri asked why are we designating this money to this fund when we haven’t made a decision on how to proceed with the old facility?

Mr. Alger stated this is tobacco funding that is required to be spent on capital expenditures. We will need some of these funds to put the floors back into this building. The balance could be appropriated to any other capital fund. These funds have to be used for something with a 30-year life. Discussion followed.

Mr. Van Etten stated I understand Mr. Argentieri’s concern because it sounds like we are funding something that will happen in the future. This transfer just allows us to close out the Jail fund and this is a fund that we can stick it in as a holding account.

Mr. Alger stated these funds aren’t to be expended before the Legislature approves it.

**Vote:** Roll Call – Adopted. (Yes-8908; No-964) *(No: Argentieri and Schwartz)*

RESOLUTION NO. 097-09

Introduced by R. Nichols, P. Donnelly and P. McAllister. 
Seconded by T. Schwartz.

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER $20,000 FROM THE BATH LANDFILL CAPITAL PROJECT, "PAVE HAUL ROAD TO SHOP" TO THE CAPITAL PROJECT "PAVE/FENCE – WAYLAND TRANSFER STATION".

WHEREAS, the Wayland Transfer Station pavement and grounds have been in shabby condition; and

WHEREAS, an additional $20,000 is required to complete the upgrade of the pavement and fencing at the Wayland Transfer Station in 2009 instead of 2010; and

WHEREAS, the 2010 budget request for the Wayland Transfer Station grounds will be reduced to zero; and

WHEREAS, planned paving for the Bath Landfill Haul Road will be done in 2010 instead of 2009 to allow for completion of the Cell 2 construction and the old landfill capping; and

WHEREAS, the Public Works and Finance Committees of the Steuben County Legislature have authorized the transfer of funds from the Bath Landfill Capital Project "Pave Haul Road to Shop" to the Wayland Transfer Station Capital Project "Pave/Fence - Wayland Transfer Station".

NOW THEREFORE, BE IT

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

- Decrease HL/EL6206.5250000 Pave Haul Road to Shop by $20,000
- Increase HL/EL7101.5250000 Pave/Fence – Wayland Transfer Station by $20,000

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. 098-09

Introduced by R. Nichols.                    Seconded by R. Argentieri.


WHEREAS, the Steuben County Recycling Manager coordinates and manages the County recycling programs; and

WHEREAS, the Steuben County Recycling Manager educates the public through newspaper and radio notices and personal presentations; and

WHEREAS, the Steuben County Recycling Manager educates school students through classroom instruction and landfill/transfer station tours; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent of the Recycling Manager salary and instructional costs; and

WHEREAS, Steuben County (hereinafter referred to as “the Municipality”) has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the “State”) and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant to fund 50 percent of the Manager’s salary and instructional costs in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application, is hereby authorized; and be it further

RESOLVED, that Vincent Spagnoletti, Commissioner of Steuben County Department of Public Works, is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, that the Municipality agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 099-09

Introduced by R. Nichols.                    Seconded by R. Argentieri.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR A GRANT WHICH WOULD FUND 50 PERCENT OF THE PURCHASE COST OF A WHEEL LOADER.
WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in January 2006, purchased a wheel loader and completed the full purchase payment of $51,567.81; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as “the Municipality”) has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the “State”) and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT

RESOLVED, that the filing of an application for a grant of $25,783.91 for the purchase of a wheel loader in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that Vincent Spagnoletti, Commissioner of Steuben County Department of Public Works, is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 100-09

Introduced by R. Nichols. Seconded by R. Argentieri.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR A GRANT WHICH WOULD FUND 50 PERCENT OF THE PURCHASE COST OF A RECYCLING BALER.

WHEREAS, the Steuben County Department of Public Works Solid Waste Division, in February 2009, purchased a recycling baler and completed the full purchase payment of $64,995.00; and

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects, including funding 50 percent for recycling equipment purchases; and

WHEREAS, Steuben County (hereinafter referred to as “the Municipality”) has examined and duly considered the applicable laws of the State of New York and the Municipality deems it to be in the public interest and benefit to file an application for aid under these laws; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York (herein referred to as the “State”) and the Municipality be executed for such State Aid.

NOW THEREFORE, BE IT
RESOLVED, that the filing of an application for a grant of $32,497.50 for the reimbursement of payment for the recycling baler in the form required by the State, in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that Vincent Spagnoletti, Commissioner of Steuben County Department of Public Works, is directed and authorized as the official representative of the Municipality, to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if or when said application is approved by the State; and be it further

RESOLVED, five (5) certified copies of this resolution shall be forwarded to the New York State Department of Environmental Conservation, together with a completed application; and be it further

RESOLVED, that this resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 101-09


AUTHORIZING A CONTRACT FOR MENTAL HEALTH SERVICES WITH THE BATH CENTRAL SCHOOL PURSUANT TO THE U.S. DEPARTMENT OF EDUCATION GRANTS TO INTEGRATE SCHOOLS AND MENTAL HEALTH SYSTEMS.

WHEREAS, Steuben County and the Bath Central School District successfully partnered to secure a U.S. Department of Education Grant to Integrate Schools and Mental Health Systems in the amount of $288,847 over two years; and

WHEREAS, under this grant award, Steuben County and Bath Central School District have planned and budgeted for hiring a Program Manager to oversee project activities; and

WHEREAS, Steuben County possesses staff that can best execute the clinical and managerial duties required by the grant; and

WHEREAS, a contract for the provision of these services is required between Steuben County and the Bath Central School District.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Administrator is hereby authorized and directed to execute the necessary documents and agreements to facilitate implementation of said agreement; and be it further

RESOLVED, that the Steuben County Treasurer is hereby authorized and directed to appropriate the sum of $182,712 to the Mental Health budget and make the necessary budget adjustments and transfers; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Bath Central School Superintendent, Director of Community Services, County Treasurer and the County Administrator.

Vote: Roll Call – Adopted.

RESOLUTION NO. 102-09

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

ACCEPTING A GRANT FOR VETERANS’ SERVICES FOR DIGITIZING RECORDS.
WHEREAS, the Veterans’ Service Office has been awarded $12,850 for a records digitizing project; and

WHEREAS, the project will greatly enhance the records management and accessibility of the agency’s records; and

WHEREAS, upon completion the original records can be disposed of greatly reducing the storage space required.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Administrator is hereby authorized and directed to execute the necessary paperwork and contracts as maybe required for said grant; and be it further

RESOLVED, that the Steuben County Treasurer is authorized and directed to appropriate $12,850 to the Veterans’ Services budget and make the necessary budget amendments and adjustments for receipt of the grant funds; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator, County Treasurer and the Director of Veterans’ Services.

Vote: Roll Call – Adopted.

RESOLUTION NO. 103-09


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 August 15, 2009 for the Budget Year 2010.

NOW THEREFORE, BE IT

RESOLVED, that the estimated cost (Budget for 2010), a copy 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 2010 Steuben County Budget; and be it further

RESOLVED, 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, 2010

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, 2010 and ending December 31, 2010, pursuant to Section 67, Paragraph 1 of the Workers' Compensation Law.
**APPROPRIATED BUDGET FOR 2010**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Item #</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical &amp; Hospital Payments</td>
<td>172006-5-410-300</td>
<td>$600,000.00</td>
</tr>
<tr>
<td>Compensation Awards</td>
<td>172006-5-410-310</td>
<td>$850,000.00</td>
</tr>
<tr>
<td>Administration Salary</td>
<td>171006-5-110-0000</td>
<td>$49,560.00</td>
</tr>
<tr>
<td>Computer</td>
<td>171006-5-290-020</td>
<td>$0.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>171006-5-298-090</td>
<td>$350.00</td>
</tr>
<tr>
<td>Telephone</td>
<td>171006-5-402-990</td>
<td>$325.00</td>
</tr>
<tr>
<td>Copying</td>
<td>171006-5-403-800</td>
<td>$125.00</td>
</tr>
<tr>
<td>Membership Dues</td>
<td>171006-5-404-100</td>
<td>$75.00</td>
</tr>
<tr>
<td>Postage</td>
<td>171006-5-405-100</td>
<td>$250.00</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>171006-5-406-000</td>
<td>$450.00</td>
</tr>
<tr>
<td>Conferences</td>
<td>171006-5-407-200</td>
<td>$500.00</td>
</tr>
<tr>
<td>Safety Training</td>
<td>171006-5-407-310</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Insurance</td>
<td>171006-5-410-100</td>
<td>$100.00</td>
</tr>
<tr>
<td>Excess Workers' Compensation</td>
<td>171006-5-410-320</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Workers' Compensation VF60</td>
<td>171006-5-410-331</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Workers’ Compensation VA60</td>
<td>171006-5-410-332</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Workers' Compensation 151</td>
<td>171006-5-410-335</td>
<td>$60,000.00</td>
</tr>
<tr>
<td>Workers’ Compensation 15-8</td>
<td>171006-5-410-336</td>
<td>$430,000.00</td>
</tr>
<tr>
<td>Workers' Compensation 25A</td>
<td>171006-5-410-337</td>
<td>$120,000.00</td>
</tr>
<tr>
<td>Workers' Compensation IDP</td>
<td>171006-5-410-338</td>
<td>$18,000.00</td>
</tr>
<tr>
<td>Workers' Compensation SF</td>
<td>171006-5-410-339</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Maint in Lieu of Rent</td>
<td>171006-5-407-000</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>Medical Services</td>
<td>171006-5-420-000</td>
<td>$45,000.00</td>
</tr>
<tr>
<td>Vol Firemen's Physicals</td>
<td>171006-5-420-050</td>
<td>$100.00</td>
</tr>
<tr>
<td>Consultant Fees</td>
<td>171006-5-423-310</td>
<td>$0.00</td>
</tr>
<tr>
<td>Expert Witness</td>
<td>171006-5-423-310</td>
<td>$900.00</td>
</tr>
<tr>
<td>Hearing Representation</td>
<td>171006-5-423-330</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Investigations</td>
<td>171006-5-424-210</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>Rehabilitation Fees</td>
<td>171006-5-430-190</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Third Party Administrator</td>
<td>171006-5-444-400</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Motor Pool</td>
<td>171006-5-450-999</td>
<td>$100.00</td>
</tr>
<tr>
<td>Mileage</td>
<td>171006-5-471-000</td>
<td>$0.00</td>
</tr>
<tr>
<td>Meals &amp; Expenses</td>
<td>171006-5-472-000</td>
<td>$250.00</td>
</tr>
<tr>
<td>Depreciation Expense</td>
<td>171006-5-498-000</td>
<td>$1,100.00</td>
</tr>
<tr>
<td>Other Expenses</td>
<td>171006-5-499-000</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>NYS Retirement</td>
<td>171006-5-810-000</td>
<td>$5,450.00</td>
</tr>
<tr>
<td>Social Security</td>
<td>171006-5-830-000</td>
<td>$4,170.00</td>
</tr>
<tr>
<td>Workers' Compensation</td>
<td>171006-5-840-000</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Group Medical</td>
<td>171006-5-860-000</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Contributed Reserve</td>
<td>171006-5-901-000</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**BUDGET TOTAL**: $2,482,605.00

**INTEREST EARNINGS**: $-50,000.00

**REFUND CURRENT YEAR EXPENSE**: $0.00

**TRANSFER FROM FUND BALANCE**: $-132,605.00

**TOTAL TO BE APPORTIONED**: $2,300,000.00

Mr. McAllister requested a brief explanation regarding the increase in the Workers’ Compensation budget.

Mr. Alger stated we saw this year a series of increases in the State’s chargebacks to the fund and there is little we can do about it. We’re in a position where we have to pay the chargebacks and the fund needs to be sufficiently funded to support the claims against it. The unfortunate part is the increases are in areas we have no control over.

Mr. Van Etten asked are private insurers seeing the same increases? Mr. Alger stated yes; we’ve been told the bulk of the charges are due to losses in the stock market and they are being charged back to the insurance industry. The municipalities that opt out of our program would probably see the same increases.

**Vote**: Roll Call – Adopted.
RESOLUTION NO. 104-09


Pursuant to Article 5 of the Workers’ Compensation Law of the State of New York.

WHEREAS, on July 27, 2009 this Steuben County Legislature had filed and approved the estimated cost for Fiscal Year 2010 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 2010, 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 2010 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 2010; 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, 2009, 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 39 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.

Total Budget $2,300,000.00

<table>
<thead>
<tr>
<th>STEUBEN COUNTY</th>
<th>2010 Apportioned Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub Total County</td>
<td>1,572,674</td>
</tr>
</tbody>
</table>

PARTICIPATING TOWNS

Town of Addison          13,361
Town of Avoca            23,069
Town of Bath             73,515
Town of Bradford         7,803
Town of Cameron          19,323
Town of Campbell         25,707
Town of Canisteo         19,949
Town of Caton            27,428
Town of Cohocton         24,982
Town of Dansville        16,751
Town of Fremont          7,791
Town of Greenwood        7,885
Town of Hartsville       6,467
Town of Hornellsville    32,184
Town of Hornby           13,142
Town of Howard                    14,634
Town of Jasper                    13,193
Town of Lindley                   12,220
Town of Prattsburgh               21,214
Town of Pulteney                  36,273
Town of Thurston                  12,053
Town of Troupsburg                11,926
Town of Tuscarora                 16,361
Town of Wayland                   28,078
Town of West Union                6,654
Town of Wheeler                   13,465
Town of Woodhull                  18,994
Sub Total Towns                   524,421

PARTICIPATING VILLAGES
Village of Addison                 24,435
Village of Arkport                 7,186
Village of Avoca                   5,640
Village of Bath                    87,696
Village of Canisteo                23,235
Village of Cohocton                7,734
Village of North Hornell           6,780
Village of Painted Post            25,077
Village of Wayland                 15,121
Sub Total Villages                 202,904
TOTAL                               2,300,000

Vote: Roll Call – Adopted.

RESOLUTION NO. 105-09


AUTHORIZING THE ESTABLISHMENT OF A $50 PETTY CASH FUND FOR THE HEALTH CARE FACILITY GIFT SHOP.

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

WHEREAS, there is a need to create a petty cash fund for the Steuben County Health Care Facility Gift Shop; and

WHEREAS, the Health and Education Committee and the Finance Committee have approved the establishment of such a fund.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to establish a petty cash fund in the amount of $50 for the Steuben County Health Care Facility Gift Shop; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the County Treasurer and the Administrator of the Steuben County Health Care Facility.

Vote: Roll Call – Adopted.
RESOLUTION NO. 106-09


RECLASSIFICATION OF A TYPIST POSITION, GRADE IV, TO A SENIOR TYPIST POSITION, GRADE VI, WITHIN THE STEUBEN COUNTY DISTRICT ATTORNEY DEPARTMENT.

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

WHEREAS, a position exists within the Steuben County District Attorney’s Office that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer and the Administration and Public Safety and Corrections Committees have reviewed said position within the Steuben County District Attorney’s Office, and have approved the recommended change.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County District Attorney’s Office is hereby reclassified:

Typist, Grade IV ($23,253 - $32,827) to Senior Typist, Grade VI ($25,166 - $35,527)

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, a certified copy of this resolution shall be forwarded to the Personnel Officer, County Treasurer and Steuben County District Attorney.

Vote: Roll Call – Adopted.

RESOLUTION NO. 107-09

Introduced by D. Creath. Seconded by T. Ryan.

ADOPTING THE WATER QUALITY STRATEGY FOR STEUBEN COUNTY.

WHEREAS, clean water is essential for life and good quality of life for all Steuben County citizens; and

WHEREAS, good water quality promotes economic development and tourism and improves the natural environment; and

WHEREAS, the Steuben County Water Quality Committee adopted in April 2009 the Water Quality Strategy for Steuben County; and

WHEREAS, the Strategy is a plan for improving and protecting the surface and groundwater of Steuben County.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby adopts the Water Quality Strategy for Steuben County dated April 2009; and be it further

RESOLVED, the Steuben County Legislature commends the Steuben County Water Quality Committee for the thorough and excellent job done on the Strategy; and be it further

157

Monday, July 27, 2009
RESOLVED, that a copy of this resolution shall be forwarded to the Steuben County Water Quality Committee
c/o Steuben County Soil and Water Conservation District, 415 W. Morris St., Bath NY 14810.

Mr. Schwartz asked what is this Committee doing about the drilling in the Marcellus shale? It’s important
that they understand that not one drilling company has identified what liquid they would be using in the
drilling.

Mr. Creath stated the AIP Committee reviewed this strategy and approved it. It deals with the natural flow
of water, watershed management, and maintaining good water quality. We will be addressing the
Marcellus shale issue when the Department of Environmental Conservation issues it’s report in
November. I’m sure they will consider the impact of drilling at that time.

Mr. Argentieri stated what exactly does this resolution do? Chairman Roche stated it identifies a strategy
that in turn allows us to apply for grants.

**Vote:** Acclamation – Adopted. *(No: Schwartz)*

RESOLUTION NO. 108-09

Introduced by Entire Legislature.  
Seconded by R. Nichols.

MEMORIALIZING THE FEDERAL GOVERNMENT TO INCREASE THE MILK INCOME LOSS
CONTRACT PROGRAM TO DAIRY FARMERS.

WHEREAS, the United State Department of Agriculture’s Milk Income Loss Contract Program (“MILC),
administered by the Farm Service Agency’s (“FSA”), compensates dairy producers, when domestic milk prices fall below
a specified level; and

WHEREAS, the 2008 Farm Bill authorized MILC through September 30th, 2012, having no set funding level; and

WHEREAS, the 2007 Census of Agriculture identified 254 dairy farms in Steuben County with milk sales of
over $75 million dollars, employing over 1,700 workers; and

WHEREAS, the majority of dollars received by farmers and their workers are spent within Steuben County to
purchase goods and services, creating a multiplier effect of over $150 million dollars; and

WHEREAS, the current cost of production for a hundredweight of milk according to the Farm Credit Bank is
$17.58; and

WHEREAS, dairy farmers received only $12.10 for their June milk production; and

WHEREAS, the MILC Program is written into the Farm Bill and is designed to assist dairy farmers when prices
of milk are low, however for the month of June dairy farmers were paid only an additional $1.62 per hundredweight,
equaling out to $13.72 per cwt; and

WHEREAS, this situation has been occurring all year and is projectd to continue, putting into play a scenario
which can force farmers to sell out, severely impacting Steuben County; and

WHEREAS, Senator Kirsten Gillibrand has proposed to double the MILC payment, making it retroactive to
March of 2009, which will help support our local farmers and thereby all of our local agribusinesses.

**NOW THEREFORE, BE IT**
RESOLVED, the Steuben County Legislature urges the Federal Government to support doubling the MILC payments to farmers and making said payments retroactive to March of 2009, and be it further

RESOLVED, the Clerk of this Legislature shall forward certified copies of this resolution to the USDA - Farm Service Agency, 1400 Independence Ave., S.W., STOP 0506, Washington, DC 20250-0506; New York FSA Office, 441 South Salina Street, Suite 536, Syracuse, NY 13202; Congressman Eric J. Massa, 1208 Longworth House Office Building, Washington, DC 20515; U.S. Senator Charles E. Schumer, 313 Hart Senate Building, Washington, DC 20510-3202; U.S. Senator Kirsten Gillibrand, 478 Russell, Washington, DC 20510; the Steuben County Farm Bureau, 7403 Selleck Road, Bath, NY 14810; and Cornell Cooperative Extension.

McAllister stated he knows a farmer who is losing $2,000 a day since this began.

Mr. Donnelly stated anything we can do to help raise their income would keep more family farms in business.

Mr. Nichols stated they encouraged us to increase production of milk. The melamine scare in China has had a real effect here in the United States. China has cleaned their act up but it has created a decrease in dairy use in China by 45%. It takes a while for confidence to rebuild so as a result, the dairy farmer in America is taking a real hit. The loss is $75 to $100 per cow per month. I would appreciate your support.

Vote: Acclamation – Adopted.

Mr. Gehl requested the Legislature support a memorializing resolution to the Federal government opposing the Health Care Reform Bill as it is currently written.

Chairman Roche asked if there were any objections to placing Mr. Gehl’s resolution on the floor for consideration. Vote: Roll Call – Motion Fails.

Motion to adjourn made by Mr. Donnelly, seconded by Mr. Creath and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 24th day of August, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislators Argentieri, Creath, McAllister (late) and Schwartz.

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

Chairman Roche asked Diana VanAllen to come forward. Ms. VanAllen is an employee in the Department of Probation and Correction Alternatives. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche asked Peggy Rundell to come forward. Ms. Rundell is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche asked David Payne to come forward. Mr. Payne is an employee in the Department of Social Services. He presented him with a Certificate of Appreciation in recognition of his retirement after 16 years of service with Steuben County.

Chairman Roche asked Janet Page to come forward. Ms. Page 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 after over 31 years of service with Steuben County.

Sheriff Gary Maha, Genesee County Sheriff and President of the New York State Sheriff’s Association, presented Sheriff Joel Ordway, Undersheriff Raymond Dell, Major Chris Lian and the employees of the Steuben County Jail with a plaque in recognition of the re-accreditation of the Steuben County Jail. Sheriff Maha stated the process requires 166 professional standards to meet re-accreditation. Steuben County originally met this standard in 2004. He noted it is more difficult to receive it after 5 years. Sheriff Maha also presented a certificate to Major Chris Lian as well as the Jail Division in recognition of this achievement.

Jerry Soloman, Regional Director of the NYS Attorney General’s Office, stated it is a pleasure to be here today in Bath. I’m here today to discuss Medicaid Fraud and I’d like to recognize Sheriff Ordway, DSS Commissioner Muller and District Attorney Tunney for their efforts in assisting in prosecutions.

Attorney General Cuomo is committed to protecting your dollars and the citizens of the State. I think we are number 2 in nursing home patient abuse convictions. The New York State Medicaid Fraud Unit is the largest in the country. In 1975, the Medicaid Fraud Control Unit was created as a result of abuses in the nursing home industry. In 1977, we became a model for Federal legislation creating the unit. We have 7 regional offices across the State. The Medicaid program is for the indigent, but there are several other recipients that receive assistance. New York State pays approximately $50 billion per year for the 3.4 million people eligible. Two thirds of the money is in New York City. The counties are asked to chip in a substantial amount to this program. Our jurisdiction is Medicaid Fraud Control and we handle violations regarding provider fraud, fraud in the administration of the program, patient abuse, neglect and misappropriation of funds; and the operation, management and funding of nursing homes, hospitals clinics and adult care facilities.
Mr. Soloman stated we have several new laws to help deter people from abusing the system. These include the False Claims Act and the Whistleblower Act. We have several sources of investigation including referrals from local departments, employees of the provider, undercover activity, spin offs from referred cases and self-generated fraud detection programs. He reviewed some of the significant fraud investigations, including those that were local. Discussion followed.

Last year we recovered $261 million and we were awarded the Medicaid Fraud Unit of the Year by the Federal government. We’re always here to cooperate. You have an excellent prosecutor, Sheriff and Department of Social Services, and we work well together. Thank you.

Chairman Roche thanked Mr. Soloman for his presentation.

The 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 Local Law Tentatively No. Three for 2009, Establishing the standard work day and adjusting the annual salaries of the duly appointed Election Commissioners of the County of Steuben. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing.

Frank Haftl, Cameron, stated I had to stop in the election office last week and while there I asked about the justification for this. I was told by the staff that they didn’t have access to that and neither of the Commissioners was there. I have the following justification against it: I’m sure we will pass the crisis of the new machine. I’m confused because one article in the paper stated the total increase is $60,000 plus benefits while another article said it was $45,000 without benefits. The unemployment rate in this County is 10 percent. I have some handouts I’d like to pass along to you and I suggest that you go into a recess to read them before you make a decision on this proposal. Thank you.

Allan Johnson, former Commissioner of Elections, stated I served 6 ½ years as Commissioner beginning in 2001. Once I got the job everything changed and it turned out to be much different than I expected. What happened in 2001 is they passed HAVA and it is where we ran into serious problems. It isn’t so much the new voting machines; the problem is the State does things that aren’t in the best interest of the public. They decided to consolidate everything and the County Election Office took over the job that Town and City Clerks had been doing for decades. It became an overwhelming problem. Our part time job became full time as far as what needed to be done. When people talk about full and part time positions, they look at the number of voters. We are relatively small when using this figure. However, we have 32 towns, 2 cities and many government entities that the Election Office is responsible for. When you take over a job of that magnitude it leads to big problems. We’re doing this all with a relatively small staff. We do, I believe, need full time commissioners. What’s happening in Steuben County is people are getting more involved in elections. We have 19 primaries this September. That is probably a record. If this is true, you will see a trend where more people are involved, there are more issues and people are going to town meetings again. You need an Election Office that is competent and fully staffed to handle these changes. The State seems to be coming down with new things almost every 6 months. I believe Steuben County needs 6 full time people working in this small office; 2 Commissioners, 2 Deputy Commissioners and 2 Senior Clerks. Thank you.

Bill Reagen, Town of Rathbone Supervisor, stated I’m very grateful that the County has taken over the elections. It is a lot of work and it is an important process. I hope you do whatever you have to do to make the process efficient.

Ira Hale, Bath, stated I am an Election Inspector and I commend the Commissioners. I don’t take the vote lightly. We’ve gone to training every year and I ask the Legislature to put themselves in their shoes for one day. It is hard to do a good job if you can only serve part time. I ask as a citizen and voter that you make these positions full time.

There being no further comment, Chairman Roche declared the public hearing closed.
Ira Hale, Bath, stated I’m here today representing the Boy Scouts of America and I’m here to discuss the Cub Scout Day Camp. If you have never been to a day camp, the kids have fun. I’d like to thank the Legislature, Commissioner of Public Works and the crew at Kanakadea Park. You donated a park for us for four whole days. As budget time comes around, I know you’ll be looking for reductions. I know it costs a lot to maintain these parks but I urge you to please keep these parks open for these kids. I wanted to let you know that I, as well as the parents, appreciate the fact that you allow us to have this camp at your park for free. Thank you.

_The minutes of the previous month’s meeting were adopted on the motion of Mr. Donnelly, seconded by Mr. Van Etten and duly carried._

**RESOLUTION NO. 109-09**

Introduced by P. Donnelly. Seconded by F. Gehl.

**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 convey those parcels sold at the Delinquent Tax Auction held on July 15, 2009, contained in Schedule "B", 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_, 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, the Clerk of the Board of Education of the appropriate School District, and the taxpayers; 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"**

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>A-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Fritz-Klee Holdings, LLC</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>159.13-04-012.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Village</td>
</tr>
<tr>
<td>Disposition</td>
<td>Correction &amp; Refund (per Court Order)</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-1</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>John E &amp; Jeannine Wilson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>331.20-01-014.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jacquelyn R Cook &amp; Michael A Cook</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7578 Hardscrabble, Rd, Addison, NY 14801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,250.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Howard Kenneth Meyer IV</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Front St, Addison, NY 14801</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Elmer W Bovee Attn: John M Bovee</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>349.07-01-045.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jeffrey A Miller</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1317B Grand Central Ave, Elmira, NY 14901</td>
</tr>
<tr>
<td>Consideration</td>
<td>$5,400.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Sheila R Cruz</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1361 Martin Rd, Corning, NY 14830</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Billy Jr &amp; Paula Tobey</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>349.08-03-071.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jacquelyn R Cook &amp; Michael A Cook</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7578 Hardscrabble Rd, Addison, NY 14801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Robert Ross</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>2950 South Rd, Cameron Mills, NY 14820</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Ronald L &amp; Kristina M McCracken</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>349.00-01-011.112</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Robert A Ross</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>2950 South Rd, Cameron Mills, NY 14820</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,250.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Joy Emma Goodsell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>74 W Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-5</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Ronald L &amp; Kristina M McCracken</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>349.00-01-011.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Addison Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Howard Kenneth Meyer IV</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>45 Front St, Addison, NY 14801</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>None</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Richard D Lindsay &amp; Amy L Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>085.13-01-045.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Avoca Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jennifer M &amp; Philip A Willis</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>16400 Janan Drive, Tyler, TX 75707</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Vernon Patterson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>099.10-01-018.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Avoca Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Ronald &amp; Jane Salles</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>425 Old Dutch Hollow Rd, Monroe, NY 10950</td>
</tr>
<tr>
<td>Consideration</td>
<td>$300.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Richard Lindsay &amp; Amy L Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>191.13-01-048.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Savona Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Robert E Matthews &amp; Teresa M Matthews</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>25 E Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Consideration</td>
<td>$16,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Michael D Horton</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>9037 State Rte 415, Campbell, NY 14821</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-9</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Rondax Properties Inc</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>129.00-01-081.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Paul Jayne</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1375 Gibson Rd, Dundee, NY 14837</td>
</tr>
<tr>
<td>Consideration</td>
<td>$21,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Michael L Monteiro</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3536 Cross Road, Watkins Glen, NY 14891</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Terry E Groves &amp; Estate of Robin M Groves</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>142.00-01-015.120</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>John J Walden</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7618 County Rte 14, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Kevin L Hamilton</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>2 Chestnut St, Bath, NY 14810</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-11</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Leonard A Moretti &amp; Suzanne C Simms</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>158.00-01-009.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Philip Catlin</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1828 Friend Rd, Penn Yan, NY 14527</td>
</tr>
<tr>
<td>Consideration</td>
<td>$41,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Glenn Hill</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>9600 Manley Hill Road, Lindley, NY 14858</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Edward B &amp; Camille J Schmidt</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>162.00-03-001.212</td>
</tr>
<tr>
<td>Municipality</td>
<td>Bath Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Joseph &amp; Raymond Behari</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>6676 Route 415 South, PO Box 203, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$18,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Donald Cook</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>8788 Vieley Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Former Owner</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>B-13</td>
<td>Bruce R Shutts II</td>
</tr>
<tr>
<td>B-14</td>
<td>Azween &amp; Yaseem Bhimsen</td>
</tr>
<tr>
<td>B-15</td>
<td>Zane W Fairbrother</td>
</tr>
<tr>
<td>B-16</td>
<td>John R Justice</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-17</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Rosemary Nichols Attn: June Nichols</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>278.00-03-011.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Campbell Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Burton C &amp; Susan M Smith</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>8489 Main St, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$600.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Christie L. Kemp</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>41 Delaware Ave, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Randall Mattison</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>197.11-06-012.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Kiki Wilson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>841 South Goodman St, Rochester, NY 14620</td>
</tr>
<tr>
<td>Consideration</td>
<td>$9,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Walter Hamilton Jr</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>Box 2, Bath, NY 14810</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Mark J Thompson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>197.11-06-064.110</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jennifer M &amp; Philip A Willis</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>16400 Janan Drive, Tyler, TX 75707</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Alicia Hoad</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>5568 Wolf Run Road, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Mark Thompson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>197.11-06-064.120</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jennifer M &amp; Philip A Willis</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>16400 Janan Drive, Tyler, TX 75707</td>
</tr>
<tr>
<td>Consideration</td>
<td>$300.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Christie L. Kemp</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>41 Delaware Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-21</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Mark Thompson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>197.00-01-007.120</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Mark Thompson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1 Taylor Street Ext, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,400.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Peter I Shah - J Anum Management</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>132 Montfort Drive, Belle Mead, NJ 08502</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Ann Farkas &amp; Paul Poklinkowski</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>199.00-01-045.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Canisteo Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Leslie Louis Farkas</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>c/o Atty Chauncey J Watches, 13 W.Main St, Canisteo, NY 14823</td>
</tr>
<tr>
<td>Consideration</td>
<td>$33,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Catherine Poklinkowski</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>435 S Division St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-23</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Larry M Elliott</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>409.00-01-058.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Caton Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>North East Natural Resources LLC</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>126 High Street, Cobleskill, NY 12043</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Robert R Lane</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>7856 40 Dollar Rd, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-24</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Steuben County</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>82183, 2000 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>042.20-01-030.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Michael C Buemi &amp; Michael Monteiro</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1264 Main St, Vestal, NY 13850</td>
</tr>
<tr>
<td>Consideration</td>
<td>$37,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Peter H Conklin</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>57 Park Ave, Dansville, NY 14437</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-25</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Steuben County</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>042.20-01-032.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Joy E Goodsell</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>74 West Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Consideration</td>
<td>$10,000.00, together with buyer's premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>James Nelson</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 534, Wayland, NY 14572</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Steuben County</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>84256, 2001 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>055.08-01-016.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Crop Production Svcs Inc</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 93, Cohocton, NY 14826</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Joy Emma Goodsell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>74 West Lamoka Ave, Savona, NY 14879</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-27</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Douglas &amp; Becky Conard</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>044.00-01-033.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Cohocton Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Joy E Goodsell</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>74 West Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Consideration</td>
<td>$16,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Derick Adams</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>39 S Main St, Cohocton, NY 14826</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-28</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Robert J &amp; Elizabeth A Stratton</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>299.19-06-052.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Angel &amp; Sheila Cruz</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1361 Martin Hill Rd, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$15,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Sharon M Eddy</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3863 Pine Hill Rd, Corning, NY 14830</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-29</td>
</tr>
<tr>
<td>----------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Marg &amp; Clem Cavalier c/o Kathleen Mitchell</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>317.12-01-003.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Alva T May</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>281 Sunset Drive, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$17,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Sharon M Eddy</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3863 Pine Hill Rd, Corning, NY 14830</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Marina M Novack</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>318.13-04-041.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>James &amp; Kristina Creeley</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3860 Pine Hill Rd, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$21,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>William Hall</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>20 Barrington Rd, Horseheads, NY 14845</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Steven D &amp; Rosena L Pitts</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>299.11-01-005.000 &amp; 299.11-01-006.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Rodney R King</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>4495 Tannery Road, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jeffrey Miller</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1317B Grand Central Ave, Elmira, NY 14901</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Richard David Lindsay &amp; Amy L Lindsay-Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>90918, 2004 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>317.00-03-084.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Corning Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Donald E Stuckey Jr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>365 E Third St, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$100.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>None</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-33</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>William R &amp; Roxanne Y Riley</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>299.13-04-011.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Painted Post Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>James &amp; Kristine Creeley</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>3860 Pine Hill Rd, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$24,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Sharon M Eddy</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>3863 Pine Hill Rd, Corning, NY 14830</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-34</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Jeannie A &amp; Sherry Rujikarn</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>096.00-01-009.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Fremont Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Philip Catlin</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1828 Friend Rd, Penn Yan, NY 14527</td>
</tr>
<tr>
<td>Consideration</td>
<td>$15,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Daniel Grinols</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1161 Airport Rd, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-35</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Gabriel &amp; Levi Brockway</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>229.00-01-013.120</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornby Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Joy E Goodsell</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>74 West Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,800.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Sharon Stephens</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>6505 County Rte 17, Savona, NY 14879</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-36</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Debra L Vitulli</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>247.00-01-011.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornby Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Brandon W Cervoni</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>11873 Townley Hill Rd, Corning, NY 14830</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-37</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Stephen A Hackett</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>281.00-01-033.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornby Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Diana Lynn Fogarty</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jeffrey Miller</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1317B Grand Central Ave, Elmira, NY 14901</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-38</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Safford M Thacher &amp; Rodney Dennis</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.15-01-074.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jerome S O’Connor</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>121 Bennett St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-39</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Safford M Thacher &amp; Rodney Dennis</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.15-01-077.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-40</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Francis M Dennis</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.15-01-077.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Alicia Hoad</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>5568 Wolf Run Road, Campbell, NY 14821</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-41</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Gary W &amp; Patricia Norton</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.17-01-028.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Nichols Property Inc</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>5568 Wolf Run Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$5,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>James Nelson</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 534, Wayland, NY 14572</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-42</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Otis Gayle</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.55-01-050.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Austin R Gerow</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 92, Jasper, NY 14855</td>
</tr>
<tr>
<td>Consideration</td>
<td>$7,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-43</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>David P &amp; Carolyn Tipton</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.80-01-050.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>George Fogarty</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
<tr>
<td>Consideration</td>
<td>$7,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Burton C Smith</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 327, 8489 Main St, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-44</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>William W Bossard</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.00-03-003.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>KSL Development Company</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 425, Wellsville, NY 14895</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,600.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jeremy Shinebarger</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1 Cameron St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-45</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Madivalli LLC &amp; Coddington Agency</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.06-01-050.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Nichols Property Inc</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>5568 Wolf Run Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-46</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Lilieth A Harvey</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.06-05-001.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$6,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Marc Shuart</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>6779 State Rte 415S, Bath, NY 14810</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-47</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>John &amp; Colleen Blanchard</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.06-05-021.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Patrick K Berry</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>69 Elm St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$5,400.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>James Nelson</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 534, Wayland, NY 14572</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-48</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Penny Rae Hutcheson &amp; Bernice Vincent-Life Use</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.26-02-034.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>KI &amp; KP Holdings LLC</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>c/o Kim Ibbott, 143 Candlewood Dr, Stoney Creek, ON L8JOA3</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-49</td>
</tr>
<tr>
<td>----------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Richard D Lindsay &amp; Amy L Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.33-01-002.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Burton C &amp; Susan M Smith</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>8489 Main St, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-50</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Amy L Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.33-01-004.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Austin R Gerow</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 92, Jasper, NY 14855</td>
</tr>
<tr>
<td>Consideration</td>
<td>$5,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>George Charles Fogarty</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11401 NW 33rd St, Coral Springs, FL 33065</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-51</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Richard D Lindsay &amp; Amy L Ogden</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.33-01-007.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornell City</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Robert E Matthews &amp; Teresa M Matthews</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>25 E Lamoka Ave, Savona, NY 14879</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,250.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jeremy Shinebarger</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1 Cameron St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-52</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Stephen B Levinson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>136.18-02-006.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>North Hornell Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jeremy B Bedford</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>2 Prindle Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Burton C Smith</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 327, 8489 Main St, Campbell, NY 14821</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-53</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>David Michael &amp; Irene Sisson</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>136.18-03-023.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>North Hornell Village</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Patrick K Berry</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>69 Elm St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$200.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Charles Mitchell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11405 Canaseraga Rd, Dansville, NY 14437</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-54</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Southwest Capital Investments</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>135.00-01-004.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jason N Beckman</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>c/o 5692 Morton Hill Rd, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$15,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Louise Kamrowski</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>5907 Corbin Hill, Scio, NY 14880</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Dennis Rodney</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-062.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$600.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jeremy Shinebarger</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1 Cameron St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-56</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Carl F Merriman</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-063.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-57</td>
</tr>
<tr>
<td>----------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Lincoln J Franklin</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-064.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-58</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Fay P Rathbun</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-064.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Steven L Graham</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>275 Grand St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-59</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Safford M Thacher</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-064.300</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Steven Graham &amp; Amy Graham</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>147 Terry St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$650.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jerome S O’Connor</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-60</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Luin Prior</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-065.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Steven Graham &amp; Amy Graham</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>147 Terry St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$450.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>John Lyng</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Center St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-61</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Safford M Thacher</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-066.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>John Lyng</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Center St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-62</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Benjamin Coal</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-066.200</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>John Lyng</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Center St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-63</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Matilda Brown</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-066.300</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$600.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>John Lyng</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Center St, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-64</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Tyler J Kent</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.00-02-067.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Jerome S O’Connor &amp; Nancy E Brink-O’Connor</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>121 Upper Bennett St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$600.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>John Lyng</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>45 Center St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-65</td>
</tr>
<tr>
<td>----------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Charles D Ray</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>151.05-01-046.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Carmine Iorio</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 168, Honeoye, NY 14471</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,750.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Jennifer Willis</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>16400 Janan Drive, Tyler, TX 75707</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-66</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Steuben County</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>N/A</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>166.18-01-007.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Hornellsville Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Brian J Jackson &amp; Kelly G Jackson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1472 Chestnut Street, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$700.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Thomas Campbell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>6259 S Hornell Rd, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-67</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Paul A &amp; Amy C O’Connor</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>156.00-03-029.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Howard Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Dana Robinson</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>4621 Turnpike Rd, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,100.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Michael Raymond Wall</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>10221 Deal Rd, North Ft Meyers, FL 23917</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-68</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Eleanor Jean Rawleigh</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>185.00-01-015.121</td>
</tr>
<tr>
<td>Municipality</td>
<td>Howard Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Carmine Iorio</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 168, Honeoye, NY 14471</td>
</tr>
<tr>
<td>Consideration</td>
<td>$9,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Burton C Smith</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 327, 8489 Main St, Campbell, NY 14821</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-69</td>
</tr>
<tr>
<td>---------------</td>
<td>------</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Earle J Robbins Jr</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>95453, 2006 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>387.00-01-032.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Lindley Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Glenn A Hill &amp; Patricia A Hill</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>9600 Manley Hill Rd, Lindley, NY 14858</td>
</tr>
<tr>
<td>Consideration</td>
<td>$13,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Paul Jayne</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>1375 Gibson Rd, Dundee, NY 14837</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-70</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Donald R Sr &amp; Jr Wescott</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>406.03-01-012.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Lindley Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Glenn A Hill &amp; Patricia A Hill</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>9600 Manley Hill Rd, Lindley, NY 14858</td>
</tr>
<tr>
<td>Consideration</td>
<td>$9,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Joanne M Reed</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>7605 Knowles Hill Rd, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-71</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Barbara Derylak</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>047.00-01-091.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Prattsburgh Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Patrick Edward Smith</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>PO Box 22, Pulteney, NY 14874</td>
</tr>
<tr>
<td>Consideration</td>
<td>$250.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Christie L Kemp</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>41 Delaware Ave, Hornell, NY 14843</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Patrick Gleason</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>348.00-01-021.420</td>
</tr>
<tr>
<td>Municipality</td>
<td>Rathbone Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Robert Joseph Fargino Jr</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>2285 Stony Point Rd, Grand Island, NY 14072</td>
</tr>
<tr>
<td>Consideration</td>
<td>$36,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Eugene Null</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>50 Eagle Rd, Tower City, PA 17980</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-73</td>
</tr>
<tr>
<td>---------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Clifford J &amp; Dawn M VanGorder</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>93123, 2005 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>222.00-01-020.610</td>
</tr>
<tr>
<td>Municipality</td>
<td>Thurston Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Carlton F Gleason</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>120 W William St, Bath, NY 14810</td>
</tr>
<tr>
<td>Consideration</td>
<td>$8,500.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Marc Shuart</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>6779 State Rte 415S, Bath, NY 14810</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-74</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Raymond Bettinger</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>259.00-01-028.100</td>
</tr>
<tr>
<td>Municipality</td>
<td>Thurston Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Daniel E Ratchford</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>7738 Forty Dollar Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,300.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Robert R Lane</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>7856 Forty Dollar Rd, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-75</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Nancy M Al-Arif &amp; Peter F Myket</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>416.00-01-010.450</td>
</tr>
<tr>
<td>Municipality</td>
<td>Troupsburg Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Steven &amp; Gina Cox</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>943 Third St, Jersey Shore, PA 17740</td>
</tr>
<tr>
<td>Consideration</td>
<td>$3,250.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Dean H Bicksler</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>14 State Rte 36, Troupsburg, NY 14885</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-76</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Carole Lynn Holdsworth</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>368.00-01-052.126</td>
</tr>
<tr>
<td>Municipality</td>
<td>Tuscarora Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>North East Natural Resources LLC</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>126 High Street, Cobleskill, NY 12043</td>
</tr>
<tr>
<td>Consideration</td>
<td>$2,200.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Donald Peterson</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>793 River Rd, Lindley, NY 14858</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>B-77</td>
</tr>
<tr>
<td>----------------</td>
<td>-----</td>
</tr>
<tr>
<td>Former Owner</td>
<td>Robert C &amp; Colleen T Burns</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>90918, 2004 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>103.00-01-043.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Urbana Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Christie L Kemp</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>41 Delaware Ave, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$150.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Joanne M Reed</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>7605 Knowles Hill Rd, Campbell, NY 14821</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-78</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>John K Pitcher</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>117.00-01-005.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Urbana Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Nichols Property Inc</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>5568 Wolf Run Rd, Campbell, NY 14821</td>
</tr>
<tr>
<td>Consideration</td>
<td>$9,000.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Linda D Vang</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>14191 Keuka Village Rd, Dundee, NY 14837</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-79</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Josephine Warren</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>118.08-01-028.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Urbana Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>John J &amp; Barbara F Lyng</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>53 Center St, Hornell, NY 14843</td>
</tr>
<tr>
<td>Consideration</td>
<td>$4,100.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Joseph Carroll</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>PO Box 245, Hammondsport, NY 14840</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>B-80</th>
</tr>
</thead>
<tbody>
<tr>
<td>Former Owner</td>
<td>Sandra Stickley Attn: Josephine McAndrews</td>
</tr>
<tr>
<td>In Rem Index No.</td>
<td>98375, 2007 sale</td>
</tr>
<tr>
<td>Date of Tax Sale</td>
<td>July 15, 2009</td>
</tr>
<tr>
<td>Parcel No.</td>
<td>013.00-01-029.000</td>
</tr>
<tr>
<td>Municipality</td>
<td>Wayland Town</td>
</tr>
<tr>
<td>Highest Bidder</td>
<td>Autumn J Slack</td>
</tr>
<tr>
<td>Highest Bidder’s Address</td>
<td>1472 County Rd 90, Dansville, NY 14437</td>
</tr>
<tr>
<td>Consideration</td>
<td>$1,100.00, together with buyer’s premium and recording fees</td>
</tr>
<tr>
<td>Second Highest Bidder</td>
<td>Charles Mitchell</td>
</tr>
<tr>
<td>Second Highest Bidder’s Address</td>
<td>11405 Canaseraga Rd, Dansville, NY 14437</td>
</tr>
</tbody>
</table>
Resolution No. B-81
Former Owner  Gloria Bachorski
In Rem Index No. 98375, 2007 sale
Date of Tax Sale July 15, 2009
Parcel No. 105.00-03-008.100
Municipality Wayne Town
Highest Bidder Joseph M Carroll Jr
Highest Bidder’s Address PO Box 245, Hammondsport, NY 14840
Consideration $4,400.00, together with buyer’s premium and recording fees
Second Highest Bidder Jeffrey Miller
Second Highest Bidder’s Address 1317B Grand Central Ave, Elmira, NY 14901

Resolution No. B-82
Former Owner  Carlos Araya Attn: Henry Harris
In Rem Index No. 98375, 2007 sale
Date of Tax Sale July 15, 2009
Parcel No. 382.00-01-027.000
Municipality Woodhull Town
Highest Bidder Lauren & Edward Bulkeley
Highest Bidder’s Address 25 North Broad St, Wellsville, NY 14895
Consideration $1,300.00, together with buyer’s premium and recording fees
Second Highest Bidder George Charles Fogarty
Second Highest Bidder’s Address 11401 NW 33rd St, Coral Springs, FL 33065

Resolution No. C-1
Former Owner  Simonson Properties Inc
In Rem Index No. 95453, 2006 sale
Parcel No. 099.20-01-064.000
Municipality Avoca Village
Grantee(s) Simonson Properties Inc
Grantee(s) Address 1 Ellas Ave, Bath, NY 14810
Consideration $N/A, County to pay all recording fees

Resolution No. C-2
Former Owner  Simonson Properties LLC
In Rem Index No. 95453, 2006 sale
Parcel No. 159.05-02-040.000
Municipality Bath Village
Grantee(s) Simonson Properties LLC
Grantee(s) Address 1 Ellas Ave, Bath, NY 14810
Consideration $N/A, County to pay all 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-3
Former Owner Simonson Properties LLC
In Rem Index No. 95453, 2006 sale
Parcel No. 159.13-01-088.000
Municipality Bath Village
Grantee(s) Simonson Properties LLC
Grantee(s) Address 1 Ellas Ave, Bath, NY 14810
Consideration $N/A, County to pay all 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. 110-09

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

RECEIVING AND ACCEPTING THE AUGUST 24, 2009 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 17, 2009
New York State Association of Counties – Re: Notification of 2010 NYSAC Membership Dues for Steuben County. Referred to: Finance Committee; and Mark Alger, County Administrator.

July 20, 2009
NYS Governor, David Paterson – Re: Notification of grant approval for the 2008-2009 Local Government Efficiency Program IT Service Consolidation Project. Referred to: Administration Committee; Jack Wheeler, Assistant County Administrator; and Ken Peaslee, IT Director.

NYS Governor, David Paterson – Re: Notification of federal funding opportunity available under the American Recovery and Reinvestment Act (Recovery Act). The Transportation Investment Generating Economic Recovery (TIGER) applications must be filed with the US Department of Transportation no later than September 15, 2009. Referred to: Public Works Committee; Vincent Spagnoletti, Commissioner of Public Works; Jack Wheeler, Assistant County Administrator; and Greg Heffner, Planning Director.

July 23, 2009

July 24, 2009

Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Lexington TNI Erwin L.P. (as Assignee of 736 Addison Road LLC) application for Real Property Tax Exemption (RP-412-a) and first amendment to Payment in Lieu of Tax Agreement: Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

August 3, 2009
United States Department of Agriculture Rural Development – Re: Compliance review questions for Community contacts pertaining to Steuben County IDA-B&H Railroad Infrastructure upgrades. Referred to: Mark Alger, County Administrator.
August 4, 2009
Western Regional Off-Track Betting Corporation – Re: Check in the amount of $38,399 representing the June 2009 retained surcharge revenues and the municipality’s share of the 2nd quarter 2009 net revenues. Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.

Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: 2nd Quarter Report for 2009 and an invoice for payment in the amount of $1,406.25. Referred to: Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

August 6, 2009
United States Department of Commerce – Re: 2010 Decennial Census Local Update of Census Addresses (LUCA) Program. Referred to: Tom Sears, GIS Coordinator.

August 7, 2009
City of Corning – Re: Request for County Bridge Repair Funding. Referred to: Public Works Committee; Finance Committee; and Vince Spagnoletti, Commissioner of Public Works.

August 10, 2009

NYS Office for the Aging – Re: Annual Evaluation of the Steuben County Office for the Aging that was conducted on July 31, 2009. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

August 12, 2009
Harris Beach PLLC, Attorneys at Law – Re: Steuben County Industrial Development Agency and Corning Property Management Corporation (Sullivan Park Expansion) application for Real Property Tax Exemption (RP-412-a) and first amendment to Payment in Lieu of Tax Agreement: Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.


Vote: Acclamation – Adopted.

AMENDED RESOLUTION NO. 111-09

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


WHEREAS, there has been duly presented to the members of the Steuben County Legislature on July 27, 2009, County of Steuben Local Law Tentatively No. Three for the Year 2009, establishing the standard work day and adjusting the annual salaries of the duly appointed Election Commissioners of the County of Steuben, and this Legislature by resolution, preliminarily adopted said Local Law on July 27, 2009, making the final adoption of said Local Law subject to a Public Hearing to be held on August 24, 2009, and also subject to a permissive referendum; and

WHEREAS, the within Local Law shall be reviewed for renewal or extension by the Administration Committee or any successor committee at its September 2010 meeting with a recommendation for continuance or modification; 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 24, 2009 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 and requirement for a permissive referendum.

NOW THEREFORE, BE IT

RESOLVED, that County of Steuben Local Law Tentatively No. Three for the Year 2009, 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 2009

A LOCAL LAW establishing the standard work day and adjusting the annual salaries of the duly appointed Election Commissioners of the County of Steuben.

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

SECTION 1: Effective the first county payroll period commencing following the adoption of this Local Law, the standard work day for appointed Election Commissioners of the County of Steuben shall be and become seven and one-half (7½) hours, and the standard work week shall be and become five (5) days thus comprising thirty-seven and one-half (37½) hours.

SECTION 2: Effective the first county payroll period commencing following the adoption of this Local Law, the annual salary of each Election Commissioner of the County of Steuben shall be Forty-Five Thousand Dollars ($45,000.00), provided however, the said salary shall be pro-rated for the remainder of the year 2009, and provided further that the Election Commissioners shall be subject to the conditions for Management Employees as set forth in the Administrative Code of the County of Steuben.

SECTION 3: The Election Commissioners to whom this Local Law applies are serving presently with terms of office to expire December 31, 2010.

SECTION 4: Should either of the Election Commissioner 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 5: 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 (1) certified copy thereof to be filed in the office of the Steuben County Clerk, and one (1) certified copy 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, Personnel Officer, and Election Commissioners (2).

Mr. Nichols stated this is a prime example of how government grows. We get bigger and more costly.

Mr. Gehl stated the $60,000 is being divided by two Commissioners and they already have health insurance. I, too, have been an Election inspector and every year we get training. Now it is much more difficult with the new machines. I hope we can get through this Election without a hitch.

Mr. Schu stated once you implement a full time position, you never go back to part time even if the need isn’t there. I would prefer a sunset provision and include a September 30th date to review the need to continue the positions at full time. Mr. Ahrens stated were we to be incorporating the sunset provision into the local law we would have to hold it over for another month. This is a term of office and prior to the end of the term of office, prospectively, you can take this back and modify the salary. You can do it prior to the end of their term effective the next term. So you already have that mechanism in place. You can use the September date as a review date by the Administration Committee. All of that is more in the resolution offering but to put it in the local law itself would put it off for another month. Motion amending the resolution to include a provision for the Administration Committee to review by September 30th of each year the need for the Elections Commissioners to remain at full time made by Mr. Schu, seconded by Mr. Gehl and duly carried.

Mr. Stachnik stated he supports the resolution. We need to fully comply with the requirements the election is going to entail. With that being said, looking long range, there will be many issues that will call for an expanded role of government. I would like to think that we have a better plan for increasing revenues, develop the infrastructure and increase economic development.

Mr. Farrand stated he spoke with Mrs. Olin and Mr. Sweet about this and, after finding out how many hours they are putting in, I’m going to support this bill.

Mr. Van Etten stated I’ve been clear on my opposition to this. I believe it is a seasonal job and I really question the need for 6 full time people from the months of November to May. We’ve been getting by with 4 full time and 2 part time people for years. I asked the Commissioners for the detail on what needs to be done. The interesting thing is they have to file a report of maintenance once a quarter with the State. The pre-qualification maintenance that is done for the primary and general election qualifies for the maintenance. So they only have 2 more times that they have to look at the machines. Therefore, that justification they are using is absolutely not the case. I truly believe that if we pass this now, whoever is elected to the Legislature won’t have the wherewithal to reduce them back to part time.

Vote: Roll Call – Adopted. Yes: 5648; No: 2718; Absent: 1506.
(Opposed: Hauryski, Nichols, Van Etten, Walsh and Weaver. Absent: Argentieri, Creath and Schwartz.)

RESOLUTION NO. 112-09

Introduced by P. Donnelly. Seconded by F. Gehl.

EXTENDING THE INCREASE OF THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

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

Section 1. The first sentence of section two of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:
SECTION 2. Imposition of sales tax.

On and after March 1, 1972, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 and ending November 30, 2011, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivision (g) of section three of Resolution 321 as enacted in 1967, as amended, is amended to read as follows:

(g) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2011, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in said subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992 any transaction, which may not be subject to the additional tax, imposed effective on that date.

Section 3. Section four of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

SECTION 4. Impositions of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.
(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

Section 4. Subdivision (k) of section six of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by Sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2011.

Section 5. Paragraph (B) of Subdivision one of section eleven of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2011, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

Section 6. Subdivision (d) of section fourteen of Resolution No. 321 as enacted in 1967, as amended, is amended to read as follows:

(d) Notwithstanding any provision of law or this resolution to the contrary, of the net collections received from the additional one percent rate of sales and compensating use taxes imposed, respectively, by sections two and four of this resolution during the period beginning December 1, 2009 and ending November 30, 2011, the County shall annually pay or cause to be paid to the City of Hornell the sum of seven hundred ten thousand dollars ($710,000.00), to the City of Corning the sum of seven hundred ten thousand dollars ($710,000.00), and the sum of seven hundred fifty thousand dollars ($750,000.00) to the towns and villages of the County, on the basis of the ratio which the full valuation of real property in each town or village bears to the aggregate full valuation of real property in all of the towns and villages in such area. The remainder of the net collections received from such additional one percent rate of sales and compensating use taxes imposed during such period shall be set aside for County purposes and shall be available for any County purpose.

Section 7. This resolution shall take effect December 1, 2009.
Mr. Alger stated this extension is worth $10 million in sales tax funding. It isn’t an additional tax, it merely extends the one we currently have in place.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 113-09**

Introduced by R. Nichols and P. Donnelly. Seconded by D. Farrand.

**AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $70,000 FROM THE CAP BATH LANDFILL CAPITAL PROJECT TO LANDFILL GAS SYSTEM UPGRADE CAPITAL PROJECT.**

- **WHEREAS,** the Solid Waste Division is upgrading the Bath Landfill gas collection system; and
- **WHEREAS,** no additional funding is required for this project due to funds being available in the Bath Landfill capping account; and
- **WHEREAS,** $70,000 is required from the Cap Bath Landfill Capital Project to fund the Landfill Gas System Upgrade Capital Project; and
- **WHEREAS,** the Public Works Committee and the Finance Committee of the Steuben County Legislature have authorized the transfer of funds from Cap Bath Landfill Capital Project to Landfill Gas System Upgrade Capital Project.

**NOW THEREFORE, BE IT**

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

- Decrease HL/EL6205.5250000 Cap Bath Landfill by $70,000
- Decrease HL/EL6205.43989400 Cap Bath Landfill State Aid by $35,000
- Decrease HL/EL6205.45031900 Cap Bath Landfill Interfund by $35,000
- Increase HL/EL6208.5250000 LFG System Upgrade by $70,000
- Increase HL/EL6208.4398400 LFG System Upgrade State Aid by $35,000
- Increase HL/EL6208.45031900 LFG System Upgrade Interfund by $35,000

**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. 114-09**


**AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $75,000 FROM THE MAJOR EQUIPMENT LINE ITEM IN THE 2009 BOARD OF ELECTIONS BUDGET TO THE VOTING MACHINE CAPITAL PROJECT.**

- **WHEREAS,** the 2009 County Budget provided $75,000 for the purchase of additional voting machines; and
- **WHEREAS,** the County is participating in the State’s Pilot program which requires the use of the new machines in the 2009’s Primary and General Elections; and
- **WHEREAS,** additional machines will likely be required based upon the experience gained from the 2009 Elections; and
WHEREAS, it is desirable to transfer $75,000 from the Major Equipment line item of the Board of Elections’ 2009 Budget to the Capital Project entitled Voting Machines; and

WHEREAS, the Administration Committee and the Finance Committee of the Steuben County Legislature have approved the transfer of funds from the 2009 Major Equipment line item to Capital Project 1450H2 line item 5.250.000.

NOW THEREFORE, BE IT

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

- From 8145000.5.250.000 Major Equipment by $75,000.
- To 1450H2, Capital Project by $75,000.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Commissioners of Board of Elections and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 115-09

Introduced by F. Gehl.          Seconded by D. Farrand.

AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT A JOINT APPLICATION FOR A 2009-2010 NEW YORK STATE LOCAL GOVERNMENT EFFICIENCY (LGE) HIGH PRIORITY PLANNING GRANT FOR THE REGIONAL E-911 PLANNING PROJECT.

WHEREAS, Steuben County Administrator Mark R. Alger has been in discussions with Schuyler and Allegany Counties regarding the potential savings for each from the implementation of a regional approach to E-911 services; and

WHEREAS, the Local Government Efficiency grant application requires the designation of a Lead Applicant Contact Person; and

WHEREAS, the Steuben County Administrator has agreed to serve as the Lead Applicant Contact Person responsible for the development and submission of a 2009-2010 New York State Local Government Efficiency grant request in the amount of $50,000 in funding; and

WHEREAS, the funds received from the proposed LGE grant award for the Regional E-911 Planning Project will be utilized to obtain the services of a professional consultant to explore potential consolidation of certain aspects of E-911 operations, provide critical redundancy and disaster recovery elements, and to recommend changes to increase regional efficiencies within these services; and

WHEREAS, the Schuyler County Administrator and Allegany County Administrator have affirmed that each County will dedicate $1,700 over a maximum of two years to the grant-required local match funding; and

WHEREAS, the Steuben County Administrator has requested that the Steuben County Legislature authorize the expenditure of $1,700 over a maximum of two years to satisfy Steuben County’s contribution to the overall $5,000 grant-required local match funding.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby designates the Steuben County Administrator as the Lead Applicant Contact Person responsible for the development and submission of a joint application to the New York State Department of State, requesting funding in the amount of $50,000 from the 2009-2010 Local Government
Efficiency grant program, the proceeds of which will be used to conduct an analysis of regional E-911 efficiencies and potential consolidation; and be it further

RESOLVED, that the Steuben County Legislature authorizes the expenditure of $1,700 over two years as the County’s contribution to the grant-required local match; and be it further

RESOLVED, that the Legislature authorizes the County Administrator to represent Steuben County in the negotiation and development of an inter-municipal agreement with Schuyler County and Allegany County in which the respective responsibilities of each County in the proposed project are specifically identified and defined; and be it further

RESOLVED, the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this resolution to Mark R. Alger, Steuben County Administrator; Timothy M. O’Hearn, Schuyler County Administrator; and John E. Margeson, Allegany County Administrator.

Vote: Roll Call – Adopted.

RESOLUTION NO. 116-09

Introduced by T. Ryan. Seconded by D. Farrand.

MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO ADVANCE FUNDING AND EXPEDITE THE TIMETABLES TO COMPLETE THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

WHEREAS, Governors have made commitments to the revitalization and improvement of the economy of “Upstate” New York; and

WHEREAS, Steuben County, along U.S. Route 15 (I-99), and thirteen other counties along U.S. Route 17 (I-86) corridor make up the three Local Development Districts in the thirteen state Appalachian Regional Commission; and

WHEREAS, U.S. Route 15 (I-99) Corridor U-1 and U.S. Route 17 (I-86) Corridor T are New York State’s section of the thirteen state Appalachian Development Highway System (the “ADHS”) and as such are eligible for Appalachian funding; and

WHEREAS, completing the I-99 U-1 Corridor fulfills the desires of both the Commonwealth of Pennsylvania and the State of New York to accelerate economic development opportunities in the area of Appalachia as well as respond to the increasing traffic volumes (primarily commercial vehicles) in the Route 15 Corridor since the passage of the North American Free Trade Agreement; and

WHEREAS, U.S. Route 15 is the only north/south route in Central Pennsylvania that serves as a vital and direct link between western New York and Canada and the ports of Baltimore and Philadelphia and the mid-Atlantic states; and

WHEREAS, completing Corridor T, which terminates in Broome County at I-81, and the U-1 Corridor in Steuben County will complete the ADHS in New York State; and

WHEREAS, the New York I-86 Economic Development Benefit Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period that would result in a 3.2 billion dollar direct economic benefit to communities along the I-86 Highway Corridor once the conversion has been completed; and

WHEREAS, the Three Rivers Development Foundation, utilizing funds from the Appalachian Regional Commission, has developed an Economic Blueprint, which was released in June 2009, for the I-86/I-99 Corridor in Steuben County utilizing properties that have the potential for providing sustainable future economic development opportunities; and
WHEREAS, Governor Pataki and the New York State Department of Transportation committed to a ten-to-twelve year construction program to complete the Route 17 conversion to I-86 beginning with the first designation (177 miles Chemung County West to Pennsylvania) on December 3, 1999; and

WHEREAS, the Pennsylvania Department of Transportation has projected a completion date for the conversion of Route 15 to Interstate standards (I-99) to the New York State border by the end of 2012; and

WHEREAS, the designation of New York State 17 to I-86 and Route 15 to I-99 will provide a highway network with connection to every Interstate Highway located within New York State and Interstate states leading into Pennsylvania; and

WHEREAS, the Appalachian Regional Commission has recently released a study, “Economic Impact of Completing the Appalachian Development Highway System” stating that “Completion of the Appalachian Development Highway System (ADHS) would yield significant economic benefits for both the Appalachian Region and the nation...By facilitating national freight flows, reducing travel times, improving safety, and enhancing access to markets, completion of the ADHS would create new jobs and greater value-added activity, returning $3 in economic benefits to the nation for every $1 spent to complete the system”.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby express its support for those projects contained within the 2005 Transportation Bond Act and the Transportation Plan for the State of New York Department of Transportation; and be it further

RESOLVED, the Steuben County Legislature does hereby urge the Governor and the Legislature of the State of New York to advance funding necessary to expedite the time tables set forth and complete the ADHS in New York State and meet the Pennsylvania Department of Transportation’s timetable; and be it further

RESOLVED, the Clerk of the Legislature is hereby authorized and directed to forward a certified copy of this resolution to Governor David A. Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Majority Leader, Pedro Espada, Jr., 420 State Capitol, Albany, NY 12247; Senate Minority Leader, Dean G. Skelos, 907 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, 802 Legislative Office Building, Albany, NY 12247; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Congressman Eric J. J. Massa, 89 West Market Street, Corning, NY 14830; U.S. Senator Charles 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; Stanley Gee, Acting Commissioner, New York State Department of Transportation, 50 Wolf Road, Albany, NY 12232; Senator Transportation Committee Chairman Martin Malavé Dilan, 811 Legislative Office Building, Albany, NY 12247; Assembly Standing Committee on Transportation Chair David F. Gantt, 830 Legislative Office Building, Albany, NY 12248; Empire State Development Corporation Chair, 30 South Pearl Street, Albany, NY 12245; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; Wayne E. Zyra, President, Inter-County Association of Western New York, c/o Monroe County Legislature, 39 West Main Street, Rochester, NY 14614; and Theodore A. Bennett, Chemung County Legislator, PO Box 588, Elmira, NY 14902-0588.

Vote: Acclamation – Adopted.

RESOLUTION NO. 117-09

Introduced by D. Stachnik. Seconded by R. Nichols.

MEMORIALIZING THE GOVERNOR, ASSEMBLY AND SENATE TO STABILIZE THE ADMINISTRATION AND FUNDING OF THE CHILD CARE PROGRAM.

WHEREAS, child care funding lacks stability and predictability, and
WHEREAS, child care is operated on a Federal fiscal year, October through September while New York State allocates the child care funding on a State fiscal year, April through March; and

WHEREAS, Administrative directives from the New York State Office of Children & Family Services have been enacted and reversed, within one child care fiscal year thus creating rollover dollars; and

WHEREAS, Counties must predict the full year’s allocation and operate daycare within that prediction; and

WHEREAS, Steuben County is again being penalized for and by an unstable State funding mechanism and forced to close 40% of the cases; and

WHEREAS, Steuben County has the highest unemployment rate in the State, second only to New York City; and

WHEREAS, Daycare must be seen as a viable and stable program in order to ensure support for those employed and/or seeking employment; and

WHEREAS, this latest reduction in child care funding is in direct contrast to the New York State Office of Temporary and Disability Assistance Workpays NY initiative; and

WHEREAS, the impact to our county will be devastating and ultimately will be felt in all other programs within the Department of Social Services: Temporary Assistance, Employment, Child Protective and Medicaid Family Health Plus, as well as the negative impact to the child care providers, further worsening Steuben County’s economy.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature urges the Governor and NYS Legislature Assembly and Senate to create a mechanism for child care funding that is both stable, timely, and predictable; 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; Senator George H. Winner, Jr., Bath District Office, 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; Wayne E. Zyra, President, InterCounty Association of Western New York, c/o Monroe County Legislature, 39 West Main Street, Rochester, NY 14614.

Mr. Alger stated this resolution is regarding the process the State uses to determine our day care allocation. The time frames for the State and Federal governments do not correspond to ours. Once you’ve moved funds to the Child Care grant, you can’t move them back and if you end up with a surplus, you get penalized. That is what happened to us. It is a timing problem and an administrative problem that the State needs to correct. There is no reason why they couldn’t change the formula and use common sense. We get penalized because of the changes they made, not things that we have done.

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. Van Etten, seconded by Mr. Donnelly and duly carried.

Motion to adjourn Executive Session and Reconvene in Regular Session made by Mr. Gehl, seconded by Mr. Crossett and duly carried.
RESOLUTION NO. 118-09

Introduced by F. Gehl. Seconded by P. Donnelly.

APPOINTING THE PERSONNEL OFFICER AS HEARING OFFICER FOR PURPOSES OF MAKING DETERMINATIONS AS TO GENERAL MUNICIPAL LAW §207-C COVERAGE.

WHEREAS, pursuant to General Municipal Law (GML) §207-c a Sheriff, Undersheriff, Deputy Sheriff or Corrections Officer of the Sheriff’s Department who is injured in the performance of his/her duties or taken sick as a result of the performance of those duties is entitled to the full amount of their salary or wages until the disability has ceased, together with related medical treatment; and

WHEREAS, it is necessary and desirable to have a means by which requests for GML §207-c benefits may be reviewed and if needed a hearing be held; and

WHEREAS, the position of Personnel Officer is deemed well suited for said purposes.

NOW THEREFORE, BE IT

RESOLVED, the office of Personnel Officer, or in his/her absence the Deputy Personnel Officer, is authorized to receive requests for GML §207-c benefits in written format together with supporting evidence; and be it further

RESOLVED, that in the event the Personnel Officer, or in his/her absence the Deputy Personnel Officer, determines the evidence submitted does not satisfactorily establish that the individual is disabled from injury or illness during the performance of his/her duties or that no injury or illness is documented said Personnel Officer or Deputy Personnel Officer, shall conduct a hearing to determine entitlement to said benefits; and be it further

RESOLVED, that said Personnel Officer or Deputy Personnel Officer shall also conduct any other hearing that is determined as being necessary under the provisions of GML §207-c; and be it further

RESOLVED, that said hearings shall comply with the Federal and State constitutional due process provisions and shall include at a minimum the right to testify, call witnesses, introduce further evidence, be represented by counsel or a representative of their own choosing, and shall be entitled to cross-examine witnesses and evidence presented against him/her; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Sheriff and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 119-09

Introduced by F. Gehl. Seconded by D. Stachnik.

MATTERS PERTAINING TO THE SETTLEMENT OF CLAIMS.

This resolution is pending court approval and shall be reported out following the signing of the stipulation.

Vote: Roll Call – Adopted.

Motion to adjourn made by Mr. Donnelly, seconded by Mr. McAllister and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, September 28, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members were present except Legislators Argentieri and Schwartz.

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

Mr. Justice informed the committee that he attended the New York State Probation Officers Association annual conference in August. Steuben County Probation employee Cheryl Crocker and Steuben County Department of Social Services employees Joann Woodard and Jason McLoud received this year's State Director’s Award for Outstanding Probation/DSS Collaboration. This award is given to the individuals that demonstrate exceptional work within the county to increase evidence-based services toward improving outcomes for youth and families. They were nominated by Steuben County Department of Social Services Commissioner, Ms. Muller. Mr. Justice stated these three individuals are examples, role models and advocates of safety. They embrace the spirit of cooperation and have implemented alternative approaches to reduce recidivism rates. They also have spearheaded efforts for reducing county cost for placements and helping to move PINS/JD programs forward in the communities. **CONGRATULATIONS!**

Ms. Candice Dockstader introduced herself as the Domestic Violence Coordinator for Arbor Development. October is Domestic Violence Awareness Month. We recognize victims of domestic violence not only in October, but every day of the year. Thank you for the proclamation declaring October Domestic Violence Awareness Month.

Mr. Peaslee stated today is the official kickoff to the 2009 United Way Campaign. This campaign will run through October 16, 2009. Last year our goal was $30,000.00 and we raised $31,513.00. We had great support and hope that continues this year as our goal is $32,000.00. There will be various activities planned throughout the campaign.

Chairman Roche asked James Kennedy to come forward. Mr. Kennedy is an employee in the County Clerk’s Office. He presented him with a Certificate of Appreciation and a pin in recognition of 10 years of service with Steuben County.

Chairman Roche announced the Youth in Government interns will be attending the October 26th Legislative Meeting and will be interviewing the legislators at the luncheon immediately following the meeting.

Mr. Creath commented a student from the last group of interns presented a resolution regarding traffic issues at Route 352 and Buffalo Street at the on and off ramps to I-86. This was brought to the attention of the Steuben County Traffic Safety Committee and the New York State Department of Transportation and as a result the speed limit was reduced and they will be monitoring that. He wanted to congratulate the intern for their insight and thoughtfulness regarding this issue. He asked Mr. McCandless to please convey this to the last group of interns.

Mr. Jack Benjamin, President, Three Rivers Development Foundation, stated that we have been involved in putting together the I-86/I-99 Corridor economic development blueprint. The I-86/I-99 corridor provides us with a piece of infrastructure to do economic development. This study was funded with an ARC (Appalachian Region Commission) grant of $40,000 and Three Rivers Development Foundation put
in an additional $40,000. A corridor area along the highways has been defined, covering the seven municipalities of the Town of Campbell, the Town of Erwin, the Village of Painted Post, the City of Corning, the Village of Riverside, the Town of Corning and the Town of Lindley. Our vision for the project is that we have a $250 million investment in the I-86/I-99 corridor. This is the largest public infrastructure project we have ever experienced and will provide us with sustainable economic growth into the 21st century.

Mr. Benjamin explained 145 parcels were identified by the municipalities as possible sites for new development. Those properties were then categorized into five or six major categories. These properties are mainly located in the Town of Erwin, City of Corning, Village of Painted Post, Village of Riverside and the Town of South Corning. We are looking for properties that we can get as an option and have them available going forward for the potential of economic development. Chemung County has great success and has a better infrastructure than Steuben County and their Industrial Development Agency purchases option properties and holds them. We would like to look at doing that going forward. We will be looking to the Steuben County Industrial Development Agency to assist with this. Mr. Benjamin commented this is a wonderful opportunity for us and we can use this blueprint as a marketing tool to attract business to southeast Steuben County.

Mr. Creath commented we really need the Steuben County Industrial Development Agency to cooperate. What can the County do? Mr. Benjamin replied the Steuben County Industrial Development Agency is the perfect vehicle to assist and we have already presented this plan to them and they are very supportive. We have to prioritize and option sites that will be available for future economic development. The Steuben County Industrial Development Agency is much better positioned to do that than we are.

Mr. Stachnik commented it is refreshing to see plans that could foster economic development. Mr. Benjamin stated you will not get a lot of help from the State and we will need to be much more aggressive.

The minutes of the previous month’s meeting were adopted on the motion of Mr. Donnelly, seconded by Mr. Creath and duly carried.

RESOLUTION NO. 120-09

Introduced by P. Donnelly. Seconded by D. Stachnik.

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 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).
RESOLUTION NO. 121-09

Introduced by P. Roche. Seconded by F. Gehl.

RECEIVING AND ACCEPTING THE SEPTEMBER 28, 2009 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 18, 2009
New York State Association of Counties – Re: Announcing the NYSAC Annual Fall Conference will be held in Saratoga Springs, New York from September 16-18, 2009 at the Saratoga Hilton/City Center. The NYSAC membership will elect the Directors and Officer of the Association @ the NYSAC Annual Fall Conference. Referred to: Mark R. Alger, County Administrator.

The Institute for Human Services – Re: Steuben County’s April 2009- March 2010 membership certificate and the 2009 5-County Human Services Directory. Referred to: Mark Alger, County Administrator.

August 19, 2009
Village of Wayland – Re: A resolution was passed by the Village of Wayland to have the Village of Wayland’s share of the Steuben County Self-Insurance Workers’ Compensation Plan in the amount of $15,121.00 levied as taxable real property through the Steuben County Real Property Tax Service Agency. Referred to: Administration Committee; Donna Hatch, RPTSA Director; Carol Whitehead, County Treasurer; and Linda Herrington, Risk Manager’s Office.

August 20, 2009
NYS Assemblyman, James Bacaalles – Re: Letter concerning the critical status of the child care funding in Steuben County. Referred to: Human Services Committee; and Kathy Muller, Commissioner of Social Services.

August 27, 2009
Town of Bath – Re: Letter requesting clarification on the withdrawal process from the County Workers’ Compensation Plan. Referred to: Administration Committee; and Linda Herrington, Risk Manager’s Office.
**August 31, 2009**  
Cayuga County Legislature – Re: A resolution passed by Cayuga County urging Senators Schumer and Gillibrand and Congressman Arcuri to oppose any “CARCIERIFIX”. **Referred to: Steuben County Legislature.**

Office of Community Renewal – Re: Notification of grant approval for Steuben County’s Housing Rehabilitation Program Project #1115HR4-09. **Referred to: Greg Heffner, Planning Director.**

**September 2, 2009**  
Western Regional Off-Track Betting Corporation – Re: Check #47204 in the amount of $5,569 representing the July 2009 retained surcharge revenue for Steuben County. **Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.**

**September 3, 2009**  
Office of Community Renewal – Re: Grant Agreement for the New York State Community Development Block Grant (NYS CDBG) Project #1115HR4-09. The signed grant agreement and the required forms must be returned within 45 days of receipt of letter. **Referred to: Greg Heffner, Planning Director.**

**September 4, 2009**  
NYS Department of Health – Re: Revised Operating Certificate #5022300N, which reflects the change of address and addition of respite care, outpatient physical, occupation and speech therapy services effective January 5, 2009. The previous operating certificate needs to be returned no later than September 17, 2009. **Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.**

**September 8, 2009**  
New York State Energy Research and Development Authority – Re: Notification of receipt of proposal for the Steuben County Lighting Project. **Referred to: Jack Wheeler, Assistant County Administrator.**

NYS Department of State – Re: Fully Executed Community Projects Appropriation Agreement #TM81281. **Referred to: Public Safety & Correction Committee; Mike Sprague, EMO Director; and Carol Whitehead, County Treasurer.**

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

**September 9, 2009**  
Steuben County Industrial Development Agency – Re: Notification of the 2009-2010 budget was accepted by the SCIDA Board of Directors on August 27, 2009. **Referred to: A.I.P. Committee.**

**September 10, 2009**  
Office of Community Renewal – Re: Reminder of Grant Agreement 12-Month Expiration Notice for NYS CDBG Project #1115HR22-08. **Referred to: Greg Heffner, Planning Director.**

**September 11, 2009**  
New York State Association of Counties – Re: Request to pass a resolution urging the State and Federal Government to implement immediate actions to help relieve the current dairy fiscal crisis. **Referred to: Steuben County Legislature.**

**September 14, 2009**  
NYS Department of State – Re: 2008-2009 Local Government Efficiency Program for the Information Technology Services Consolidation Project. Grant in the amount of $355,520. **Referred to: Jack Wheeler, Assistant County Administrator; and Ken Peaslee, Information Technology Director.**

Town of Addison – Re: Notification of Addison’s Town share of the Workers Compensation coverage for 2010 be added to their 2010 budget and to have this billed to the office in January 2010. **Referred to: Administration Committee; Donna Hatch, RPTSA Director; Carol Whitehead, County Treasurer; and Linda Herrington, Risk Manager’s Office.**
**September 15, 2009**

Village of Canisteo – Re: Notification of passed resolution to have the Village of Canisteo’s share of Workers’ Compensation be levied as taxable real property through the Steuben County Real Property Tax Service Agency. **Referred to:** Administration Committee; Donna Hatch, RPTSA Director; Carol Whitehead, County Treasurer; and Linda Herrington, Risk Manager’s Office.

**September 17, 2009**

NYS Office of Homeland Security – Re: Notification of award for the FY09 State Homeland Security Program (SHSP) in the amount of $240,000. A point of contract for each program needs to be identified and faxed to the Federal Grant Program Administration Division At (518) 485-0146. The separate data collection spreadsheet must be submitted not later than Wednesday, September 30, 2009. Application(s) for each grant will need to be submitted electronically by November 30, 2009. **Referred to:** Public Safety & Corrections and Health & Education Committees; Michael Sprague, EMO Director; Sheriff Ordway; and Vicki Fuerst, PHN Director.

New York State Gas & Electric – Re: NYSEG/RG&E is offering a free training program on handling natural gas emergencies. If interested, call (585) 335-9058 Ext. 339. **Referred to:** Public Safety & Corrections Committee; Dave Hopkins, 911 Director; and Michael Sprague, EMO Director.

**Vote:** Acclamation – Adopted.

**AMENDED**

**RESOLUTION NO. 122-09**

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

**PRESENTING AN AMENDMENT TO THE RULES OF PROCEDURE OF THE STEUBEN COUNTY LEGISLATURE TO MERGE THE ADMINISTRATION AND RULES COMMITTEES.**

**WHEREAS,** Rule 19 of the Rules of Procedure of the Steuben County Legislature contains the list of standing committees of this Legislature; and

**WHEREAS,** merging the functions of the Administration and Rules Committees will promote efficiencies in the conduct of County business; and

**WHEREAS,** the within resolution provides for the repeal of the existing committees and creation of an “Administration Committee”; and

**WHEREAS,** the Rules Committee, as currently constituted, provides the restriction “… no more than one (1) member of the Rules Committee may serve on the Finance Committee.” which restriction will not continue following the merger of the two (2) committees.

**NOW THEREFORE, BE IT**

**RESOLVED,** the current descriptions of the Administration and Rules Committees be and the same hereby are abolished; and be it further

**RESOLVED,** there is hereby created an “Administration Committee” as a standing committee of the Legislature having the following responsibilities:

“Administration Committee” to consist of 5 members with responsibility for:

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

1) **Clerk of the Legislature:** Including all matters relating to the duties and powers of the Clerk of the Legislature, as set forth in Section 475 of the County Law.

2) **County Administrator:** Including all matters relating to the power and duties of the County Administrator as defined in the County's Local Law and/or amendments thereto, establishing the office.

3) **County Auditor:** Including all matters relating to the office of County Auditor as set forth in Section 600 of the County Law.

4) **County Law Department:** Including all matters pertaining to County legal actions, lawsuits, damages, claims, or other legal representation of the County.

5) **County Clerk:** Including all matters pertaining to the constitutional responsibilities of the Clerk as registrar, the duties of the Clerk as agent of the New York State Department of Motor Vehicles, and the Clerk of the Supreme Court and County Court.

6) **County Treasurer:** Including all matters relating to the powers and duties of the County Treasurer as chief fiscal officer, and in any fiduciary capacity, except unpaid taxes and buildings.

7) **Election Commissioners:** Including all matters relating to the Election Commissioners and County responsibilities under the Election Law.

8) **Information Technology:** Including all matters relating to the study, organization, promotion, coordination, purchase or lease of EDP equipment or systems, and development of the County's electronic data processing system for all of the County's Departments, agencies, or administrative units.

9) **Insurance:** Including all matters relating to the procurement of all insurance on County-owned personal property, premises, buildings, and all insurance connected with property acquired for public assistance reimbursement, and recommendations to the County Legislature with relation to the amount of official undertakings and the approval thereof, when the amount is fixed by the County Legislature.

10) **Personnel:** Personnel administration and policy, including reviewing requests for new positions, setting salary grades, all upgradings, position reclassifications, labor union negotiations, salary schedule adjustments, fringe benefits administration, and Affirmative Action programs and policy and including all matters pertaining to the County's administration of the New York State Civil Service Law.

11) **Purchasing:** Including all matters relating to the organization, coordination, and implementation of a uniform system of inventory control and purchasing within the County Departments, agencies, boards, commissions, and administrative units.

12) **Real Property Tax Service Agency:** Including all matters relating to the equalization of tax rates for purposes of levying County taxes; representation of the County in all meetings and conferences with local assessors or individuals; and preparation of the assessment and tax rolls.

13) **Records Management:** Including all matters relating to the County's Records Management Program which is overseen by the County Administrator, including the establishment, organization and oversight of the records center, contracts for records management, and procedures or rules which may be necessary for implementation of a comprehensive Records Management Program.

14) **Risk Management:** Including all matters relating to evaluation of Insurance programs for the County and development and implementation of safety programs.
(15) **Telephonic Communications:** Including all matters relating to researching, analyzing, and implementing telephonic communications service plans for County government departments and related agencies.

(16) **Workers' Compensation:** Including all matters relating to the Steuben County Self-Insurance Plan, including plan administration, claims, expenses for claimants, apportionment of administrative costs, preparation of reports, and duties of Risk Manager, County Attorney, and County Treasurer.

In addition thereto the responsibilities of said committee shall include:

(A) Representation of, and as appropriate, recommendations to the County Legislature on all matters pertaining to proposed local, State, or Federal legislation, matters relating to internal affairs of the County, its Offices, Departments, functions, including the Rules of Procedure and conduct at meetings of the County Legislature, general administration of Offices and Departments, and matters dealing with the County's participation with Off-Track Betting.

(B) Examination, inspection, preservation, storage, maintenance, and representation of the County Legislature in all matters pertaining to the books and records of accounts of County funds, vouchers, orders, warrants, claims and other papers or documents, which the County Legislature or other County officer or employee may have a power or duty to perform.

(C) Representation, examination and hearings in all matters pertaining to the County's Grievance Procedure for County employees.

(D) Vehicle deployment and management of vehicles owned by the County of Steuben.

**AND BE IT FURTHER RESOLVED,** the effective date of the within resolution is January 1, 2010; and be it further

**RESOLVED,** certified copies of this resolution shall be forwarded to all Department Heads; and each President of the following Unions consisting of CSEA, Local 1000 AFSCME, AFL-CIO, Steuben County Unit; The CSEA, INC. Local 1000, AFL-CIO for the Steuben County Correction Officers, Dispatchers and Court Security Officers Unit; and The Deputies Association of the County of Steuben.

Chairman Roche stated the second Resolved will read 5 members.

Mr. Gehl stated that he would like to propose an amendment to the resolution that the name of the committee be Administration Committee, not Administration and Rules Committee. Prior to 1983 there were 37 committees within this county government. Twelve of those committees went in to make up the Administration Committee.

Motion amending the name of the committee from the Administration and Rules Committee to the Administration committee made by Mr. Gehl, seconded by Mr. Farrand and duly carried.

Mr. Van Etten commented that the number of members currently on the committee is five and he thought by doing this the membership would increase to seven members.

Chairman Roche replied during the discussion about merging the committees, the comment was made that if they wanted to increase the membership to seven, they could do that as a separate resolution. If you want to increase the membership to seven, that would be fine as well. That discussion should take place prior to the first of the year as the merger of the committees is effective January 1, 2010.
Mr. Van Etten asked who has that discussion? Chairman Roche replied the Rules Committee could put it on their agenda for the October meeting.

**Vote:** Acclamation – Adopted.

RESOLUTION NO. 123-09

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

PRESENTING AN AMENDMENT TO THE RULES OF PROCEDURE OF THE STEUBEN COUNTY LEGISLATURE TO MERGE THE HUMAN SERVICES AND HEALTH & EDUCATION COMMITTEES.

WHEREAS, Rule 19 of the Rules of Procedure of the Steuben County Legislature contains the list of standing committees of this Legislature; and

WHEREAS, merging the functions of the Human Services and Health & Education Committees will promote efficiencies in the conduct of County business; and

WHEREAS, the within resolution provides for the repeal of the existing committees and creation of a “Human Services, Health & Education Committee”; and

NOW THEREFORE, BE IT

RESOLVED, the current descriptions of the Human Services and Health & Education Committees be and the same hereby are abolished; and be it further

RESOLVED, there is hereby created a “Human Services, Health & Education Committee” as a standing committee of the Legislature having the following responsibilities:

“Human Services, Health & Education Committee” to consist of 5 members with responsibility for:

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

(1) Social Services: Including all matters relating to the duties, powers, and responsibilities of the County Commissioner of Social Services, in the administration of public assistance and care, or other matters which relate specifically to the administration of the County's Social Services Programs, excluding the Health Care Facility.

(2) Veterans' Services: Including all matters relating to the County Veterans' Service Director or officer, Steuben County War Memorial, claims for soldiers' burial and headstones, and representation of the County Legislature in all matters pertaining to veterans or veterans' affairs.

(3) Youth Bureau: Including all matters relating to the administration of the Steuben County Youth Board and Programs.

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

(5) Education: Including the education of handicapped children and requests for educational assistance.
(6) Public Health: Including all matters pertaining to the Steuben County Public Health and Nursing Services, the Special Children’s Services Program, the Steuben County Community Services Clinic, the Steuben County Alcohol Abuse Program, and all matters relating to the Mentally Retarded Developmental Disabilities Programs, and the Association for Retarded Citizens' Program.

(7) Health Care Facility: Including all matters relating to the operation, maintenance, and administration of the Steuben County Health Care Facility.

Representation, oversight, and recommendations to the County Legislature as appropriate, on matters pertaining to the following Boards, Commissions, or agencies:

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

AND BE IT FURTHER RESOLVED, the effective date of the within resolution is January 1, 2010; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to all Department Heads, agencies, programs, Boards, or Commissions above named, and each President of the following Unions consisting of CSEA, Local 1000 AFSCME, AFL-CIO, Steuben County Unit; The CSEA, INC. Local 1000, AFL-CIO for the Steuben County Correction Officers, Dispatchers and Court Security Officers Unit; and The Deputies Association of the County of Steuben.

Motion amending the name of the committee from the Human Services, Health & Education Committee to the Human Services Committee made by Mr. Gehl.

Motion fails due to the lack of a second.

Mr. Ryan commented that he initially had concerns due to the size, but the letter that Chairman Roche sent on September 23, 2009 clarified most of his questions.

Chairman Roche stated that the second Resolved will read five members. He would again encourage the Rules Committee to have a discussion regarding committee membership at their October meeting.

Mr. Stachnik commented over the past sixteen years we really haven’t changed the basic infrastructure and it is the same as it was in the early 1990’s. These are moves that seem to make sense. It is a good idea.

Mr. Weaver stated he has concerns about merging these two committees. It makes it impossible to do scheduling. These are two large committees that he thinks should stay as two separate committees.

Vote: Acclamation – Adopted. (Mr. Nichols and Mr. Weaver opposed)
RESOLUTION NO. 124-09

Introduced by T. Ryan. Seconded by F. Gehl.

ADOPTING THE STEUBEN COUNTY REGULATORY COMPLIANCE PLAN.

WHEREAS, the Office of the Medicaid Inspector General (OMIG), recognizing the achievement of substantial improvements in the integrity and efficiency of the medical assistance (Medicaid) program, and in its continuing efforts to further improve and strengthen the Medicaid program, has instituted a comprehensive work plan to aggressively address specific areas of the Medicaid program that are particularly vulnerable to improper payments; and

WHEREAS, Steuben County, in recognition of the specific areas of the Medicaid program that are particularly vulnerable to improper payments, has prepared the Steuben County Regulatory Compliance Plan (the “Plan”), dated September 21, 2009 and a copy of which having been filed in the Office of the Clerk of the Steuben County Legislature; and

WHEREAS, the Plan has been prepared in accordance with the Provider Compliance Program Rules relative to the Policies and Standards Governing Provision of Medical and Dental Care found at 18 NYCRR 521.3 effective July 1, 2009; and

WHEREAS, Steuben County will implement and file its Plan with the OMIG on or before October 1, 2009; and

WHEREAS, the Steuben County Legislature has reviewed the Plan and affirms that the Plan will become a part of the Administrative Code of the County of Steuben and will be reviewed and maintained as is deemed necessary and appropriate by the Administration Committee or its successor Committee.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby adopt the Steuben County Regulatory Compliance Plan including all corrections as may be required by the OMIG upon review and as revised from time to time; and be it further

RESOLVED, that the Steuben County Compliance Plan become a part of the Steuben County Administrative Code be reviewed and maintained as is deemed necessary and appropriate by the Administration Committee or its successor Committee; and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Director Community Services, the Director of Public Health, the Director of the Steuben County Health Care Facility, Steuben County Treasurer, and the Office of the Medicaid Inspector General, 800 North Pearl Street, 2nd Floor, Albany, NY 12204.

Vote: Roll Call – Adopted.

RESOLUTION NO. 125-09

Introduced by D. Stachnik/P. Donnelly. Seconded by R. Weaver.

ACCEPTING AND APPROPRIATING A HOMELESS PREVENTION AND RAPID RE-HOUSING (HPRP) GRANT.

WHEREAS, the New York State Department of Temporary and Disability Assistance is administering American Recover and Reinvestment Act, AARA funds; and

WHEREAS, Steuben County has been awarded a Homeless Prevention and Rapid Re-housing (HPRP) Grant for a twenty two month period in the amount of $466,353.00; and
WHEREAS, the Steuben HPRP project will provide prevention and re-housing services to individuals and families meeting HPRP eligibility standards as homeless or at-risk of homeless with incomes less than 50% of the Steuben County Median Family Income; and

WHEREAS, the work plan as submitted to the New York State Department of Temporary and Disability Assistance has been approved; and

WHEREAS, the work plan includes contractual costs of: one part-time Housing Case Manager through Catholic Charities, Eviction-prevention legal services through Southern Tier Legal Services and HUD Habitability inspections provided by Arbor Development.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates four months of these funds in the 2009 Steuben County Budget as follows:

Expenditure:
- HPRP BUDGET 5444000 Contracts for Services $ 25,408.00
- HPRP BUDGET 5445100 Assistance $ 59,432.00

Revenues:
- HPRP BUDGET Federal Revenue AARA $ 84,840.00

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

Mr. Nichols asked is this funding mostly from the State or Federal government? Ms. Muller replied this is Federal stimulus funding.

Vote: Roll Call – Adopted.

RESOLUTION NO. 126-09

Introduced by D. Stachnik/P. Donnelly. Seconded by T. Ryan.

ACCEPTING AND APPROPRIATING A TRANSITIONAL JOBS PROGRAM GRANT.

WHEREAS, the New York State Department of Temporary and Disability Assistance is administering funds relative to the Transitional Jobs Program; and

WHEREAS, the Transitional Jobs Program will provide subsidized employment placement for up to twelve months and include education and training activities to prepare participants for local employment opportunities; and

WHEREAS, Steuben County has been awarded a Transitional Jobs Program Grant in the amount of $103,531.00; and

WHEREAS, the work plan as submitted to the New York State Department of Temporary and Disability Assistance has been approved.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates four months of these funds in the 2009 Steuben County Budget as follows:
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. 127-09

Introduced by D. Creath/P. Donnelly.        Seconded by F. Gehl.

ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL.

WHEREAS, Steuben County has been awarded $224,000.00 by the New York State Office of Community Renewal (DHCR), as part of the Community Development Block Grant (CDBG) 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 $224,000.00 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 2009 and 2010 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; Gregory P. Heffner, AICP, Steuben County Planning Director; and Carol Whitehead, Steuben County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 128-09

Introduced by D. Creath/P. Donnelly.        Seconded by F. Gehl.

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR SECTION 5311 ANNUAL OPERATING ASSISTANCE FOR PUBLIC TRANSPORTATION.

WHEREAS, Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program administered by the States; and
WHEREAS, Steuben County is submitting a request to the New York State Department of Transportation for such federal aid for operating assistance for a Project to provide for fixed route and demand response public mass transportation service on a continuing basis in Steuben County, for the fiscal years 2009 and 2010; and

WHEREAS, Steuben County and the State of New York have entered into a continuing Agreement for a ten-year period which authorizes the undertaking of the Project and payment of the Federal share, identified as State Contract No. C003650.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby authorize the Chairman of the Legislature to sign the annual grant application for such Section 5311 funds; and be it further

RESOLVED, that the Planning Director is authorized to act on behalf of Steuben County to progress and complete the above-named Project; and be it further

RESOLVED, that the Planning Director is authorized to sign any contracts or agreements between Steuben County and any third party subcontractor necessary to complete the public transportation Project; and be it further

RESOLVED, certified copies of this resolution shall be distributed to Gregory P. Heffner, AICP, Steuben County Planning Director; and Ms. Stephanie Mielnik, Program Manager, Rural Section, Passenger Transportation Division, NYSDOT, State Campus, Building 4, Room 134, Albany, NY 12232-0414.

Vote: Roll Call – Adopted.

RESOLUTION NO. 129-09

Introduced by P. McAllister. Seconded by D. Stachnik.

RECLASSIFICATION OF A KEY ENTRY OPERATOR POSITION, GRADE IV, TO AN ASSESSMENT DATA CLERK POSITION, GRADE IX, WITHIN THE STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY.

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

WHEREAS, a position exists within the Steuben County Real Property Tax Service Agency that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer and the Administration Committee have reviewed and approved the recommended changes for said position.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Real Property Tax Service Agency is hereby reclassified:

Key Entry Operator, Grade IV ($23,253-$32,827) to
Assessment Data Clerk, Grade IX ($28,514-$40,256)

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

208 Monday, September 28, 2009
RESOLVED, certified copies of this resolution shall be forwarded to the Director of Real Property Tax Service Agency, the County Treasurer, and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 130-09

Introduced by T. Ryan/P. McAllister. Seconded by D. Creath.

RECLASSIFICATION OF A PSYCHOLOGY INTERNE POSITION, GRADE XVI, TO ASSISTANT PSYCHOLOGIST POSITION, GRADE XVIII, WITHIN THE STEUBEN COUNTY COMMUNITY SERVICES DEPARTMENT.

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

WHEREAS, a position exists within the Steuben County Office of Community Services that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer, the Health and Education Committee and the Administration Committee have reviewed and approved the recommended changes for said position.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Office of Community Services is hereby reclassified:

Psychology Interne, Grade XVI ($39,320-$55,508) to Assistant Psychologist, Grade XVIII ($51,867-$73,225)

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

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Community Services, the County Treasurer, and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 131-09


RECLASSIFICATION OF A STAFF SOCIAL WORKER POSITION, GRADE XV, TO SENIOR SOCIAL WORKER POSITION, GRADE XVII, WITHIN THE STEUBEN COUNTY COMMUNITY SERVICES DEPARTMENT.

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

WHEREAS, a position exists within the Steuben County Office of Community Services that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer, the Health and Education Committee and the Administration Committee have reviewed and approved the recommended changes for said position.

NOW THEREFORE, BE IT
RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County Office of Community Services is hereby reclassified:

Staff Social Worker, Grade XV ($37,008-$52,249) to Senior Social Worker, Grade XVII ($43,178-$60,958)

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

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Community Services, the County Treasurer, and the Personnel Officer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 132-09

Introduced by P. McAllister. Seconded by R. Nichols.

REAPPOINTING ROBERT F. BIEHL OF BATH, NEW YORK, AS STEUBEN COUNTY PERSONNEL OFFICER.

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

WHEREAS, the term of office of Robert F. Biehl as County Personnel Officer of the County of Steuben terminates on December 31, 2009; and

WHEREAS, Robert F. Biehl has again been recommended by the Administration Committee for another six-year term, commencing on January 1, 2010 and terminating on December 31, 2015.

NOW THEREFORE, BE IT

RESOLVED, Robert F. Biehl of Bath, New York, be and he hereby is, reappointed as County Personnel Officer of the County of Steuben for a six year term, commencing on January 1, 2010 and terminating December 31, 2015; and be it further

RESOLVED, as County Personnel Officer he shall be paid according to the Management Salary Plan; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointee.

Vote: Roll Call – Adopted.

RESOLUTION NO. 133-09

Introduced by D. Creath. Seconded by All Legislators Present.

MEMORIALIZING THE STATE AND FEDERAL GOVERNMENTS TO IMPLEMENT IMMEDIATE ACTIONS TO HELP RELIEVE THE CURRENT DAIRY FISCAL CRISIS.

WHEREAS, New York’s vast farming industry contributes to both State and the nation’s health and economic wellbeing every day; and

WHEREAS, dairy farming is the backbone of this the largest industry in the New York; and
WHEREAS, the current state of the dairy industry is dire as dairy producers struggle to meet their financial commitments due to historically low milk prices coupled with erratically high energy, feed and fertilizer costs; and

WHEREAS, the bleak economic climate has softened demand for dairy products in both the domestic and foreign markets, creating a surplus of dairy products and driving the price of the commodity to historic lows; and

WHEREAS, in many areas of the state, even well-run dairy farms will not be able to continue in business in the current fiscal climate unless immediate, decisive and meaningful action is taken similar to actions taken to shore up other industries as part of the American Recovery and Reinvestment Act.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature memorializes both the State and Federal government to take immediate action to relieve the current dairy fiscal crisis and help maintain the economic engine that is the dairy industry; and be it further

RESOLVED, the Steuben County Legislature recommends the following measures as a first step toward recovery for both the state and national dairy industry:

- Congress must provide an immediate increase in funding for increased payments to the dairy farmers under the Milk Income Loss Contract (MILC),
- The United State Department of Agriculture (USDA) should move dairy commodities off the domestic market as quickly as possible to fully utilize the Dairy Export Incentive Program (DEIP),
- The USDA should take additional administrative action to issue another temporary increase to the product price levels of the Dairy Product Price Support Program (DPPSP),
- The USDA and the State of New York should immediately increase domestic dairy product purchases for government sponsored nutritional programs,
- Passage of S.1722, sponsored by U.S. Senators Arlen Spector and William Casey of Pennsylvania, known as the Federal Milk Marketing Improvement Act of 2007 which will require the Secretary of Agriculture to determine the price for all milk used for manufacturing purposes using the national average cost of production, thereby increasing the price per hundred weight,
- Urge the New York State Legislature to take no action on bills that will negatively impact agricultural labor costs; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this resolution to President Barack H. Obama, The White House, 1600 Pennsylvania Ave. N.W., Washington, DC 20500; U. S. Senator Charles E. Schumer, 313 Hart Senate Office Bldg., Washington, DC 20510-3202; U. S. Senator Kirsten E. Gillibrand, 531 Dirksen Senate Office Building, Washington, DC 20510; U. S. Congressman Eric J. J. Massa, 1208 Longworth HOB, Washington, DC 20515-3229; 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.

Chairman Roche commented this affects everyone in the county as dairy plays a large role.

Vote: Acclamation – Adopted.

Motion to Adjourn Regular Session and Reconvene in Executive Session Pursuant to Public Officer’s Law, Article 7§ 105.1.D. Discussion Regarding Proposed, Pending or Current Litigation made by Mr. McAllister, seconded by Mr. Nichols and duly carried.
RESOLUTION NO. 134-09

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

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

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

WHEREAS, the following civil action has been initiated in the Supreme Court of the State of New York, County of Steuben:

Naples Central School District,

Petitioner/Plaintiff,

v.

INDEX NO. 99961

Town of Cohocton, Steuben County Industrial Development Agency, County of Steuben, and Canandaigua Power Partners, LLC,

Respondents/Defendants.

; and

WHEREAS, the parties are desirous of settling said claim.

NOW THEREFORE, BE IT RESOLVED, the County does hereby ratify the Settlement Agreement and Release of Claims to be executed by each of the parties to the above-entitled claim requiring the payment of zero on the part of the County, the Chairman to execute on behalf of the County; and be it further

RESOLVED, the Deputy County Attorney shall execute the Stipulation of Discontinuance terminating the litigation of the above-entitled claim; and be it further

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

RESOLVED, a certified copy of this resolution shall be forwarded to the Steuben County Risk Manager.

Vote: Roll Call – Adopted.

Motion to Adjourn made by Mr. Van Etten, seconded by Mr. Weaver and duly carried.
REGULAR MEETING  
Morning Session  
Monday, October 26, 2009  
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, October 26, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members present except Legislators Schu (late) and Schwartz.

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

Chairman Roche asked Chris Myers to come forward. Mr. Myers is an employee in the Probation Department. He presented him with a Certificate of Appreciation and a pin in recognition of 15 years of service with Steuben County.

Chairman Roche asked Darlene Herrick to come forward. Ms. Herrick is an employee in the Department of Social Services. He presented her with a Certificate of Appreciation and a pin in recognition of 15 years of service with Steuben County. Ms. Herrick commented that in 2008, New York State Child Support Collection Agencies collected $1.7 billion in child support for New York State’s children. There is another situation which I believe is in crisis mode that is affecting our children, and that is drugs. Drugs affect all kids from all economic levels. This situation needs to be addressed. I don’t know the answer, but we need a bureau to handle this problem and we need one now.

Chairman Roche asked Lisa Baker, Lisa Remchuk and Joyce Clark to come forward. They are all employees in the Department of Social Services and they have a combined total of 75 years of service to Steuben County. He presented them each with a Certificate of Appreciation and a pin in recognition of their individual 25 years of service with Steuben County. Ms. Baker stated statistics say we change jobs 10 to 14 times by the time you are my age. To the student interns present today, I’d like to say consider employment with the County. The lives you can affect and the career choices you can make are incredible.

Richard McCandless stated this semester there are 23 students participating in the Youth in Government program. He introduced this year’s Student Interns.

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

John Clifford, Western Regional Off-Track Betting Corporation, stated it’s a pleasure to be here this morning. Because of the State’s budget deficit, they are conducting a review of all of the Off-Track Betting Corporations (OTBs) in the State. There are 5 OTBs in the State and only yours turns a profit. Your investment has returned over $5.6 billion in dividends. New York State took over the OTB in New York City two years ago and they have since lost $80,000 a month in profit. In the first quarter of this year, Steuben County received approximately $24,000. There is a resolution before you today requesting the State protect your ownership interest in the Western Regional Off-Track Betting Corporation. I hope you pass this resolution today and forward it to your State representatives. In addition, I ask that you call Senator Winner and Assemblyman Bacalles to stress how important it is that you remain an owner of your OTB. Please don’t let the State take over the OTBs; it would be devastating to the County. Thank you for your time and continue doing a good job.
Mr. Donnelly announced there will be a Special Finance Committee meeting on Thursday, November 5th at 1:30 p.m. to continue reviewing the 2010 budget.

Mr. Peaslee, Information Technology Director, stated last month I was here announcing the kick off of the United Way Campaign. To date we have raised $31,263 which is $750 short of our goal. I appreciate everyone’s participation in this campaign and I’m still collecting donations if anybody is interested.

Mrs. Hatch, Real Property Tax Service Agency Director, stated I have distributed copies of the final report of the Countywide Assessment Ad-Hoc Committee. This began as a $25,000 grant provided by the State. The second part of the grant included conducting a study on Countywide Assessment for an additional $25,000. After the presentation was made on the study, Chairman Roche established a Committee to further review and evaluate the recommendations of the report. We reviewed several areas of work involving the assessment business. The final report was accepted by the Administration Committee this month. We took the contents of the final report and put it in the form of a memorializing resolution to the State. The committee decided that although Counties may have a role in the Assessment process, the State must establish rules and requirements if there is to be any significant improvement or change in the current assessing system. Although the County could provide assessment services, it is likely that those municipalities most in need would not use this service as their cost share would be more than municipalities are currently spending on assessment services.

Mrs. Hatch stated the Committee also concluded that additional public information would help encourage municipalities to conduct revaluation programs. Therefore, we have placed assessment information on the County website with links to the State’s website, as well as various towns and city sites. This will help with the public information push.

Mrs. Hatch stated the goal is to get the remaining towns at the 100 percent valuation. We can’t force the option, but we can memorialize the State to adopt a cycle bill to force the towns to get to 100 percent valuation. That’s the content of the study and the resolution. I hope everyone will support the resolution. Discussion followed.

Mr. McAllister thanked the members of the Ad-Hoc Committee for the time and effort they put into this report.

Mr. Wheeler, Assistant County Administrator, stated Mr. Donnelly requested we provide an overview of the propositions that will be on the ballot next week. The first proposal would allow the state and National Grid to swap forest preserve land in St. Lawrence County in an already completed power-line project. Under the proposed amendment, National Grid would give the state 43 acres of preserve land, to be added to the Adirondack Forest Preserve, in exchange for 6 acres the company already received from the state.

Mr. Wheeler stated the second proposal would offer inmates more chances to work outside of jails. Currently, the constitution allows prisoners to perform work for governmental agencies during their prison sentence, but the amendment would allow them to volunteer for religious, charitable and educational groups as well. The proposed amendment does not call for any restrictions based on the length of a prisoner's sentence or the nature of the crime, leaving it up to individual jails to decide who can and cannot perform outside work.

Chairman Roche announced that the Legislators will be having lunch with the Student Interns beginning at 11:30 a.m.

**RESOLUTION NO. 135-09**
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"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>William H Duell &amp; Denise K Duell</td>
<td>353.00-01-011.000</td>
<td>Erwin Town</td>
<td>Correction &amp; Refund (per Court Order)</td>
</tr>
<tr>
<td>A-2</td>
<td>Verizon New York, Inc</td>
<td>151.64-01-062.000 &amp; 151.64-01-063.000</td>
<td>Hornell City</td>
<td>Correction &amp; Refund (per Court Order)</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 136-09

Introduced by P. Roche. Seconded by D. Stachnik.

RECEIVING AND ACCEPTING THE OCTOBER 26, 2009 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 18, 2009
Hammondsport Chamber of Commerce – Re: Letter opposing the consideration of increasing the Room Tax Rate in Steuben County. Referred to: A.I.P. Committee; Finance Committee; and Greg Heffner, Planning Director.

NYS Department of State – Re: Local Enhanced Wireless 911 Program - Steuben County is eligible to apply for reimbursement on certain costs associated with the provision of Wireless 911 Services - allocation from the 2009-2010 budget for costs incurred from 4/1/09 through 3/31/12 is $53,630. Referred to: Public Safety & Corrections Committee; Dave Hopkins, 911 Director; Jack Wheeler, Assistant County Administrator; and Carol Whitehead, County Treasurer.
September 21, 2009
NYS Office of Homeland Security – Re: Notification of Steuben County not being selected to receive a grant for the FY09 Companion Animal Sheltering Equipment. Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

Town of Cheektowaga – Re: Copies of (2) resolutions recently approved by the Town of Cheektowaga and requesting Steuben County to consider passing similar legislation. Referred to: Clerk of the Legislature.

September 24, 2009
E-On Climate & Renewables North America, Inc. – Re: Complying with the State Code which outlines a standard of ethic for wind energy companies doing business in the State of New York. Referred to: Mark Alger, Steuben County Administrator; and Fred Ahrens, County Attorney.

September 25, 2009
The State Assembly – Re: Letter concerning the Authority Reform Act of 2009. Referred to: Rules and A.I.P. Committees; Greg Heffner, Planning Director; and Mark Alger, County Administrator.

September 28, 2009
NYS Office of Children & Family Services – Re: Steuben County’s Resource Allocation Plan (RAP) for 2009 and request for State aid in the amount of $168,430 has been approved. Referred to: Human Services Committee; Kathryn Muller, Commissioner of Social Services; and Gary Pruyn, Youth Bureau Director.

NYS Office for the Aging – Re: Notification of Grant Award and approved application for the Retired and Senior Volunteer Program (RSVP) for the period of April 1, 2009 through March 31, 2010. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

September 30, 2009
Millennium Pipeline Company, L.L.C. – Re: Letter sent out to landowners along the Millennium Pipeline Route informing landowners with issues related to the Millennium right of way should be directed to Land Agent, Cathy Briggs at (610) 865-9257 or email cbrigs@nisource.com. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

Allegany County Board of Legislators – Re: Certified copy of resolution number 168-09, authorizing the submission of a joint application for a 2009-2010 New York State Local Government Efficiency High Priority Planning Grant for the Regional E-911 Planning Project, which was adopted by the Allegany County Board of Legislators on September 28, 2009. Referred to: Public Safety & Corrections Committee; Dave Hopkins, 911 Director; Jack Wheeler, Assistant County Administrator; and Clerk of the Legislature.

October 1, 2009
NYS Department of Health – Re: Notification of receipt of Plan of Correction was received and all corrections should be completed by the 60th day of the survey exit day (Steuben County Infirmary, Medicare Provider #335309, Survey exit date 9/17/2009). Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

Town of Trroupsburg – Re: Request for the Town’s share of the Workers Compensation coverage for 2010 be added to their 2010 budget and billed to the office in January 2010. Referred to: Administration Committee; Donna Hatch, RPTSA Director; Carol Whitehead, County Treasurer; and Linda Herrington, Risk Manager’s Office.

Western Regional Off-Track Betting Corporation - Re: Check in the amount of $5,563 representing the August 2009 retained surcharge revenues for Steuben County. Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.

October 5, 2009
Finger Lakes SPCA, Inc. – Re: Request for 2010 funding in the amount of $39,000 ($15,000 of which is usually provided from the dog license fee revenues). In addition, to consider a one–time support to help defray a $20,000 budget gap as a
result of a 2008 equine cruelty case. **Referred to: A.I.P. and Finance Committees; Greg Heffner, Planning Director; and Carol Whitehead, County Treasurer.**

NYS Office for the Aging – Re: Revised Notification of Grant Award (NGAs) and Annual Implementation Plan budget for the Title III-B, Title III-C-1, Title III-C-2, Title III-D and Title III-E programs for the period of January 1, 2009 through December 31, 2009. In addition, revised notification Grant Award (NGAs) and Annual Implementation Plan for WRAP, HIICAP, EISEP, CSE, CSI, SNAP and State Transportation programs for the period of April 1, 2009 through March 31, 2010. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

**October 8, 2009**

New York State Association of Counties – Re: Memo indicating a couple of their prioritized resolutions which urges counties to take a strong position against state cost shifting to counties and the need for assistance in the dairy fiscal crisis. **Referred to: Clerk of the Legislature.**

Sheen Housing – Re: Bishop Sheen Ecumenical Housing Foundation’s (Sheen Housing) 2008-2009 Annual Report. **Referred to: Clerk of the Legislature; and Greg Heffner, Planning Director.**

**October 9, 2009**

Town of Bath – Re: Letter on additional questions on the County’s Workers’ Compensation Plan. **Referred to: Administration Committee; Mark Alger, County Administrator; and Linda Herrington, Risk Manager’s Office.**

**October 13, 2009**

NYS Office for the Aging – Re: Notifications of Grant Award for funding for FFY 2009 III-C-2, III-D and III-E programs. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

NYS Office for the Aging – Re: Notifications of Grant Award and approved application for the Medicare Improvements for Patients and Providers Act (MIPPA) for the period of June 1, 2009 through May 31, 2010. **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

NYS Office for the Aging – Re: Third and final notification of Grant Award (NGA) for the federal fiscal year 2009 (FFY 2009) Nutrition Services Incentive Program (NSIP). **Referred to: Human Services Committee; and Linda Tetor, OFA Director.**

**October 14, 2009**

New York State Association of Counties – Re: Announcement of a new County Carbon Credit Program (3CP) designed to reward counties for proactive preservation, and other landfill and agricultural gas collection activities. **Referred to: Mark Alger, County Administrator.**

Mr. Argentieri asked why did the Hammondsport Chamber of Commerce suggest to vote against the room tax? Mr. Alger stated they thought there was going to be a proposal to increase the room tax, but we have not seen a proposal to do that.

Chairman Roche stated the language in the resolution to renew the 1 percent sales tax includes sales tax on hotel rooms and I think they misinterpreted it.

**Vote:** Acclamation – Adopted.

**RESOLUTION NO. 137-09**

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

**FINAL ADOPTION OF AN AMENDMENT TO THE RULES OF PROCEDURE OF THE STEUBEN COUNTY LEGISLATURE TO MERGE THE ADMINISTRATION AND RULES COMMITTEES.**
WHEREAS, Rule 19 of the *Rules of Procedure* of the Steuben County Legislature contains the list of standing committees of this Legislature; and

WHEREAS, merging the functions of the Administration and Rules Committees will promote efficiencies in the conduct of County business; and

WHEREAS, the within resolution provides for the repeal of the existing committees and creation of an “Administration Committee”; and

WHEREAS, the Rules Committee, as currently constituted, provides the restriction “… no more than one (1) member of the Rules Committee may serve on the Finance Committee.” which restriction will not continue following the merger of the two (2) committees.

NOW THEREFORE, BE IT

RESOLVED, the current descriptions of the Administration and Rules Committees be and the same hereby are abolished; and be it further

RESOLVED, there is hereby created an “Administration Committee” as a standing committee of the Legislature having the following responsibilities:

“Administration Committee” to consist of 5 members with responsibility for:

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

1. **Clerk of the Legislature:** Including all matters relating to the duties and powers of the Clerk of the Legislature, as set forth in Section 475 of the County Law.

2. **County Administrator:** Including all matters relating to the power and duties of the County Administrator as defined in the County's Local Law and/or amendments thereto, establishing the office.

3. **County Auditor:** Including all matters relating to the office of County Auditor as set forth in Section 600 of the County Law.

4. **County Law Department:** Including all matters pertaining to County legal actions, lawsuits, damages, claims, or other legal representation of the County.

5. **County Clerk:** Including all matters pertaining to the constitutional responsibilities of the Clerk as registrar, the duties of the Clerk as agent of the New York State Department of Motor Vehicles, and the Clerk of the Supreme Court and County Court.

6. **County Treasurer:** Including all matters relating to the powers and duties of the County Treasurer as chief fiscal officer, and in any fiduciary capacity, except unpaid taxes and buildings.

7. **Election Commissioners:** Including all matters relating to the Election Commissioners and County responsibilities under the Election Law.

8. **Information Technology:** Including all matters relating to the study, organization, promotion, coordination, purchase or lease of EDP equipment or systems, and development of the County's electronic data processing system for all of the County's Departments, agencies, or administrative units.
(9) **Insurance:** Including all matters relating to the procurement of all insurance on County-owned personal property, premises, buildings, and all insurance connected with property acquired for public assistance reimbursement, and recommendations to the County Legislature with relation to the amount of official undertakings and the approval thereof, when the amount is fixed by the County Legislature.

(10) **Personnel:** Personnel administration and policy, including reviewing requests for new positions, setting salary grades, all upgradings, position reclassifications, labor union negotiations, salary schedule adjustments, fringe benefits administration, and Affirmative Action programs and policy and including all matters pertaining to the County's administration of the New York State Civil Service Law.

(11) **Purchasing:** Including all matters relating to the organization, coordination, and implementation of a uniform system of inventory control and purchasing within the County Departments, agencies, boards, commissions, and administrative units.

(12) **Real Property Tax Service Agency:** Including all matters relating to the equalization of tax rates for purposes of levying County taxes; representation of the County in all meetings and conferences with local assessors or individuals; and preparation of the assessment and tax rolls.

(13) **Records Management:** Including all matters relating to the County's Records Management Program which is overseen by the County Administrator, including the establishment, organization and oversight of the records center, contracts for records management, and procedures or rules which may be necessary for implementation of a comprehensive Records Management Program.

(14) **Risk Management:** Including all matters relating to evaluation of Insurance programs for the County and development and implementation of safety programs.

(15) **Telephonic Communications:** Including all matters relating to researching, analyzing, and implementing telephonic communications service plans for County government departments and related agencies.

(16) **Workers' Compensation:** Including all matters relating to the Steuben County Self-Insurance Plan, including plan administration, claims, expenses for claimants, apportionment of administrative costs, preparation of reports, and duties of Risk Manager, County Attorney, and County Treasurer.

In addition thereto the responsibilities of said committee shall include:

(A) Representation of, and as appropriate, recommendations to the County Legislature on all matters pertaining to proposed local, State, or Federal legislation, matters relating to internal affairs of the County, its Offices, Departments, functions, including the Rules of Procedure and conduct at meetings of the County Legislature, general administration of Offices and Departments, and matters dealing with the County's participation with Off-Track Betting.

(B) Examination, inspection, preservation, storage, maintenance, and representation of the County Legislature in all matters pertaining to the books and records of accounts of County funds, vouchers, orders, warrants, claims and other papers or documents, which the County Legislature or other County officer or employee may have a power or duty to perform.

(C) Representation, examination and hearings in all matters pertaining to the County's Grievance Procedure for County employees.

(D) Vehicle deployment and management of vehicles owned by the County of Steuben.

**AND BE IT FURTHER RESOLVED,** the effective date of the within resolution is January 1, 2010; and be it further
RESOLVED, certified copies of this resolution shall be forwarded to all Department Heads; and each President of the following Unions consisting of CSEA, Local 1000 AFSCME, AFL-CIO, Steuben County Unit; The CSEA, INC. Local 1000, AFL-CIO for the Steuben County Correction Officers, Dispatchers and Court Security Officers Unit; and The Deputies Association of the County of Steuben.

Mr. Argentieri stated I’m still of the opinion that the Rules Committee should be a separate committee. At one time, not too long ago, we did a post audit of the Highway Department. Seeing the reaction of the Committee during that audit, I saw no reason to be involved in something they weren’t interested in doing. The oversight of that committee is a very important and serious position that should be adhered to. It deters activities that might not be legal. I’m asking this Legislature to think seriously about not doing this. Without that committee, you are inviting trouble. I know we have an Auditor on staff, but the Rules Committee should request the Auditor attend their meetings and report whether or not he has found any issues in the previous audit. Please consider keeping this as an oversight committee.

Mr. Stachnik stated I’m not a micro-manager by nature. Nor do I believe that I am qualified as an auditor. If that was one of the requirements of being a Legislator, then the public elected the wrong guy. I’m taking the long-term view of stability of the infrastructure of the Legislature.

Mr. McAllister stated combining Committees opens the possibility of having more Legislators serve on each of the committees. I think if we combine these committees we could increase membership to 6 or 7. I would like some leeway in the resolution to have more participation.

Chairman Roche stated the issue was referred to the Rules Committee to determine the number of members, but they wanted to wait until the resolution to combine committees was approved before they establish the number of members.

Mr. McAllister stated he respects that but would like to make the motion to change the number to read between 5 and 7 members, seconded by Mr. Gehl for discussion. Motion and second withdrawn.

Mr. Van Etten noted that he hasn’t read anything in the resolution where the Administration Committee wouldn’t have oversight power of the audit.

Mr. Gehl suggested that the Auditor report to the Administration Committee with any findings that may or may not have happened like the rest of the department heads do.

Mr. Creath noted that the County Auditor is included as reporting to the Administration Committee. The Rules Committee must be maintained as Mr. Argentieri has suggested, but I believe that they can do that within the Administration Committee. Discussion followed.

**Vote:** Roll Call – Adopted. Yes: 7265; No: 2094; Absent: 513

(No: Argentieri, Nichols, Walsh and Weaver. Absent: Schwartz)

RESOLUTION NO. 138-09

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

FINAL ADOPTION OF AN AMENDMENT TO THE RULES OF PROCEDURE OF THE STEUBEN COUNTY LEGISLATURE TO MERGE THE HUMAN SERVICES AND HEALTH & EDUCATION COMMITTEES.

WHEREAS, Rule 19 of the Rules of Procedure of the Steuben County Legislature contains the list of standing committees of this Legislature; and

WHEREAS, merging the functions of the Human Services and Health & Education Committees will promote efficiencies in the conduct of County business; and

Monday, October 26, 2009
WHEREAS, the within resolution provides for the repeal of the existing committees and creation of a “Human Services, Health & Education Committee”.

NOW THEREFORE, BE IT

RESOLVED, the current descriptions of the Human Services and Health & Education Committees be and the same hereby are abolished; and be it further

RESOLVED, there is hereby created a “Human Services, Health & Education Committee” as a standing committee of the Legislature having the following responsibilities:

“Human Services, Health & Education Committee” to consist of 5 members with responsibility for:

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

1. **Social Services**: Including all matters relating to the duties, powers, and responsibilities of the County Commissioner of Social Services, in the administration of public assistance and care, or other matters which relate specifically to the administration of the County's Social Services Programs, excluding the Health Care Facility.

2. **Veterans' Services**: Including all matters relating to the County Veterans' Service Director or officer, Steuben County War Memorial, claims for soldiers' burial and headstones, and representation of the County Legislature in all matters pertaining to veterans or veterans' affairs.

3. **Youth Bureau**: Including all matters relating to the administration of the Steuben County Youth Board and Programs.

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

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

6. **Public Health**: Including all matters pertaining to the Steuben County Public Health and Nursing Services, the Special Children’s Services Program, the Steuben County Community Services Clinic, the Steuben County Alcohol Abuse Program, and all matters relating to the Mentally Retarded Developmental Disabilities Programs, and the Association for Retarded Citizens' Program.

7. **Health Care Facility**: Including all matters relating to the operation, maintenance, and administration of the Steuben County Health Care Facility.

Representation, oversight, and recommendations to the County Legislature as appropriate, on matters pertaining to the following Boards, Commissions, or agencies:

- Pro-Action of Steuben and Yates
- Steuben County Human Services Committee
- Family Service Society, Inc.
- Community Services Board
- Finger Lakes Health Systems Agency
AND BE IT FURTHER RESOLVED, the effective date of the within resolution is January 1, 2010; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to all Department Heads, agencies, programs, Boards, or Commissions above named, and each President of the following Unions consisting of CSEA, Local 1000 AFSCME, AFL-CIO, Steuben County Unit; The CSEA, INC. Local 1000, AFL-CIO for the Steuben County Correction Officers, Dispatchers and Court Security Officers Unit; and The Deputies Association of the County of Steuben.

Mr. Argentieri stated you are going to have a new group of legislators coming in and combining these committees will make it very difficult for those new Legislators to understand the workings of the committees. I think each and every committee that meets does a good job. If you combine these two committees, you aren’t going to do as good of a job as they do separately.

Mr. Weaver stated these two committee deal with two very large issues in the county: health services and social services. Combining them would do a disservice to the County. I think we need to seriously think about whether or not we want to combine these two committees.

Mr. Ryan stated as Chairman of the Health and Education Committee, I think it is a workable situation; if something major comes up, we can always assign a subcommittee.

Mr. Stachnik stated as Chairman of the Human Services Committee, we are still going to have the same procedure. The departments that report to these committees still have their information filtered by the County Administrator prior to the meetings.

Vote: Roll Call – Adopted.

RESOLUTION NO. 139-09


AMENDING THE MANAGEMENT SALARY PLAN RELATIVE TO THE DEPUTY E-911 DIRECTOR, GRADE C TO E.

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

WHEREAS, in accordance with the Management Salary Plan, adjustments are anticipated from time to time; and

WHEREAS, a re-evaluation has been completed and approved by the Administration Committee; and

WHEREAS, the salary grid of the Deputy E-911 Director was recommended to be changed.

NOW THEREFORE, BE IT

RESOLVED, the following change be and the same hereby is authorized and directed:

Deputy E-911 Director, Grade C to E
AND BE IT FURTHER RESOLVED, this resolution shall be effective immediately upon adoption; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Personnel Officer, County Treasurer, and the Director E-911.

Mr. Alger stated some time ago we adjusted the 911 Director’s salary grade. Subsequently, it was determined that the Deputy Director’s position appeared to be too low when the supervising dispatcher positions were exceeding the Deputy’s salary. Following a desk audit, the Personnel Department determined that the position warranted a higher grade. He noted that Deputy titles are typically two grades below the department head titles.

Mr. Argentieri asked what the salary difference from one grade to another is. Mr. Biehl stated the range for the current Grade C is $35,167 to $55,504 and the range for the proposed Grade E is $42,552 to $68,766.

Mr. Ryan stated he believes this is warranted as some of the individuals working below the Deputy are making more than she is. Discussion followed.

Vote: Roll Call – Adopted. Yes: 8908; No: 451; Absent: 513.

(No: Argentieri; Absent: Schwartz)

RESOLUTION NO. 140-09

Introduced by P. Roche. Seconded by F. Gehl.

SETTING THE DATE AND TIME FOR A SPECIAL LEGISLATIVE MEETING FOR THE PRESENTATION OF THE 2010 BUDGET.

BE IT RESOLVED, a Special Legislative Meeting of the Steuben County Legislature be, and the same hereby is, established for Friday, November 13, 2009, at 10:00 A.M. in the Legislative Chambers, 3 East Pulteney Square, Bath, New York, for the presentation of the 2010 Budget; 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. 141-09


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.

<table>
<thead>
<tr>
<th>Swis</th>
<th>Municipality</th>
<th>Parcel Count</th>
<th>ORPS License Fee</th>
<th>County Support Fee</th>
<th>Total Chargeback</th>
</tr>
</thead>
<tbody>
<tr>
<td>4603</td>
<td>Corning City</td>
<td>4,307</td>
<td>$1,500</td>
<td>$200</td>
<td>$1,700</td>
</tr>
<tr>
<td>4606</td>
<td>Hornell City</td>
<td>3,840</td>
<td>$1,300</td>
<td>$200</td>
<td>$1,500</td>
</tr>
<tr>
<td>4620</td>
<td>Addison</td>
<td>1,281</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4622</td>
<td>Avoca</td>
<td>1,354</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4624</td>
<td>Bath</td>
<td>5,067</td>
<td>$1,500</td>
<td>$200</td>
<td>$1,700</td>
</tr>
<tr>
<td>4626</td>
<td>Bradford</td>
<td>544</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4628</td>
<td>Cameron</td>
<td>759</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4630</td>
<td>Campbell</td>
<td>1,623</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4632</td>
<td>Canisteo</td>
<td>2,061</td>
<td>$1,200</td>
<td>$200</td>
<td>$1,400</td>
</tr>
<tr>
<td>4634</td>
<td>Caton</td>
<td>1,294</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4636</td>
<td>Cohocton</td>
<td>1,840</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4638</td>
<td>Corning Town</td>
<td>3,286</td>
<td>$1,300</td>
<td>$200</td>
<td>$1,500</td>
</tr>
<tr>
<td>4640</td>
<td>Dansville</td>
<td>1,268</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4642</td>
<td>Erwin</td>
<td>3,273</td>
<td>$1,300</td>
<td>$200</td>
<td>$1,500</td>
</tr>
<tr>
<td>4644</td>
<td>Fremont</td>
<td>764</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4646</td>
<td>Greenwood</td>
<td>744</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4648</td>
<td>Hartsville</td>
<td>566</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4650</td>
<td>Hornby</td>
<td>988</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4652</td>
<td>Hornellsville</td>
<td>2,453</td>
<td>$1,200</td>
<td>$200</td>
<td>$1,400</td>
</tr>
<tr>
<td>4654</td>
<td>Howard</td>
<td>1,196</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4656</td>
<td>Jasper</td>
<td>861</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4658</td>
<td>Lindley</td>
<td>1,022</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4660</td>
<td>Prattsburgh</td>
<td>1,877</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4662</td>
<td>Pultney</td>
<td>1,705</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4664</td>
<td>Rathbone</td>
<td>778</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4666</td>
<td>Thurston</td>
<td>998</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4668</td>
<td>Troupsburg</td>
<td>908</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4670</td>
<td>Tuscarora</td>
<td>912</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4672</td>
<td>Urbana</td>
<td>1,975</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4674</td>
<td>Wayland</td>
<td>2,297</td>
<td>$1,200</td>
<td>$200</td>
<td>$1,400</td>
</tr>
<tr>
<td>4676</td>
<td>Wayne</td>
<td>1,615</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4678</td>
<td>West Union</td>
<td>541</td>
<td>$850</td>
<td>$200</td>
<td>$1,050</td>
</tr>
<tr>
<td>4680</td>
<td>Wheeler</td>
<td>1,030</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td>4682</td>
<td>Woodhull</td>
<td>1,135</td>
<td>$1,000</td>
<td>$200</td>
<td>$1,200</td>
</tr>
<tr>
<td></td>
<td></td>
<td>56,162</td>
<td>$34,700</td>
<td>$6,800</td>
<td>$41,500</td>
</tr>
</tbody>
</table>

Steen County
Real Property Tax Service Agency
3 E. Pulteney Square
Bath, New York 14810
Donna P. Hatch, Director
RESOLUTION NO. 142-09

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


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 2010 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 13, 2009.

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 2010, shall be filed with the Clerk of this County Legislature on or before November 13, 2009, 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 2010, as herein filed, shall be held on November 23, 2009, 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. 143-09

Introduced by P. McAllister. Seconded by F. Gehl.

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 2009, for the Budget Year of 2010, for the Marsh Ditch Watershed Protection District shall be held on November 23, 2009 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. 144-09

Introduced by P. McAllister. Seconded by F. Gehl.

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 2009, for the Budget Year of 2010 for the Upper Five Mile Creek Watershed Protection District shall be held on November 23, 2009 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. 145-09

Introduced by P. McAllister. Seconded by F. Gehl.

FIXING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE WANETA/LAMOKA 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 2009, for the Budget Year of 2010, for the Waneta/Lamoka Lakes’ Protection and Rehabilitation District shall be held on November 23, 2009 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. 146-09


AUTHORIZING THE EXECUTION OF A PERMANENT WATERMAIN EASEMENT IN FAVOR OF THE VILLAGE OF BATH ALONG COUNTY ROUTE 113 ON LANDS OF THE COUNTY IN RESPECT OF THE IMPROVEMENT OF THE VILLAGE WATER DISTRICT FACILITIES.

WHEREAS, the Village of Bath is improving its Water District, in particular, along CR 113, and needs an easement for its watermain line along CR 113 on lands belonging to the County; and

WHEREAS, the easement is proposed to be from 12 to 18 feet wide by 480 feet long along the southern edge of the right of way limit of CR 113 near the County’s “old health care facility”; and
WHEREAS, the Village will be responsible for the restoration of the surface of the easement area after installation or any future repair or reinstallation of the line.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Administrator shall be and is hereby authorized and directed to execute a Permanent Watermain Easement in favor of the Village of Bath along County Route 113 on lands of the County, being from 12 to 18 feet wide by 480 feet long along the southern edge of the right of way limit of CR 113, in respect of the improvement of the Village Water District facilities, provided the Village will be responsible for the restoration of the surface of the easement area after installation or any future repair or reinstallation of the line; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to Mayor David G. Wallace, Village of Bath, 110 Liberty Street, Bath, NY 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 147-09

Introduced by R. Nichols. Seconded by S. Van Etten.

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT FOR THE REPLACEMENT OF BIN 3334460, COUNTY ROUTE 73 OVER THE TIOGA RIVER, TOWN OF LINDLEY, STEUBEN COUNTY, PIN 6754.07 AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a project for the replacement of BIN 3334460, County Route 73 over the Tioga River, Town of Lindley, Steuben County, PIN 6754.07 ("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 which, with this supplemental agreement, now includes full 15% Marchiselli funding for all phases of the Project.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature, duly convened does hereby approve the above-subject Project; and be it 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 PE/Design, ROW Incidentsals and Acquisition, and Construction work for the Project or portions thereof; and be it further

RESOLVED, that the Steuben County Legislature has requested that the New York State Department of Transportation appropriate property necessary for the Project; and be it further

RESOLVED, that the County of Steuben agrees to accept title and maintenance responsibilities of the appropriated property upon completion and acceptance of the Project; and be it further

RESOLVED, that the updated sum of $3,674,300 has previously been appropriated and made available to cover the cost of participation in the above phases of the Project and the County of Steuben has previously issued Check No. 062364 in the amount of $7,600.00 payable to the New York State Department of Transportation, along with previously submitted Check No. 051436 in the amount of $5,000.00 covering the cost of the non-Federal share of the ROW I/A
phase amount of $63,000 for the Administration of the Right of Way Incidentals and Acquisition phase of the Project by New York State Department of Transportation; and be it 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 be it further

RESOLVED, that the Chairperson of the Steuben County 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 be it further

RESOLVED, that a certified copy of this resolution shall be filed with the New York State Commissioner of Transportation and the County of Steuben Department of Public Works by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, this resolution shall take effect immediately.

Mr. Weaver asked is there any cost to the County? Mr. Spagnoletti stated the Federal government funds 80 percent and this resolution is to have the State fund 15 percent, so there is a County share of 5 percent.

Vote: Roll Call – Adopted.

RESOLUTION NO. 148-09

Introduced by R. Nichols. Seconded by F. Gehl.

AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE CITY OF MIDDLETOWN.

WHEREAS, Steuben County owns and operates a solid waste landfill facility (the “Facility”) located in the Town of Bath designed and permitted for the disposal of solid waste as defined in New York Environmental Conservation Law, Article 27, Title 7 6NYCRR part 360; and

WHEREAS, the Facility is authorized to dispose of 500 tons per day of solid waste and the Facility currently has excess disposal capacity within that daily limit of approximately 300 tons per day; and

WHEREAS, Steuben County is willing to make up to 25,000 tons per year of capacity available for the disposal of municipal solid waste from the City of Middletown or from those with whom Middletown contracts with for the disposal of solid waste; and

WHEREAS, the City of Middletown desires to contract with Steuben County to provide for the disposal of up to 25,000 tons per year of municipal solid waste at a rate of $29.00/ton at the Facility for a period of two (2) years with provision for renegotiating for a period of up to five (5) years; and

WHEREAS, all other provisions in the Intergovernmental Cooperation Agreement will remain unchanged; and

WHEREAS, the parties are desirous of extending the Intergovernmental Cooperation Agreement for said purposes.

NOW THEREFORE, BE IT
RESOLVED, the Commissioner of Public Works is hereby authorized to extend the Intergovernmental Cooperation Agreement with the City of Middletown for the disposal of municipal solid waste at the Steuben County Bath Landfill; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Commissioner of the Steuben County Public Works Department.

Vote: Roll Call – Adopted.

RESOLUTION NO. 149-09

Introduced by R. Nichols and P. Donnelly. Seconded by D. Stachink.

AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $27,000 FROM THE MACHINERY DIESEL FUEL ACCOUNT TO THE PARKS SAFETY UPGRADE ACCOUNTS TO INSTALL SAFETY CUSHION MATERIAL FOR PLAYGROUND EQUIPMENT.

WHEREAS, Steuben County operates four parks with playground equipment; and

WHEREAS, children falling from the play equipment could be injured without cushion material; and

WHEREAS, the guidelines for playground equipment call for cushion material in the play equipment areas; and

WHEREAS, the Diesel Fuel account of the Machinery fund will have a surplus of funding due to this year’s drop in fuel prices; and

WHEREAS, the Public Works Committee and Finance Committee of the Steuben County Legislature have authorized the transfer of funds from the Machinery Diesel Fuel account to the Parks Safety Upgrade account.

NOW THEREFORE, BE IT

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

- Decrease 513000.5.450330 Diesel Fuel $27,000
- Increase 7110H4.5.250103 Kanakadea Park safety upgrade by $17,000
- Increase 7110H3.5.250103 Hornby Park safety upgrade by $3,500
- Increase 7110H2.5.250103 Mayo Park at Boyds safety upgrade by $3,000
- Increase 7110H1.5.250103 Birdseye Park safety upgrade by $3,500

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

Vote: Roll Call – Adopted. Yes: 8766; No: 593; Absent: 513.

(RE: Ryan; Absent: Schwartz)

RESOLUTION NO. 150-09

Introduced by F. Gehl and P. Donnelly. Seconded by D. Farrand.

AUTHORIZING THE TRANSFER OF $40,000 FROM THE CONTINGENT FUND TO THE SHERIFF’S OFFICE JAIL BUDGET HEATING LINE ITEM.
WHEREAS, the 2009 Sheriff’s Office Jail Budget Heating Expense line item contains insufficient funds for the balance of the Fiscal Year.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized to transfer from the Contingent Fund, the amount of $40,000 to the 2009 Sheriff’s Office Jail Budget Heating line item 315000 5 411 100; 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. 151-09

Introduced by F. Gehl and P. Donnelly.       Seconded by R. Weaver.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT A GRANT IN THE AMOUNT OF $60,000 FROM THE 2009 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP).

WHEREAS, the New York State Office of Homeland Security is awarding Steuben County $60,000 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 $60,000 grant is totally funded with no county cost; and

WHEREAS, $40,000 of this grant will be used to purchase a Livescan/Cardscan Processing system; and

WHEREAS, $15,000 of this grant will be used for Counter-Terrorism and Law Enforcement Training; and

WHEREAS, $5,000 of this grant will be used to purchase Counter-Terrorism and Law Enforcement Equipment; and

WHEREAS, the SLETPP grant is for a period of 36 months beginning 8/1/2009 through 7/31/2012; 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 $60,000 as revenue and appropriate that amount to the Sheriff’s Office Budget SLETPP Grant Fund; and be it further

RESOLVED, the County Administrator is hereby authorized to sign all documents necessary to accept and administer said grant; 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. 152-09

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE HOMELAND SECURITY GRANT IN THE AMOUNT OF $130,207.

WHEREAS, Steuben County has identified the risks associated with the affects of terrorism; and

WHEREAS, Steuben County has developed a planning group specifically to address the issues related to Homeland Security; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of incident; and

WHEREAS, Steuben County has recognized the need for additional education and training for the County’s First Responders; and

WHEREAS, Steuben County has recognized the need for additional exercises involving the County’s First Responders; and

WHEREAS, the New York State Office of Homeland Security is responsible for the assignment of administration of grant allocations provided by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2009 grant funding in the amount of $130,207 with $27,000 to be allocated for training and exercises and the remaining $103,207 to be allocated for the purchase of equipment under the State Homeland Security Program (SHSP) to support First Responder Exercises and Training.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of Steuben County Legislature be authorized to enter into an Agreement with New York State Office of Homeland Security to accept funding in the amount of $130,207 for implementation of the State Homeland Security Program to support First Responder Training and Exercises; and be it further

RESOLVED, the Chairman, County Administrator and Director of Emergency Management be authorized to perform the steps necessary to fulfill this 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 acceptance of the grant funding for Federal Emergency Management Agency 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 aforesaid 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 Campus, Building 7A, Albany, NY 12226; the County Treasurer and the Director of Emergency Management.

Vote: Roll Call – Adopted.

RESOLUTION NO. 153-09

Introduced by F. Gehl and P. Donnelly. Seconded by D. Farrand.

AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT THE HOMELAND SECURITY GRANT IN THE AMOUNT OF $130,207.

WHEREAS, Steuben County has identified the risks associated with the affects of terrorism; and

WHEREAS, Steuben County has developed a planning group specifically to address the issues related to Homeland Security; and

WHEREAS, Steuben County has identified the potential vulnerability throughout the County to this type of incident; and

WHEREAS, Steuben County has recognized the need for additional education and training for the County’s First Responders; and

WHEREAS, Steuben County has recognized the need for additional exercises involving the County’s First Responders; and

WHEREAS, the New York State Office of Homeland Security is responsible for the assignment of administration of grant allocations provided by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the New York State Office of Homeland Security has awarded Steuben County with Federal Fiscal Year 2009 grant funding in the amount of $130,207 with $27,000 to be allocated for training and exercises and the remaining $103,207 to be allocated for the purchase of equipment under the State Homeland Security Program (SHSP) to support First Responder Exercises and Training.

NOW THEREFORE, BE IT

RESOLVED, the Chairman of Steuben County Legislature be authorized to enter into an Agreement with New York State Office of Homeland Security to accept funding in the amount of $130,207 for implementation of the State Homeland Security Program to support First Responder Training and Exercises; and be it further

RESOLVED, the Chairman, County Administrator and Director of Emergency Management be authorized to perform the steps necessary to fulfill this 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 acceptance of the grant funding for Federal Emergency Management Agency 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 aforesaid 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 Campus, Building 7A, Albany, NY 12226; the County Treasurer and the Director of Emergency Management.

Vote: Roll Call – Adopted.
AUTHORIZING SPECIAL CHILDREN'S SERVICES TO ACCEPT AND APPROPRIATE FUNDING FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) IN THE AMOUNT OF $38,865.00 FOR THE EARLY INTERVENTION PROGRAM.

WHEREAS, the New York State Bureau of Early Intervention is administering funds from the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the mission of the statewide Early Intervention Program is to identify and evaluate as early as possible those infants and toddlers whose healthy development is compromised and provide appropriate intervention to improve child and family development; and

WHEREAS, Steuben County has been awarded an Early Intervention Program grant in the amount of $38,865.00; and

WHEREAS, the work plan as submitted to the New York State Department of Health Bureau of Early Intervention has been approved.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2009 Steuben County Budget, any unspent funds will be re-appropriated to the 2010 Budget; and be it further

RESOLVED, the County Administrator is hereby authorized to sign all documents necessary to accept and administer said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health & Nursing Services, Administrative Officer of the Department of Special Children’s Services, and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 154-09

AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ACCEPT AND APPROPRIATE FUNDING FROM THE OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF $49,793.00 FOR HEALTH PREPAREDNESS PLANNING.

WHEREAS, the New York State Office of Homeland Security has a State Local Health Department Program; and

WHEREAS, the State Local Health Department Program goal is to prevent terrorist attacks and mitigate against man-made and natural hazards; protect the people of New York, our critical infrastructure and key resources; prepare to, respond to and recover from both man-made and natural disasters; and

WHEREAS, Steuben County has been awarded a State Local Health Department Program grant in the amount of $49,793.00; and

WHEREAS, the work plan as submitted to the New York State Department of Homeland Security has been approved.
NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2009 Steuben County Budget, any unspent funds will be re-appropriated to the 2010 Budget; and be it further

RESOLVED, the County Administrator is hereby authorized to sign all documents necessary to accept and administer said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health & Nursing Services and the County Treasurer.

Vote:  Roll Call – Adopted.
RESOLUTION NO. 155-09

AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ACCEPT AND APPROPRIATE FUNDING IN THE AMOUNT OF $34,000.00 FOR THE HEALTHY COMMUNITIES CAPACITY BUILDING INITIATIVE.

WHEREAS, the New York State Department of Health Bureau of Community Chronic Disease Prevention is administering funds relative to the Healthy Communities Capacity Building Initiative; and

WHEREAS, the Healthy Communities Capacity Building Initiative will build capacity and support local efforts to reduce chronic disease and to develop a local action plan to implement policy and environmental changes to address the physical activity and nutrition objectives in the Department of Health’s Prevention Agenda; and

WHEREAS, Steuben County has been awarded a Healthy Communities Capacity Building Initiative grant in the amount of $34,000.00; and

WHEREAS, the work plan as submitted to the New York State Department of Health Bureau of Community Chronic Disease Prevention has been approved.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2009 Steuben County Budget, any unspent funds will be re-appropriated to the 2010 Budget; and be it further

RESOLVED, the County Administrator is hereby authorized to sign all documents necessary to accept and administer said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health & Nursing Services and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 156-09

AUTHORIZING PUBLIC HEALTH & NURSING SERVICES TO ACCEPT AND APPROPRIATE FUNDING FROM THE CENTERS FOR DISEASE CONTROL (CDC) IN THE AMOUNT OF $317,748.00 FOR PUBLIC HEALTH PREPAREDNESS AND H1N1 PLANNING AND VACCINATION EFFORT.

WHEREAS, the New York State Department of Health is administering funds provided by the Centers for Disease Control and Prevention for Public Health Emergency Preparedness and H1N1 Vaccination Planning and Implementation; and

WHEREAS, the Public Health Preparedness Grant will enhance health emergency preparedness, plan and provide H1N1 vaccinations; and

WHEREAS, Steuben County has been awarded a Public Health Preparedness grant in the amount of $317,748.00; and

WHEREAS, the work plan as submitted to the New York State Department of Health has been approved.
NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2009 Steuben County Budget, any unspent funds will be re-appropriated to the 2010 Budget; and be it further

RESOLVED, the County Administrator is hereby authorized to sign all documents necessary to accept and administer said grant; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Director of Public Health & Nursing Services and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 157-09


AUTHORIZING AND DIRECTING THE COUNTY TREASURER TO TRANSFER $7,000 FROM THE EQUIPMENT MAINTENANCE LINE ITEM IN THE 2009 CENTRAL COPYING BUDGET TO THE CENTRAL COPYING CAPITAL PROJECT.

WHEREAS, the County has upcoming obsolete copiers; and

WHEREAS, the transfer of funds will be used to purchase new copiers; and

WHEREAS, it is desirable to transfer $7,000 from the Equipment Maintenance line item of the Central Copying’s 2009 Budget to the Capital Project entitled Central Copying; and

WHEREAS, the Administration Committee and the Finance Committee of the Steuben County Legislature have approved the transfer of funds from the 2009 Equipment Maintenance line item to Capital Project 1670HC line item 5.250.000.

NOW THEREFORE, BE IT

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

- From 167100.5.427.100 Equipment Maintenance by $7,000.
- To 1670HC, Capital Project by $7,000.

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the Director of Purchasing and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 158-09

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

AUTHORIZING A PUBLIC HEARING ON EIGHT-YEAR REVIEWS OF AGRICULTURAL DISTRICT NO. 10 AND AGRICULTURAL DISTRICT NO. 11.

Pursuant to Article 25-AA, Section 303-a, of the Agriculture and Markets Law of the State of New York.
WHEREAS, Agricultural District No.10, located in the Towns of Canisteo, Greenwood, Jasper and Hartsville, Steuben County, New York was certified on April 27, 1978; and

WHEREAS, Agricultural District No.11, located in the Town of West Union, Steuben County, New York was certified on January 16, 1983; and

WHEREAS, pursuant to said Law said Districts are now being reviewed; and

WHEREAS, the Clerk of the Legislature did file 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 November, 2009, at 3:00 P.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 Steuben County Clerk; William Brown, Chairman of the County Agricultural and Farmland Protection Board, 9230 W. Waneta Lake Road, Hammondsport, NY 14840; Director of the Steuben County Planning Department; and James Graces, Cooperative Extension Agent, Bath, NY.

Vote: Acclamation – Adopted.

RESOLUTION NO. 159-09
Introduced by P. Roche. Seconded by D. Stachnik.

DIRECTING THE CLOSING OF ALL STEUBEN COUNTY OFFICES ON FRIDAY, NOVEMBER 27, 2009.

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 27, 2009.
NOW THEREFORE, BE IT

RESOLVED, that this County Legislature declares November 27, 2009 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. 160-09

Introduced by P. Roche. Seconded by F. Gehl.

SETTING THE TIME FOR THE NOVEMBER 2009 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 2009, on Monday, November 23, 2009, 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. 161-09

Introduced by P. Roche. Seconded by D. Creath.

SETTING THE DATE OF THE DECEMBER 2009 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 2009, on Monday, December 21, 2009, 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.

RESOLUTION NO. 162-09

Introduced by D. Farrand. Seconded by R. Argentieri.
MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO PROTECT STEUBEN COUNTY’S OWNERSHIP INTEREST IN THE WESTERN REGIONAL OFF-TRACK BETTING CORPORATION.

WHEREAS, it is today widely acknowledged that New York State and its municipalities, including the County of Steuben, are facing substantial financial and budgetary challenges brought on by the current recession; and

WHEREAS, state-wide for over the past 30 years, 43 participating counties and municipalities have received more than $3 billion in revenues as their return on their collective investment as the “stockholders” in respective New York off-track betting corporations; and

WHEREAS, the Western Regional Off-Track Betting Corporation (“Western”) has itself in its 34 years of existence distributed immense sums to its statutory beneficiaries in pursuit of its charge by the state legislature to support New York racing and provide reasonable revenues for state and local government:

✓ $321 million commissions to race tracks in New York; and
✓ $203 million to its participating municipalities; and
✓ $93 million to the State of New York; and
✓ $34 million to the Breeders’ Fund; and
✓ $57 million to the New York State Lottery since May, 2005; and

WHEREAS, Western provides over 600 full and part-time jobs for the community at its branches and the Batavia Downs complex while pumping additional millions in indirect revenue to agribusinesses in Western New York; and

WHEREAS, Steuben County is a participating owner of Western, having invested $22,880 in 1974 and, not only having seen that original amount returned with interest of $1,265 on May 30, 1975, but realized shareholder dividends since investing in Western of $5,588,289 in the form of operating and surcharge profits through 2008; and

WHEREAS, Steuben County employs its profits from Western to help offset the rising rate of property taxes for special education, address the rising costs of Medicaid, retirement and health insurance; and to assist other important County-funded programs; and

WHEREAS, Western is a public benefit corporation created by statute in 1974 that is unique in off-track betting corporations in that it not only operates a retail branch business with over 30 branches facilities spread over its 15 county area, but owns and operates Batavia Downs racetrack with live racing, inter-track wagering, and since 2005, video lottery gaming; and

WHEREAS, we are well satisfied, and our confidence is justified by the preliminary findings of a recent audit of Western by the New York State Comptroller’s Office, that Western’s Board of Directors and the corporation’s experienced management have taken the necessary steps to reduce expenses and implement other economies to react appropriately to the nationwide trend of the decline of betting handle; the recent downturn in the country’s economy and by State legislation’s steady drain of Western’s gross revenues to other segments of the New York racing industry and the State’s bureaucratic oversight of racing and wagering; and

WHEREAS, the State’s Governor has appointed a commission, “The Task Force on the Future of Off-Track Betting in New York State”, to investigate and make recommendations as to the efficiency of these regional corporations and consider their consolidation under one authority; and

WHEREAS, the State law that created this Task Force obligates it to consult with, among others, local governments regarding this matter and indeed the Task Force in communications with Steuben County officials has stated that:
The emphasis of the Task Force is focused on the off-track betting system’s ability to raise revenues for state and local governments as well as strengthen the racing and breeding industries in New York. Your input in this matter is therefore requested.

WHEREAS, industry pundits have openly speculated that the Task Force’s recommendations are pre-ordained and, if adopted, will ultimately result in these regional corporations like Western being effectively dissolved and their franchise, and most importantly their revenue-generating assets, given to the New York Racing Association or taken by the State itself, neither of which have shown any recent success in their own business management in or out of racing or, in the latter case, operating a pari-mutuel off-track betting system; and

WHEREAS, such predictions portend the loss to Steuben County of not only the annual revenues generated by Western but the stripping it of its ownership interest in Western’s real property, that represents our County’s reinvestment in Western, and that has been professionally appraised at over Fifty Eight Million ($58,000,000) Dollars, of which Steuben County’s shareholder interest is 3.54% or $2,073,560.21; and

WHEREAS, because of this ownership interest, counties and municipalities who are participating members in Western are more than just disinterested observers of any recommendation by the Task Force which affects the structure of Off-Track Betting and horse racing in New York State; and

WHEREAS, any such negative impact on the financial and operational relationship that Steuben County has with Western Regional Off-Track Betting Corporation would negatively affect Steuben County.

NOW THEREFORE,

RESOLVED, that the Steuben County Legislature supports the Western Regional Off-Track Betting Corporation and its continued efforts to increase revenue for its participating member; and be it further

RESOLVED, that Steuben County, a member of Western Regional Off-Track Betting Corporation, could not and will not support any recommendation by the Task Force on the Future of Off-Track Betting or the State of New York that would change the current structure of Off-Track Betting in New York State and put in jeopardy the financial and operational relationship between Steuben County and the Western Regional Off-Track Betting Corporation; and be it further

RESOLVED, that the Steuben County Legislature supports and will continue to support the legislative efforts of Western to see enacted the proposed 2009 OTB Omnibus Bill Legislation to preserve and protect the financial integrity of Western by changing the current statutes that govern the operation and distribution of revenues of Western; and be it further

RESOLVED, that those changes would permit Western to return greater revenues to Steuben County allowing Western to continue to provide a reasonable support for the government of Steuben County while continuing to operate in a manner compatible with the well being of horse racing and breeding in New York State; and be it further

RESOLVED, that Steuben County's stake in the future of horseracing and Off-Track Betting Corporations in New York State be protected; and be it further

RESOLVED, the Clerk of the Legislature shall forward certified copies of this resolution with all due haste to our locally–elected state representatives urging each and every one of them to honor our resolve to protect Steuben County’s investment.

Vote: Acclamation – Adopted.
MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO ALLOCATE A HIGHER PERCENTAGE OF THE $200 MILLION COLLECTED IN CELLULAR SURCHARGES TO THE COUNTIES.

WHEREAS, 9-1-1 Center’s across New York State are working to keep pace with changing technology; and

WHEREAS, in New York State, as well as most of the country, the local 9-1-1 Center cannot receive text messages and has difficulty tracking digital telephone calls and is finding it difficult to keep pace with an increasing call volume; and

WHEREAS, a substantial number of calls in Steuben County come from cellular telephones and there is a surcharge tax on mobile telephone bills of $1.20, which is supposed to help fund 9-1-1 Centers; and

WHEREAS, New York State is keeping most of the money collected from the tax surcharge such that in 2008 the State collected $174,870,026.05 but only shared approximately $9 million with the 9-1-1 Centers in New York State; and

WHEREAS, there is a technology solution known as Next Generation 9-1-1 (NG911), which is estimated to take 10 years and approximately $22 billion dollars across the United States to put in place; and

WHEREAS, if New York State shared the full amount of surcharge money collected this technology could be in place across all of the counties within several years; and

WHEREAS, it is necessary for State leaders to acknowledge the local municipalities should be getting all of this funding to provide 9-1-1 services, as public safety is a number one priority of government.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature hereby enlists the support of State Legislators and each and every county in the State of New York in an effort to stop the State from pillaging the 9-1-1 funds and route those funds to the local municipalities who are actually providing the services; 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; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; Wayne E. Zyra, President, InterCounty Association of Western New York, c/o Monroe County Legislature, 39 West Main Street, Rochester, NY 14614; and Gary Maha, President, New York State Sheriff’s Association, 165 Park Rd., Batavia, NY 14020.

Vote: Acclamation – Adopted.

RESOLUTION NO. 164-09

Introduced by P. McAllister. Seconded by F. Gehl.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE FAVORING AND SUPPORTING THE ENACTMENT OF A REAL PROPERTY ASSESSMENT CYCLE BILL.
WHEREAS, the New York State Office of Real Property Services (NYS ORPS) initiated a program to encourage Counties and Local Municipalities to review the real property assessment procedures and administration in their areas; the goal of this program is to attain uniform assessment standards through collaboration, consolidation or shared services between the County and Towns or Cities; and

WHEREAS, in February 2008, Steuben County filed for a Centralized Property Tax Administration Program (CPTAP) Grant with the New York State Office of Real Property Services (NYS ORPS) and was awarded the first of two $25,000 payments; and

WHEREAS, that payment was used to pay for the cost of completing and presenting a study to analyze a county-wide assessing program; the Administration Committee approved contracting with Randy H. Deal to complete and present the study to the full legislature, which study was presented on February 23, 2009; and

WHEREAS, upon submitting minutes of the presentation to the NYS ORPS, the County was eligible for and did receive the second $25,000 payment; and

WHEREAS, in June 2009 the Chairman of the Steuben County Legislature authorized an Ad-Hoc Committee to further review and evaluate the recommendations of that report; and

WHEREAS, the Ad-Hoc Committee did meet and the final report was accepted by the Administration Committee on October 13, 2009; the committee sought to identify programs that would assist and complement in the assessing unit towns and cities by reviewing some of the options currently authorized under the Real Property Tax Law; and

WHEREAS, the committee reviewed joint service agreements for data collection, Coordinated Assessing Program (CAP), home rule legislation, educational information and 100% level of assessment.

NOW THEREFORE, BE IT

RESOLVED, that the recommendation of the committee was not to move forward with County-provided data collection services at this time as it would most likely result in an additional County cost that would not be reimbursed by the municipalities; and be it further

RESOLVED, the Coordinated Assessing Program (CAP) currently provides for towns and cities to form CAPs among themselves without County involvement; the County would assist in the development of a CAP if the assessing units are interested in pursuing that program; and be it further

RESOLVED, that the laws of the State of New York provide for the transfer of the assessment function from Towns and Cities to the County by local law and countywide referendum; however since its passage in the early 1970’s, only one county has been successful in this approach with several unsuccessful attempts; an alternative reviewed by the Committee was special county legislation which would provide for the transfer of the assessment function for any town or city passing the referendum individually rather than countywide; the legislation would provide for a County Assessing function to be a County Department whose expense of operation would be a general charge, which would necessarily result in inequality in its application by spreading the cost across participants and non-participants; and further, the Office of State Comptroller is likely to disqualify the Home Rule request; and be it further

RESOLVED, that there is a great need for public relations and educational information about the assessment and real property tax system; with the recent online property assessment data information added to the County’s website, the committee agreed to add additional links: Taxpayer Rights and Information; Educational Video about Assessment and Property Tax System; Municipal Profile; and Property Tax Bills from NYS ORPS’ website and Exemption filing deadlines and How the Property Tax Works from Town of Erwin’s website; and be it further

RESOLVED, that although the County may have a role in the Assessment process, the State of New York must establish rules and requirements if there is to be any significant improvement or change in the current assessing system;
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; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Senator Andrea Stewart-Cousins, Chair, Senate Standing Committee on Local Government, 415 Legislative Office Building, Albany, NY 12247; and Assemblywoman Sandra Galef, Chair, Assembly Standing Committee on Real Property Taxation, 641 Legislative Office Building, Albany, NY 12248.

Vote: Acclamation – Adopted. Argentieri Opposed.

Chairman Roche stated there is a resolution that was not on the agenda that I request the Legislature entertain. There were any objections to entertaining the resolution.

RESOLUTION NO. 165-09

Introduced by P. Roche. Seconded by All Legislators Present.

MEMORIALIZING THE NEW YORK STATE LEGISLATURE TO SUPPORT THE GOVERNOR’S DEFICIT REDUCTION PLAN.

WHEREAS, Counties in New York State have long served as the principal partner in administering the State’s most critical programs in areas such as health, human services and public protection; and

WHEREAS, as part of administering these programs, the State mandates that Counties fund a significant portion of these programs through the County budget; and

WHEREAS, these State mandates are the root cause of high property taxes at the County level; and

WHEREAS, the proposals outlined by the Governor are made out of necessity and are painful, but the alternative would pose great risk to the State’s financial outlook with the potential of a long-term devastating impact on the State budget and our collective economies; and

WHEREAS, traditionally when the state has faced a budget deficit, it reduces reimbursement for State programs and services provided at the local level, requiring Counties and county property taxpayers to pay the difference; and

WHEREAS, the Governor’s Deficit Reduction Plan does not include shifting the State’s current budget shortfall to the county property taxpayers.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature supports Governor Paterson’s Deficit Reduction Plan and urges the Legislature of the State of New York to approve the proposal to eliminate the State’s current year budget gap without raising taxes or shifting costs to the county property taxpayer; and be it further

RESOLVED, the Steuben County Legislature requests the Governor and Legislature of the State of New York to further consider restructuring and eliminating unnecessary and wasteful spending by examining the merits of each program and service; and be it further

242
RESOLVED, that the Steuben County Legislature believes that by working together, the State and its Counties can fashion program efficiencies and changes that provide real, timely and mutual fiscal benefits while minimizing the impact on taxpayers; 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; Assemblyman James G. Bacalles, 439 Legislative Office Building, Albany, NY 12248; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Wayne E. Zyra, President, InterCounty Association of Western New York, c/o Monroe County Legislature, 39 West Main Street, Rochester, NY 14614.

Mr. Alger stated the Governor has proposed a deficit reduction plan and the State Legislature will convene shortly to address this proposal. It is the first time that the Governor’s proposal doesn’t directly shift the cost to the County. We expect that the reductions to the Counties would result in a reduction in the programs themselves.

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. Donnelly and duly carried.

Motion to adjourn executive session and reconvene in regular session made by Mr. Nichols, seconded by Mr. Van Etten and duly carried.

Motion to adjourn made by Mr. Donnelly, seconded by Mr. McAllister and duly carried.
The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, NY on Friday, November 13, 2009 at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll call and all members present expect Legislators Argentieri, Crossett, Schwartz, Stachnik and Weaver.

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

Chairman Roche opened the floor to comments from members of the public. There being no comments, the public comment portion of the meeting was declared closed.

Mark Alger, County Administrator, presented the following 2010 Budget Message.

PRESENTATION OF BUDGET MESSAGE

INTRODUCTION

Today I am here to present the Tentative 2010 Steuben County Budget. This budget reflects the Federal Medical Assistance Percentage (FMAP) increase from the federal stimulus funding (ARRA) for Medicaid. The result is while the Medicaid local share increases to $19.9 million, the County cost is reduced to $16.2 million in 2010. The stimulus funding is only for 2010, the County’s cost will increase to the Medicaid cap limits or $19.9 million, plus the annual increase of $500,000 in 2011. As a result, while 2010 will benefit from the use of stimulus funding, 2011 will suffer from its loss. The construction budget for Public Works has been set at the level requested for a total of $5,381,000. Other areas with significant changes include the Jail costs, Workers Compensation and Retirement costs. Workers Compensation costs are up as a result of charge-backs from the State. The charge-back increases are driven by the losses in the stock market. The stock market losses also are driving up the retirement rates. The retirement rates went from 6% to 11% for next year. The increase amounts to over 2 million dollars. Projections are the rate will likely go up significantly in 2011 as well.

I want to thank all of those who once again have made this budget process work. The Finance Committee with Chairman Pat Donnelly, Vice Chairman Bob Nichols, and committee members, Don Creath, Larry Crossett, and Scott Van Etten, as well as the Legislative Chairman, Phil Roche, are to be commended. I would also like to recognize the committee chairmen for their assistance, Pat McAllister, Dave Stachnik, Tom Ryan, Don Creath, Fran Gehl, and Dan Farrand, all contributed to the success of the process. I would point out the key roles the County Treasurer, Carol Whitehead and Planning Director/Deputy County Administrator, Greg Heffner, have 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, Bob Biehl, and Deputy 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 2010 budget.

The first look at the budget in May of 2009 contained over a 20% tax increase. That is the reason we began early in 2009 to prepare the 2010 Budget. I suggest we continue early budget discussions and closely monitor 2010 expenditures. As a result, we have already begun preparations of the 2011 budget. An early start on budget discussions provides direction to routine activities throughout the year. Facing severely restricted resources for 2011, we must begin now to impact the 2011 outcomes. 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 a 1% to 1.625% salary increase for managers. The total cost is approximately $100,000 or 0.2% 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 2010 are as follows:

1. Reduce tax rate for 2010.
2. Minimize any property tax impact through careful review of expenditures and maximizing alternative revenues.
3. Provide sufficient funding for Public Works Construction.
4. Provide sufficient funds for State mandated Medicaid and Social Services’ programs.

**TOTAL BUDGET**

The total proposed budget for 2010 is $183,259,481, representing an increase of $3,762,240 in total expenditures. The areas of increase include your enterprise fund, Health Care Facility up 5.9%; Highway up 1.7%; Community Colleges up 8.2%; and Public Safety up 4.3%.

The County budgets for the past five years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>$149,355,083</td>
</tr>
<tr>
<td>2007</td>
<td>$164,889,796</td>
</tr>
<tr>
<td>2008</td>
<td>$180,880,633</td>
</tr>
<tr>
<td>2009</td>
<td>$179,497,241</td>
</tr>
<tr>
<td>2010</td>
<td>$183,259,481</td>
</tr>
</tbody>
</table>

The average increase in expenditures between 2006 and 2010 is 4.43%. The 2.1% increase anticipated from 2009 to 2010 is a result of an increase in various segments of the budgets personal services and fringe benefits, as well as program costs.

**MAJOR CHANGES BY DEPARTMENT**

**Highways**

The total proposed budget for transportation stands at $25,919,413 compared to $25,470,518 in 2009, with a County increase of $448,895 or 1.7%. The Finance Committee is again proposing that we budget $1,200,000 next year to replace key pieces of major equipment and $35,615 in small equipment funding. My recommendation again for 2010, is that only replacement equipment be purchased. The budget contains $210,000 in capital projects for the Bath Landfill. This year the Highway Construction Projects have been set up as capital projects totaling $4.2 million. The balance of the construction funding, $1.7 million, is within the general repairs budget.

**Department of Social Services**

The total 2010 County cost for the Department of Social Services decreased as a result of the Medicaid FMAP Stimulus funding of $3.0 million. The Medicaid appropriation has increased from $19.2 million to $19.9 million for 2010; which reflects the increase of $500,000 in local cost for Medicaid and the IGT. But, the stimulus funding offsets this increase for 2010.
I would also note several concerns with the major welfare programs. TANF and SafetyNet are not increased, but remain the same with appropriations of $3.7 million and $3.8 million respectively. While the current expenditure rates and caseloads indicate these amounts are sufficient further erosion of the local economy may impact these numbers in 2010. The budget remaining stable provides some limited flexibility for additional growth in caseloads next year.

Sheriff/Jail
The Sheriff’s Department budget appears to be benefiting from the turnover in staff resulting in a decrease in costs for 2010 while the Jail budget is impacted by the increase in salaries and fringe benefits. Also impacting the Jail budget is the loss of revenue from the elimination of State reimbursements for State ready inmates and parole violators. The total represents over $400,000 in lost revenues. The budget anticipates adding another 10 inmates either federal or other county at $75.00 per day rate. That totals approximately $250,000 in additional revenues. The increase helps to offset the loss of the state revenues. 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 $1.6 million for boarding in prisoners.

Health Care Facility
The 2010 budget is 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. With the receipt of the IGT in 2009 and anticipating the 2010 payments, we don’t expect to have to directly subsidize the facility in 2010. 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 after the facility has been in operations for a year. That rate has not been set.

COUNTY REVENUES
Sales Tax
The 2009 sales tax receipts are down compared to 2008, a direct reflection of the local and national economy. We are not projecting an increase at this point, however we still believe our estimate for 2009 will probably be met. Collections for the year will be closer to budget than we like, making any increase for next year unrealistic. Total receipts for the year continue to be off about 5%.

Budgeted sales tax revenues for the last five years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>$22,500,000</td>
</tr>
<tr>
<td>2007</td>
<td>$23,500,000</td>
</tr>
<tr>
<td>2008</td>
<td>$24,450,000</td>
</tr>
<tr>
<td>2009</td>
<td>$25,450,000</td>
</tr>
<tr>
<td>2010</td>
<td>$25,450,000</td>
</tr>
</tbody>
</table>

Fund Balance
The County’s Fund Balance has stabilized in the past several years. The Tentative Budget includes a General Fund appropriation of $3.2 million for 2010. The Fund Balance will be critical as we learn more about the impact of State decisions on our 2010 budget. The 2011 Budget will likely require a larger fund balance appropriation to minimize the impact of the loss of FMAP on the budget. We will be receiving about $4 million in unanticipated FMAP assistance in 2009 which should result in additional fund balance to use for the 2011 budget. We will however, need to use the funds wisely so that there is minimal impact in future budget years.
Real Property Taxes

The reduction in the County’s share of Medicaid in 2010 has resulted in our ability to maintain the services to residents with a minimal increase in property taxes for 2010. The tax levy is proposed to increase 2.73% with a decrease in the full value tax rate.

The property tax collections and average full value rate for the last five years are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Tax Levy</th>
<th>Rate Per Thousand</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>$40,475,052</td>
<td>$9.99</td>
</tr>
<tr>
<td>2007</td>
<td>$41,322,313</td>
<td>$9.54</td>
</tr>
<tr>
<td>2008</td>
<td>$42,591,089</td>
<td>$9.30</td>
</tr>
<tr>
<td>2009</td>
<td>$43,798,265</td>
<td>$8.76</td>
</tr>
<tr>
<td>2010</td>
<td>$44,996,816</td>
<td>$8.75</td>
</tr>
</tbody>
</table>

CONCLUSION

In these uncertain budget times, we have worked hard to continue our commitment to Public Works construction. This year has been a very productive year. In addition to the regular program, the department completed the work on roads covered by the windmill agreement. We received an additional $469,000 in CHIP’s funding which wasn’t anticipated. Due to the reduction in the price of asphalt, upward of a million was saved from the original program and was used for additional work in 2009. Lastly, we obtained about $845,000 in stimulus funding through ARRA to repair County Route 14. So, the program for 2009 was one of the biggest in recent years. The 2010 budget provides the $5.3 million in funds requested for construction in 2010.

Additionally, the Public Works equipment account is funded once again at $1,200,000, with the equipment bond payment, we are budgeting a total of $1.3 million for equipment. Once again, I strongly urge we only fund replacement equipment and not expand the fleet. With this level of funding, we are still not at a point where we should be expanding long term replacement costs.

Social Services Programs are a concern for next year given the state of the national economy. We have maintained last year’s funding levels as caseloads have begun to increase. We are just beginning to see the economy’s impact on our Department of Social Services caseload. However, Steuben County typically is slower to experience a downturn and also slower to recover. With that in mind, we will continue to see caseload growth through 2010. While Medicaid’s local cost is down the appropriation is up to $19.9 million for 2010. The loss of FMAP in 2011 will mean the $19.9 million will be the local cost in 2011, plus the $500,000 in annual growth under the Medicaid cap. The net result is a $3 million increase in county cost for 2011.

The other related cost increased in the 2010 budget which is also going to impact 2011 is the increase in pension costs. The retirement rate went from 6% in 2009 to over 11% in 2010. The virtually doubling of the rate resulted in a cost increase from $3.2 million to $5.5 million in 2010. Unfortunately, projections done by the Comptroller suggest rates could almost double again for the 2011 budget. That would have a very negative impact on the 2011 county budget.

Finally, we know that this week the State Legislature is meeting to close an additional $3.0 billion budget gap. While the Governor’s proposals don’t directly impact mandated programs, they will result in impacts on programs. We anticipate cutting the programs that aren’t mandated to reflect the losses in revenues from the State. Once the special session has ended, we will know more about what we will likely have to do to adjust to reductions made by the State. We also recognize the State is facing a huge budget gap for its 2010-2011 State fiscal year. As a result I strongly suggest we remain conservative in our approach to expenditures and carefully monitor the budget into 2010.
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 the mandated programs costs from the state to counties. 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.

Thank you.

Chairman Roche asked does anyone have any questions about Mr. Alger’s presentation?

Mr. Creath asked what is the status of our debt? Mr. Alger replied we are currently at 11% of our constitutional debt limit. You could borrow, but you have to pay it back. The total available margin to borrow is $301 million and we have currently borrowed $32 million which leaves a $268 million margin. We are paying $800,000 out of the General Fund for the Jail Expansion Project and the Public Works Equipment. From a debt standpoint, we are in a good position.

Mr. Alger explained there are bonding options as a result of the stimulus program. There is the Build America Bond which is a guaranteed subsidized rate by the federal government. There is also the Economic Recovery Bond. If we were to borrow for a project now, we would take advantage of that and it would be subsidized at a higher rate than the Build America Bond. If we had something we needed to borrow for, we could. The New York State Association of Counties is working on the possibility of pooling resources to take advantage of the Build America Bond.

Mr. Haurycki asked for an explanation of the IGT revenue. Mr. Alger explained in the Medicaid world, they determine what they call the upper payment limit. The difference between what you charge and the upper payment limits is what you can use to apply for the IGT. This is an accounting method that the State uses to draw down Medicaid dollars to draw down the difference. Up to the upper payment limit is what you can get from the IGT. That helps us, but it also costs us. We have to fund 50 percent and the State pays 50 percent and we then generate 50 percent of the revenues for that. The use of IGT funds is very restricted as the State share has to go to the facility.

Mr. Van Etten stated you have appropriated $3.2 million from the Fund Balance. Next year are we looking at an additional $4 million when the FMAP goes away? Mr. Alger replied this year we will get the additional $4 million in FMAP and it will be added to the fund balance next year. That will be used to help offset the loss of the FMAP next year.

Mr. Van Etten asked have we always maintained $30 million in the Fund Balance or has it gone up and down? Mr. Alger replied it is going up slowly. He stated that he could do a chart to show the trend. In the consolidated financial statement there is a chart that shows the trend.

Mr. Van Etten commented his point is that many consider drawing from the Fund Balance as an easy fix and he doesn’t believe that is necessarily the case. Mr. Alger commented if you don’t manage it, you will have a difficult mess. In 1981 the Board of Supervisors appropriated $4 million from the Fund Balance to help with that budget year and the following year there was a 130 percent increase in the tax levy. You can’t afford to not manage the use of the Fund Balance in your budget. You will want to use some of the Fund Balance for a period of time to work the FMAP into the budget. At the same time, you will also need to cut expenses. Mr. Alger stated 2011 will be a much more challenging budget and it goes without saying that you will want to cut expenses as well.

Chairman Roche asked if there were any announcements. Mr. Gehl stated that he would like to introduce his replacement, Phil Palmesano as well as Mr. Stachnik’s replacement, Mike Hanna.
RESOLUTION NO. 166-09

Introduced by P. McAllister. Seconded by F. Gehl.


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 2010, which individuals are presently serving mid-term; and

WHEREAS, said Administration Committee has recommended County of Steuben Local Law Tentatively No. Four for the Year 2009, establishing the annual salaries of such appointed officials for the Fiscal Year 2010.

NOW THEREFORE, BE IT

RESOLVED, there is hereby presented to each member of this Steuben County Legislature Local Law Tentatively No. Four for the Year 2009, 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 2010, as follows:

COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FOUR FOR THE YEAR 2009

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 2010.

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 2010, 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 2010 as follows, to wit:
<table>
<thead>
<tr>
<th>TITLE</th>
<th>2009 SALARY</th>
<th>2010 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of Legislature</td>
<td>$ 56,933</td>
<td>$ 57,858</td>
</tr>
<tr>
<td>Commissioner, Public Works</td>
<td>$ 88,275</td>
<td>$ 89,709</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$ 85,166</td>
<td>$ 86,550</td>
</tr>
<tr>
<td>County Attorney</td>
<td>$ 127,920</td>
<td>$ 129,999</td>
</tr>
<tr>
<td>County Auditor</td>
<td>$ 44,000</td>
<td>$ 44,883</td>
</tr>
<tr>
<td>County Clerk</td>
<td>$ 53,351</td>
<td>$ 54,218</td>
</tr>
<tr>
<td>County Treasurer</td>
<td>$ 82,202</td>
<td>$ 83,538</td>
</tr>
<tr>
<td>Director, Real Property Tax</td>
<td>$ 68,106</td>
<td>$ 69,213</td>
</tr>
<tr>
<td>Public Defender</td>
<td>$ 74,760</td>
<td>$ 75,881</td>
</tr>
<tr>
<td>Sheriff</td>
<td>$ 75,302</td>
<td>$ 76,526</td>
</tr>
</tbody>
</table>

**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 23, 2009, 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.

**Motion by Mr. Donnelly Amending the resolution to restore the 3 percent raise for Management and Confidential Staff, seconded by Mr. Gehl for Discussion.**

Mr. Roche stated *Roberts Rules of Order* states that if the Chairman would like to engage in discussion on a particular issue, that he should temporarily step down as Chairman. As he would like to participate in this discussion, he asked the Vice Chairman, Mr. Donnelly, to act as Temporary Chairman. Temporary Chairman Donnelly opened the floor for discussion on the proposed amendment to Resolution #1.
Mr. Roche stated he has asked Mr. Donnelly to assume Temporary Chairmanship as this is an issue that he cannot be silent on. The County Administrator recommended a 3 percent increase for 115 individuals. The Administration Committee voted to cut the proposed raise to 1.5 percent. My view is this is a question of fairness and treating the employees fairly. These are very tough times, and everyone is aware of that. There was some discussion about an across-the-board wage freeze, but due to our bargaining unit, we would be unable to do that. From my point of view it is a question of whether management receives a 3 percent raise or a 1.5 percent increase. The difficulty I have with this is that non-management employees on average receive raises of 8 percent with management only getting 1.5 percent. The dollar value in issue today is $90,000. This $90,000 will not affect the $180 million budget or the $43 million levy. If that is the issue, I would suggest finding cuts in other parts of the budget and that is what we should do. Some have suggested a symbolic vote and cutting the fat cats. The people have had enough of symbolic votes. Every County employee deserves our support. Keep in mind the managers run the departments day-to-day and make decisions and enforce policies and because of them we have been able to reduce our taxes for the past five years. It is not easy to vote for salary increases. Your constituents will not have discussions with you about the Department of Social Services or roads, but they will ask you about management raises. I hope you will be able to explain to your constituents that this was the fair thing to do.

Mr. Gehl stated I have been in these Chambers for 16 years. At this time of the year there has always been discussion about not raising management salaries while the Union gets their raises. We would sit here and say how good our managers are and when it is time to thank them with money, we turn them down. Year after year the counties around us pay higher salaries and we continue to have problems recruiting managers. I support this. I supported the cut in committee and I did a disservice to the management staff.

Mr. McAllister stated he believes the Administration Committee felt that everyone is deserving of the raise as had been originally proposed. The committee was looking at what is going on in the outside world and in the private sector. The Union contract was negotiated when times were better. He believes there have been times when management has done better than the Union. I deal with the public a lot and there are many people who are taking a 10 percent pay cut in order to keep their job. There are people who have had their hours cut back and others who are being laid off. That was my thinking. I would love to give them a raise, but I don’t think it is the time right now. Giving 1.5 percent is better than what a lot of people are getting.

Mr. Hauryski asked what is the County’s share of health insurance costs for employees? Mr. Alger replied management employees will be paying 9 percent in 2010. The county’s chargeback for premiums is $12,700 and the employees will pay $53.00 per pay period next year.

Mr. Nichols stated he has been looking at this and a 1.5 percent increase is not the same as the Union, but it is better than what has been going on outside this place. The dairy farmers have lost approximately 40 percent of their income this year. Alstom has laid off 500 employees and Corning and Dresser-Rand are also downsizing. The 1.5 percent increase is not as good as the 3 percent that was originally proposed, but it is better than no increase. At this time, all I can support is the 1.5 percent increase.

Mr. Van Etten stated he brought this proposal to Administration. We had asked Mr. Alger to look at a 3–5 percent raise, but then I had a change of heart. We have the highest unemployment in the State. There are all sorts of issues in the State. We have a good benefits package for employees and while the pay may not be equivalent to other counties, there are many people who wouldn’t mind working for the County. The Consumer Price Index is less than 1 percent; so a 1.5 percent increase is good. There is something to be said for job security. Most employees here don’t come to work every day worrying if they are going to get a pink slip.

Mr. Hauryski commented the federal proposal for employees is 2 percent.

Vote:  Roll Call – Adopted (Absent: Legislators Argentieri, Crossett, Schwartz, Stachnik and Weaver)

Temporary Chairman Donnelly stepped down and Mr. Roche resumed as Chairman.

BUDGET WORKSHOP

Chairman Roche asked if anybody had any changes they’d like to make today.

There being none, the meeting was adjourned upon the motion of Mr. Gehl, seconded by Mr. McAllister and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 23rd day of November, 2009, at 3:00 p.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll Call and all members present except Legislator Argentieri.

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

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

Chairman Roche asked Dave Collson to come forward. Mr. Collson is an employee in the Probation Department. He presented him with a Certificate of Appreciation and a watch in recognition of his retirement following over 22 years of service with Steuben County.

Chairman Roche asked Bonnie Kastner to come forward. Mrs. Kastner is an employee in the Public Works Department. He presented her with a Certificate of Appreciation and a watch in recognition of her retirement following over 21 years of service with Steuben County.

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

Scott Mazzo stated I’m here today to speak about the horses that were removed from a farm in Troupsburg a year ago. One issue that was brought up during discussion of this issue in the AIP Committee meeting was why the owners didn’t come get the horses. First of all, the owners were from out of state. To them, the horses were a commodity and they weren’t required to take them as they were damaged. Some people did take the horses back, but some of the others decided not to because they were a commodity and it would cost them money. Another issue that arose in the AIP Committee meeting was why couldn’t the horses be put up for auction or given away. First off, there is an overpopulation of horses, as there are with dogs and cats. Also, it costs about $2,500 per month to care for them. With the state of the economy, some people are just turning their horses loose in the county because they cost so much to care for. In addition, many of these horses had a pedigree and would have been used for breeding. We’ve been down this road before and the horses have been sent back in the same or worse condition as when they were sent away to breeders.

Mr. Mazzo stated people might think I’m an animal rights activist. I’m not; I’m a law enforcement officer. If this had to be handled by another agency, the County would have incurred a major cost. Luckily we haven’t had a lot of these types of seizures as I do my best to make sure that doesn’t happen through education. You need to think about what this could have cost you when you consider the SPCA’s request. Because of numerous grants and volunteers, you didn’t have to incur those costs.

Dr. Karen Doucette, DVM, SPCA Board President, stated I hope you received my letter. I reiterate that we are asking for not only the usual County support for this program, but emergency funding. This was an enormous case of animal cruelty and we handled it all by ourselves. The bill would have been on the local government and the taxpayers even if we euthanized them. So far the total cost for this seizure is $115,775 not including the volunteer hours. The person who was charged with caring for these horses has paid only $875 back in restitution. The community has come together and really helped us out. Our donor base has over 1,500 Steuben County residents. Please think about our mission and the law we have chosen to uphold.
Dr. Susan Cole-Farmer, DVM, stated I’ve had the pleasure of working with the SPCA for about 18 years. I think they do a remarkable job. In spite of the absolutely lousy physical plant they are currently working in, they do an amazing job. Vicki Mosgrove is the Executive Director. She is knowledgeable and professional. Needless to say they go through times where they are stretched financially. The Board of Directors are well-educated, professional people. The decision to buy the Rivers Edge farm was only after deliberation about the overall status of the organization. Some people in the community misconstrued the purchase of this farm with the status of the operational budget. The farm was purchased through a down payment from a substantial bequest. It is the mission and duty of the SPCA to address animal cruelty and there is no question the horses were in dire need of rescue. The proper legal channels were followed. How Vicki Mosgrove arranged transportation and foster care for 80 animals in 2 to 3 days, I don’t know. In the time since, 76 have been restored to good health. The cost of this has wiped out our $20,000 emergency fund and left us with a budgetary deficit of $15,000. This doesn’t include the countless hours donated by the volunteers. There was a question as to why we were involved with this seizure. Frankly, it is our mission. Going in we were told there were 53 animals on the property. There was no way to predict the cost we would face to take care of this mess. There seems to be a suggestion that we mismanaged funds and questions about why didn’t we return the horses to the owners. The majority of the horses were owned by the horse farm owners. The rest we made every attempt to locate the owners and have them take the horses. We provided Legislator Ryan with the independent audit of our organization. I hope that satisfied his curiosity. There was a question about whether or not we are an umbrella agency of other larger organizations. Those organizations don’t provide money to us for these seizures. Another question was why we still have 20 horses remaining and why we don’t take them to Empire Livestock for auction. It is totally against our mission to take animals to auction houses. Again, if you had to hire an outside agency to clean up this mess it would have cost you hundreds of thousands of dollars. This agency deserves your thanks, gratitude and your unwavering support because what they do is promote humane care of all animals. I think it is a modest request.

Joseph Sproule, Addison, stated I am a longtime resident of the County. I respectfully request that you respond favorably to the SPCA request of $15,000 in support of their rescue of horses. This has nothing to do with my adoration of horses. In fact, I’m intimidated by them. I have no such affiliation to the SPCA either. I care very deeply about providing proper and humane care to all animals. The SPCA has assumed those responsibilities. I urge you to approve this request for two reasons. First, you would be paying your fair share of the mandated cost of $115,000. Second, along with being the fair minded thing to do, it would be an incentive for other groups to step up to the plate. I’m aware of the never-ending pressures of preparing the budget. Even so, this proposal is notably sound and worthy of your approval.

Carol Kelly, Prattsburgh, stated I am a volunteer for the SPCA and I thank you for all of your past help. The mission of the SPCA continues because of the dedication and hard work of the SPCA staff. My husband and I have volunteered there on a weekly basis. Please help out to bridge the gap. They have placed 56 of these horses. If they hadn’t stepped up to do the honorable thing who else would have and at what price?

There being no further comments, Chairman Roche declared the public comment portion of the meeting closed.

The minutes of the previous month’s meetings were adopted upon the motion of Mr. Donnelly, seconded by Mr. McAllister and duly carried.
Donna Hatch, Real Property Tax Service Agency Director, announced that she has provided the Legislature with a spread sheet to go along with resolution #10. This shows the impact of the equalization rates before adopting the county tax levy. I take the taxable value and add back certain exemptions before doing the distribution. Every year we have a new equalization rate established for each municipality and then take the taxable value divided by the equalization rate to come up with the equalized full value for the county.

Judy Hunter, County Clerk, announced that there is a memorializing resolution to the Governor on the agenda regarding new license plates. Please remember that this isn’t a special interest issue. It affects everybody. The current plates were issued in 2001 to replace plates that were issued in 1986. A petition was presented to the Governor by several County Clerks in opposition to this plan.

Mr. McAllister stated didn’t the Governor withdraw this plan? Mrs. Hunter stated that he indicated he’d be willing to rescind this plan but the Legislature would need to come up with revenues to replace the revenue to be generated from this plan.

RESOLUTION NO. 167-09

Introduced by P. Donnelly. Seconded by F. Gehl.

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"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Canandaigua Power Partners LLC</td>
<td>042.00-01-017.113</td>
<td>Cohocton Town</td>
<td>Correction &amp; Refund</td>
</tr>
<tr>
<td>A-2</td>
<td>Maynard &amp; Sharyn Kreger</td>
<td>122.00-01-019.000</td>
<td>Hornellsville Town</td>
<td>Correction &amp; Refund</td>
</tr>
<tr>
<td>A-3</td>
<td>Robin A Burdette</td>
<td>150.00-01-003.100</td>
<td>Hornellsville Town</td>
<td>Correction &amp; Refund</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 168-09

Introduced by P. Roche. Seconded by D. Stachnik.

RECEIVING AND ACCEPTING THE NOVEMBER 23, 2009 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 19, 2009
NYS Department of Health – Re: Notification of Plan of Correction was received and is unacceptable (Steuben County Infirmary, Medicare Provider #335309, Survey exit date 9/17/2009). Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

October 22, 2009
NYS Department of Health – Re: Notification of amended Plan of Correction (POC) was received and is now acceptable (Steuben County Infirmary, Medicare Provider #335309, Survey exit date 9/17/2009). Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

NYS Department of Labor – Re: Notification of the Local Workforce Investment Area Program for the Year 2008, has failed to meet LWIA goals for performance on the initial assessment and reducing the number of participants who exit while still certifying for UI benefits. The performance improvement plan needs to be submitted no later than Monday November 17, 2009. Referred to: Mark Alger, County Administrator.

NYS Department of Labor – Re: Notification of the Local Workforce Investment Area Program is eligible for a WIA Title I-B incentive grant in the amount of $23,793.70 for achieving the goals set for increase in out of school youth participation, as well as training & skills development. The incentive grant is due no later than November 14, 2009. Referred to: Mark Alger, County Administrator.

October 23, 2009
ProAct – A 0:60 second radio “Public Service Announcement (PSA) describing the County endorsed Prescription Discount Card will be mailed out the week of October 26th for local radio stations to broadcast. Referred to: Jack Wheeler, Assistant County Administrator.

Corning Community College – Re: Notification of the new county chargeback rate ($2,598 per FTE) and an estimate of the total chargeback’s (Jan-Dec 2010 Operating 3,204,719/Capital 376,488). Referred to: Health & Education Committee; Finance Committee; and Carol Whitehead, Treasurer.
October 26, 2009
Finger Lakes Health Systems Agency – Re: 2010 Budget request in the amount of $24,682. Referred to: Finance Committee; David McCarroll, HCF Administrator; Dr. Anderson, Director of Community Services; Vicki Fuerst, PHN Director; and Carol Whitehead, Treasurer.

October 27, 2009
NYS Unified Court System Seventh Judicial District – Re: Agreement between the Unified Court System (UCS) and the County of Steuben for Court Cleaning and Minor Repairs (Contract #C300222). Annual Renewal Letter and Budget (Appendix B) for the State Fiscal Year 2009-2010. Referred to: Bill Partridge, Superintendent of Buildings & Grounds.

Steuben County Industrial Development Agency – Re: Notice of public hearing for Steuben Rural Electric Cooperative Inc. (Acquisition by the Agency of fee 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). The hearing is scheduled for Tuesday, November 24, 2009 at 2:00pm, at 7234 Route 54 North, Bath, New York. Referred to: A.I.P. Committee; and Greg Heffner, Planning Director.

October 29, 2009
NYS Department of Labor – Re: Notification of the 2008 Program Year for Chemung/Schuyler/Steuben Workforce Investment Area is eligible for an incentive grant in the amount of $4,652.14 for achieving goals set for the Adult Entered Employment Rate. The incentive grant is due no later than November 14, 2009. Referred to: Mark Alger, County Administrator.

October 30, 2009
Faith in Action, Steuben County – Re: Letter on concerns with funding for the Senior Transportation. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

November 2, 2009
NYS Office of Homeland Security – Re: Announcement of grant award in the amount of $39,160 in federal funding under the FY2009 Regional Exercise Grant Program for overtime and backfill costs during the exercise. In addition, an allocation of a maximum of $10,000 in funds to be used to address prioritized gaps identified in the exercise after action report. Referred to: Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $20,476 representing the September 2009 retained surcharge revenues ($4,585) and the municipality’s share of the 3rd quarter 2009 net revenues ($15,891). Referred to: Finance and Rules Committees; and Carol Whitehead, County Treasurer.

November 4, 2009
Emergency Medical Services Training, Administration & Resources (formerly STREMS) – Re: 3rd Quarter Report for 2009. Referred to: Health & Education Committee; Victoria Fuerst, PHN Director; Public Safety & Corrections Committee; and Mike Sprague, EMO Director.

November 9, 2009
NYS Office of Parks, Recreation & Historic Preservation – Re: Notification of consideration by the State review board meeting on December 8, 2009, for nomination to the National and State Registers of Historic Places for property located at the Presbyterian Church of Atlanta, 2 Main Street, Atlanta, NY 14808. Referred to: A.I.P. Committee; Greg Heffner, Planning Director; and Twila O’Dell, Historian.


November 10, 2009
RESOLUTION NO. 169-09


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 2009, to the 30th day of September, 2009, 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 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 September 30, 2009, 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, 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 $635,416.62.

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 - 11/2009

<table>
<thead>
<tr>
<th>TOWN &amp; CITIES</th>
<th>TOWN/CITY AMT DUE</th>
<th>VILLAGES</th>
<th>VILLAGES AMT DUE</th>
<th>TOTAL AMT DUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDISON</td>
<td>4,968.69</td>
<td>ADDISON</td>
<td>2,075.78</td>
<td>7,044.47</td>
</tr>
<tr>
<td>AVOCA</td>
<td>5,941.27</td>
<td>AVOCA</td>
<td>771.09</td>
<td>6,712.36</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BATH (1)</td>
<td>8,479.09</td>
<td></td>
</tr>
<tr>
<td>BATH</td>
<td>29,945.62</td>
<td>SAVONA (2)</td>
<td>827.07</td>
<td>39,251.78</td>
</tr>
<tr>
<td>BRADFORD</td>
<td>4,670.86</td>
<td></td>
<td></td>
<td>4,670.86</td>
</tr>
<tr>
<td>CAMERON</td>
<td>1,995.52</td>
<td></td>
<td></td>
<td>1,995.52</td>
</tr>
<tr>
<td>CAMPBELL</td>
<td>18,012.69</td>
<td></td>
<td></td>
<td>18,012.69</td>
</tr>
<tr>
<td>CANISTEO</td>
<td>10,439.35</td>
<td>CANISTEO</td>
<td>3,394.99</td>
<td>13,834.34</td>
</tr>
<tr>
<td>CATON</td>
<td>19,701.80</td>
<td></td>
<td></td>
<td>19,701.80</td>
</tr>
<tr>
<td>COHOCTON</td>
<td>7,821.95</td>
<td>COHOCTON</td>
<td>1,047.35</td>
<td>8,869.30</td>
</tr>
<tr>
<td>CORNING CITY</td>
<td>73,999.91</td>
<td>RIVERSIDE (1)</td>
<td>2,462.04</td>
<td>73,999.91</td>
</tr>
<tr>
<td>CORNING TOWN</td>
<td>63,758.23</td>
<td>S CORNING (2)</td>
<td>3,814.56</td>
<td>70,034.83</td>
</tr>
<tr>
<td>DANSVILLE</td>
<td>6,604.71</td>
<td></td>
<td></td>
<td>6,604.71</td>
</tr>
<tr>
<td>ERWIN</td>
<td>106,586.95</td>
<td>PAINTED POST</td>
<td>8,301.15</td>
<td>114,888.10</td>
</tr>
<tr>
<td>FREMONT</td>
<td>7,097.67</td>
<td></td>
<td></td>
<td>7,097.67</td>
</tr>
<tr>
<td>GREENWOOD</td>
<td>3,367.63</td>
<td></td>
<td></td>
<td>3,367.63</td>
</tr>
</tbody>
</table>
HARTSVILLE 4,953.95
HORNY 12,665.44
HORNELL CITY 25,322.00

ALMOND (1) 59.10
ARKPORT (2) 2,509.54

HORNELLSVILLE 28,421.52
HOWARD 2,457.86
JASPER 5,513.60
LINDLEY 11,841.79
PRATTSBURGH 4,117.33
PULTENEY 26,072.33
RATHBONE 3,881.29
THURSTON 6,841.65
TROUPSBURG 7,342.76
TUSCARORA 7,485.74
URBANA 22,003.76
WAYLAND 23,342.99
WAYNE 21,767.50
WEST UNION 2,185.39
WHEELER 5,823.76
WOODHULL 4,332.79

TOTAL 591,286.30

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

STEUBEN COUNTY LEGISLATURE

By: s/Philip J. Roche, Chairman

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

s/Christine Kane, Clerk
Steuben County Legislature

Vote: Roll Call – Adopted.

RESOLUTION NO. 170-09

Introduced by P. McAllister. Seconded by F. Gehl.

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 2010 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 2010 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. 171-09

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

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 2009 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. 172-09


DIRECTING THE LEVY OF RETURNED UNPAID SCHOOL TAXES FOR THE YEAR 2009.

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 2009” 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. 173-09

Introduced by P. McAllister. Seconded by D. Creath.


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 2009” 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. 174-09**

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


Pursuant to Article 5 of the Workers’ Compensation Law of the State of New York.

WHEREAS, on July 27, 2009, 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 2010; and

WHEREAS, on July 27, 2009, there was received and filed with this County Legislature a Table of Apportionment for the Fiscal Year 2010, 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 2010 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 2010 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 2010 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. 175-09**

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

**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 2010; and be it further

RESOLVED, the Clerk of the Legislature is hereby directed to forward to the State Board of Real Property 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>
<thead>
<tr>
<th>MUNICIPALITY</th>
<th>2009 COUNTY EQ. RATES FOR 2010 TAX LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF CORNING</td>
<td>100.00</td>
</tr>
<tr>
<td>CITY OF HORNELL</td>
<td>94.13</td>
</tr>
<tr>
<td>ADDISON</td>
<td>100.00</td>
</tr>
<tr>
<td>AVOCA</td>
<td>100.00</td>
</tr>
<tr>
<td>BATH</td>
<td>50.00</td>
</tr>
<tr>
<td>BRADFORD</td>
<td>90.00</td>
</tr>
<tr>
<td>CAMERON</td>
<td>100.00</td>
</tr>
<tr>
<td>CAMPBELL</td>
<td>3.45</td>
</tr>
<tr>
<td>CANISTEO</td>
<td>61.00</td>
</tr>
<tr>
<td>CATON</td>
<td>60.00</td>
</tr>
<tr>
<td>COHOCTON</td>
<td>95.00</td>
</tr>
<tr>
<td>CORNING TOWN</td>
<td>97.00</td>
</tr>
<tr>
<td>DANSVILLE</td>
<td>100.00</td>
</tr>
<tr>
<td>ERWIN</td>
<td>100.00</td>
</tr>
<tr>
<td>FREMONT</td>
<td>100.00</td>
</tr>
<tr>
<td>GREENWOOD</td>
<td>3.45</td>
</tr>
<tr>
<td>HARTSVILLE</td>
<td>100.00</td>
</tr>
<tr>
<td>HORNBY</td>
<td>100.00</td>
</tr>
<tr>
<td>HORNELLSVILLE</td>
<td>100.00</td>
</tr>
<tr>
<td>HOWARD</td>
<td>56.00</td>
</tr>
<tr>
<td>JASPER</td>
<td>4.80</td>
</tr>
<tr>
<td>LINDLEY</td>
<td>3.45</td>
</tr>
<tr>
<td>PRATTSBURGH</td>
<td>100.00</td>
</tr>
<tr>
<td>PULTENEO</td>
<td>50.00</td>
</tr>
<tr>
<td>RATHBONE</td>
<td>100.00</td>
</tr>
<tr>
<td>THURSTON</td>
<td>4.63</td>
</tr>
<tr>
<td>TROUPSBURG</td>
<td>52.50</td>
</tr>
<tr>
<td>TUSCARORA</td>
<td>4.20</td>
</tr>
<tr>
<td>URBANA</td>
<td>100.00</td>
</tr>
<tr>
<td>WAYLAND</td>
<td>69.00</td>
</tr>
<tr>
<td>WAYNE</td>
<td>100.00</td>
</tr>
<tr>
<td>WEST UNION</td>
<td>65.00</td>
</tr>
<tr>
<td>WHEELER</td>
<td>100.00</td>
</tr>
<tr>
<td>WOODHULL</td>
<td>99.00</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.
RESOLUTION NO. 176-09


FILING THE REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2010 BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2009.

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 and 458 A and B (Veterans), Section 460 (Clergy), Section 464 (Volunteer Firemen's Association) and at County option Section 467 (Senior Citizens) by the corresponding County Equalization rate.

NOW THEREFORE, BE IT

RESOLVED, the Report of County Equalization for the Year 2010, 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.

Vote: Roll Call – Adopted.
<table>
<thead>
<tr>
<th>SWIS CODE</th>
<th>MUNICIPALITY</th>
<th>TOTAL ASSESSED BEFORE ALL EXEMPTIONS</th>
<th>COUNTY TAXABLE PLUS</th>
<th>SR CITIZEN, REG VET, ALT &amp; COLD WAR VETS, CLERGY &amp; INC VOL FIRE EXEMPTS</th>
<th>EQUAL FULL RATE</th>
<th>COUNTY TAXABLE FOR AGGREGATE</th>
<th>TOWN TAXABLE FOR AGGREGATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>462089</td>
<td>ADDISON</td>
<td>39,660,496</td>
<td>32,261,105</td>
<td>1.0000</td>
<td>32,261,105</td>
<td>31,080,024</td>
<td>31,243,862</td>
</tr>
<tr>
<td>462001</td>
<td>VILLAGE OF ADDISON</td>
<td>76,690,146</td>
<td>46,683,694</td>
<td>1.0000</td>
<td>46,683,694</td>
<td>44,506,243</td>
<td>44,837,364</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>116,350,642</td>
<td>78,944,799</td>
<td>78,944,799</td>
<td>75,586,267</td>
<td>76,081,226</td>
<td></td>
</tr>
<tr>
<td>462289</td>
<td>AVOCA</td>
<td>84,208,041</td>
<td>74,193,420</td>
<td>1.0000</td>
<td>74,193,420</td>
<td>71,866,217</td>
<td>73,053,674</td>
</tr>
<tr>
<td>462201</td>
<td>VILLAGE OF AVOCA</td>
<td>42,443,794</td>
<td>22,693,372</td>
<td>1.0000</td>
<td>22,693,372</td>
<td>21,167,288</td>
<td>21,790,691</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>126,651,835</td>
<td>96,886,792</td>
<td>96,886,792</td>
<td>93,033,505</td>
<td>94,844,365</td>
<td></td>
</tr>
<tr>
<td>462489</td>
<td>BATH</td>
<td>167,433,376</td>
<td>122,704,204</td>
<td>0.5000</td>
<td>245,408,408</td>
<td>119,530,848</td>
<td>120,864,063</td>
</tr>
<tr>
<td>462401</td>
<td>VILLAGE OF BATH</td>
<td>188,439,270</td>
<td>101,920,269</td>
<td>0.5000</td>
<td>203,840,538</td>
<td>98,093,899</td>
<td>99,306,570</td>
</tr>
<tr>
<td>462403</td>
<td>VILLAGE OF SAVONA</td>
<td>16,371,367</td>
<td>10,063,616</td>
<td>0.5000</td>
<td>20,127,232</td>
<td>9,499,685</td>
<td>9,686,630</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>372,244,013</td>
<td>234,688,089</td>
<td>469,376,178</td>
<td>227,124,432</td>
<td>229,857,263</td>
<td></td>
</tr>
<tr>
<td>462600</td>
<td>BRADFORD</td>
<td>37,449,388</td>
<td>32,892,534</td>
<td>0.9000</td>
<td>36,547,260</td>
<td>31,986,764</td>
<td>34,969,727</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>37,449,388</td>
<td>32,892,534</td>
<td>36,547,260</td>
<td>31,986,764</td>
<td>34,969,727</td>
<td></td>
</tr>
<tr>
<td>462800</td>
<td>CAMERON</td>
<td>55,155,364</td>
<td>41,627,309</td>
<td>1.0000</td>
<td>41,627,309</td>
<td>40,344,219</td>
<td>42,300,783</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>55,155,364</td>
<td>41,627,309</td>
<td>41,627,309</td>
<td>40,344,219</td>
<td>42,300,783</td>
<td></td>
</tr>
</tbody>
</table>
# REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2010

**BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2009**

## STEUBEN COUNTY

O:\ILA22\ILA22 01012010 tax levy.xls 10/29/2009

<table>
<thead>
<tr>
<th>SWIS CODE</th>
<th>MUNICIPALITY</th>
<th>TOTAL ASSESSED</th>
<th>SR CITIZEN, REG VET, ALT &amp; COLD WAR VETS, CLERGY, &amp; INC. VOL. FIRE EXEMPTS</th>
<th>EQUAL RATE</th>
<th>TOTAL VALUE</th>
<th>AGGREGATE TAXABLE FOR COUNTY</th>
<th>AGGREGATE TAXABLE FOR TOWN</th>
</tr>
</thead>
<tbody>
<tr>
<td>463000</td>
<td>CAMPBELL</td>
<td>6,215,188</td>
<td>4,601,025</td>
<td>0.0345</td>
<td>133,363,043</td>
<td>4,362,012</td>
<td>4,504,429</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>463289</td>
<td>CANISTEO</td>
<td>44,698,516</td>
<td>38,978,248</td>
<td>0.6100</td>
<td>63,898,767</td>
<td>38,005,453</td>
<td>38,230,819</td>
</tr>
<tr>
<td>463201</td>
<td>VILLAGE OF CANISTEO</td>
<td>58,136,226</td>
<td>38,363,925</td>
<td>0.6100</td>
<td>62,891,680</td>
<td>36,292,152</td>
<td>36,850,225</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>463400</td>
<td>CATON</td>
<td>92,399,741</td>
<td>90,508,801</td>
<td>0.6000</td>
<td>150,848,002</td>
<td>88,786,095</td>
<td>89,555,663</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>463689</td>
<td>COHOCTON</td>
<td>220,512,830</td>
<td>77,925,915</td>
<td>0.9500</td>
<td>82,027,279</td>
<td>75,271,173</td>
<td>75,973,011</td>
</tr>
<tr>
<td>463601</td>
<td>VILLAGE OF COHOCTON</td>
<td>29,635,105</td>
<td>24,153,585</td>
<td>0.9500</td>
<td>25,424,826</td>
<td>22,976,150</td>
<td>23,490,870</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>463889</td>
<td>CORNING</td>
<td>347,331,310</td>
<td>303,176,335</td>
<td>0.9700</td>
<td>312,552,923</td>
<td>296,215,965</td>
<td>302,643,680</td>
</tr>
<tr>
<td>463801</td>
<td>VILLAGE OF RIVERSIDE</td>
<td>31,219,971</td>
<td>25,708,451</td>
<td>0.9700</td>
<td>26,503,558</td>
<td>24,784,090</td>
<td>25,925,578</td>
</tr>
<tr>
<td>463803</td>
<td>VILLAGE OF S CORNING</td>
<td>42,718,208</td>
<td>39,853,844</td>
<td>0.9700</td>
<td>41,086,437</td>
<td>38,030,639</td>
<td>40,167,658</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>460300</td>
<td>CITY OF CORNING</td>
<td>719,729,333</td>
<td>533,054,266</td>
<td>1.0000</td>
<td>533,054,266</td>
<td>515,962,493</td>
<td>515,962,493</td>
</tr>
<tr>
<td></td>
<td>CITY TOTALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2010

**BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2009**

**STEUBEN COUNTY**

### COUNTY TAXABLE PLUS

<table>
<thead>
<tr>
<th>SWIS CODE</th>
<th>MUNICIPALITY</th>
<th>TOTAL ASSESSED BEFORE ALL EXEMPTIONS</th>
<th>TOTAL ASSESSED BEFORE INC VOL FIRE EXEMPTS</th>
<th>COUNTY TOTAL</th>
<th>COUNTY TAXABLE FOR</th>
<th>AGGREGATE TAXABLE FOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>464000</td>
<td>DANSVILLE</td>
<td>91,285,869</td>
<td>80,417,114</td>
<td>80,417,114</td>
<td>78,300,432</td>
<td>80,502,703</td>
</tr>
</tbody>
</table>

**TOWN TOTALS**

<table>
<thead>
<tr>
<th>464289</th>
<th>ERWIN</th>
<th>546,178,623</th>
<th>436,720,900</th>
<th>436,720,900</th>
<th>428,360,204</th>
<th>427,931,963</th>
</tr>
</thead>
<tbody>
<tr>
<td>464201</td>
<td>VILLAGE OF PAINTED POST</td>
<td>109,892,495</td>
<td>75,270,083</td>
<td>75,270,083</td>
<td>72,538,676</td>
<td>72,285,711</td>
</tr>
</tbody>
</table>

**TOWN TOTALS**

| 464400    | FREMONT            | 54,278,680                           | 47,609,225                                | 47,609,225   | 46,283,673        | 47,455,283           |

**TOWN TOTALS**

| 464600    | GREENWOOD          | 1,731,386                            | 1,443,502                                 | 1,443,502    | 1,392,568         | 1,475,580            |

**TOWN TOTALS**

| 464800    | HARTSVILLE         | 40,914,742                           | 37,430,394                                | 37,430,394   | 36,229,913        | 37,256,896           |

**TOWN TOTALS**

| 465000    | HORNBY             | 81,941,130                           | 76,397,498                                | 76,397,498   | 74,859,318        | 78,762,868           |

**TOWN TOTALS**
### REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2010

**BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2009**

**STEUBEN COUNTY**

---

<table>
<thead>
<tr>
<th>SWIS CODE</th>
<th>MUNICIPALITY</th>
<th>COUNTY TAXABLE PLUS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TOTAL ASSESSED BEFORE</td>
<td>SR CITIZEN, REG VET, ALT &amp; COLD WAR VETS, CLERGY, &amp; INC VOL FIRE EXEMPTS</td>
</tr>
<tr>
<td>CODE</td>
<td>ALL EXEMPTIONS</td>
<td></td>
</tr>
<tr>
<td>465289</td>
<td>HORNELLSVILLE</td>
<td>179,276,103</td>
</tr>
<tr>
<td>465201</td>
<td>VILLAGE OF ALMOND</td>
<td>758,121</td>
</tr>
<tr>
<td>465203</td>
<td>VILLAGE OF ARKPORT</td>
<td>47,188,012</td>
</tr>
<tr>
<td>465205</td>
<td>VILLAGE OF N HORNELL</td>
<td>51,585,213</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>278,807,449</td>
</tr>
<tr>
<td>460600</td>
<td>CITY OF HORNELL</td>
<td>323,195,027</td>
</tr>
<tr>
<td></td>
<td>CITY TOTALS</td>
<td>323,195,027</td>
</tr>
<tr>
<td>465400</td>
<td>HOWARD</td>
<td>51,635,361</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>51,635,361</td>
</tr>
<tr>
<td>465600</td>
<td>JASPER</td>
<td>4,775,131</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>4,775,131</td>
</tr>
<tr>
<td>465800</td>
<td>LINDLEY</td>
<td>2,997,646</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>2,997,646</td>
</tr>
<tr>
<td>466000</td>
<td>PRATTSBURGH</td>
<td>122,494,972</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>122,494,972</td>
</tr>
<tr>
<td>SWIS CODE</td>
<td>COUNTY TAXABLE PLUS</td>
<td>COUNTY TAXABLE PLUS</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td></td>
<td>TOTAL ASSESSED</td>
<td>SR CITIZEN, REG VET,</td>
</tr>
<tr>
<td></td>
<td>BEFORE</td>
<td>ALT &amp; COLD WAR VETS,</td>
</tr>
<tr>
<td>MUNICIPALITY</td>
<td>ALL EXEMPTIONS</td>
<td>CLERGY, &amp; INC VOL FIRE EXEMPTS</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>466200</td>
<td>PULTENEY</td>
<td>135,666,387</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>135,666,387</td>
</tr>
<tr>
<td>466400</td>
<td>RATHBONE</td>
<td>52,642,969</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>52,642,969</td>
</tr>
<tr>
<td>466600</td>
<td>THURSTON</td>
<td>3,470,535</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>3,470,535</td>
</tr>
<tr>
<td>466800</td>
<td>TROUPSBURG</td>
<td>55,999,793</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>55,999,793</td>
</tr>
<tr>
<td>467000</td>
<td>TUSCARORA</td>
<td>2,651,615</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>2,651,615</td>
</tr>
<tr>
<td>467289</td>
<td>URBANA</td>
<td>252,358,831</td>
</tr>
<tr>
<td>467201</td>
<td>VILLAGE OF HAMMONDSPRT</td>
<td>58,363,806</td>
</tr>
<tr>
<td></td>
<td>TOWN TOTALS</td>
<td>310,722,637</td>
</tr>
</tbody>
</table>
REPORT OF COUNTY EQUALIZATION FOR THE YEAR 2010
BASED ON ASSESSMENT ROLLS COMPLETED, VERIFIED AND FILED IN 2009

STEUBEN COUNTY

<table>
<thead>
<tr>
<th>SWIS</th>
<th>MUNICIPALITY</th>
<th>COUNTY TAXABLE PLUS</th>
<th>COUNTY TAXABLE PLUS</th>
<th>COUNTY TAXABLE PLUS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>TOTAL ASSESSED</td>
<td>SR CITIZEN, REG VET,</td>
<td>AGGREGATE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>BEFORE</td>
<td>ALT &amp; COLD WAR VETS,</td>
<td>AGGREGATE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ALL EXEMPTIONS</td>
<td>CLERGY, &amp;</td>
<td>TAXABLE FOR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>INC VOL FIRE EXEMPTS</td>
<td></td>
<td>TAXABLE FOR</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>COUNTY</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TOWN</td>
</tr>
<tr>
<td>467489</td>
<td>WAYLAND</td>
<td>99,118,792</td>
<td>69,904,671</td>
<td>67,920,210</td>
</tr>
<tr>
<td>467401</td>
<td>VILLAGE OF WAYLAND</td>
<td>48,333,360</td>
<td>43,751,988</td>
<td>42,504,885</td>
</tr>
<tr>
<td></td>
<td></td>
<td>147,452,152</td>
<td>113,656,659</td>
<td>109,674,096</td>
</tr>
<tr>
<td>467600</td>
<td>WAYNE</td>
<td>284,803,050</td>
<td>280,899,914</td>
<td>277,650,201</td>
</tr>
<tr>
<td></td>
<td></td>
<td>284,803,050</td>
<td>280,899,914</td>
<td>277,650,201</td>
</tr>
<tr>
<td>467800</td>
<td>WEST UNION</td>
<td>23,429,937</td>
<td>20,792,118</td>
<td>20,648,468</td>
</tr>
<tr>
<td></td>
<td></td>
<td>23,429,937</td>
<td>20,792,118</td>
<td>20,648,468</td>
</tr>
<tr>
<td>468000</td>
<td>WHEELER</td>
<td>64,014,239</td>
<td>55,368,004</td>
<td>56,259,706</td>
</tr>
<tr>
<td></td>
<td></td>
<td>64,014,239</td>
<td>55,368,004</td>
<td>56,259,706</td>
</tr>
<tr>
<td>468200</td>
<td>WOODHULL</td>
<td>92,979,354</td>
<td>85,922,895</td>
<td>84,674,910</td>
</tr>
<tr>
<td></td>
<td></td>
<td>92,979,354</td>
<td>85,922,895</td>
<td>84,674,910</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5,184,408,849</td>
<td>4,073,948,764</td>
<td>3,268,345,382</td>
</tr>
</tbody>
</table>

I DO HEREBY CERTIFY THAT THE PRECEDING IS A TRUE STATEMENT OF THE AGGREGATE ASSESSED VALUATIONS
IN STEUBEN COUNTY, AS DETERMINED BY THE BOARD OF LEGISLATORS ON THE 23rd DAY OF NOVEMBER, 2009.

SIGNED: DONNA P HATCH, DIRECTOR, STEUBEN COUNTY REAL PROPERTY TAX SERVICE AGENCY DATED: 11/23/09
RESOLUTION NO. 177-09

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

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO CLOSE THE HEALTH CARE CONSTRUCTION PROJECT AND TO EXPEND THE BALANCE IN THE PROJECT FOR DEBT SERVICE.

WHEREAS, the Health Care Construction Capital Project is complete; and

WHEREAS, there are unspent bond proceeds and interest earnings; and

WHEREAS, these funds are required to be expended for debt service on the bond issued to finance the construction of the new Health Care Facility.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is authorized and directed to close the Health Care Construction Project and to expend any and all balances for debt service on the bond issued to finance said construction; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Steuben County Treasurer and Health Care Facility Administrator.

Vote: Roll Call – Adopted.

RESOLUTION NO. 178-09

Introduced by D. Creath and P. Donnelly.      Seconded by R. Weaver.

AUTHORIZING THE CLOSING OF FIVE CAPITAL PROJECTS AND RETURNING THE UNEXPENDED BALANCES BACK TO THE REPAIR AND RENOVATIONS RESERVE.

WHEREAS, five capital projects which have been completed contain unexpended balances which were 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 projects:

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 0109 5 250000</td>
<td>C O B-Roof Replacement</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>HB 0202 5 250000</td>
<td>Exterior Painting-Bath Courthouse</td>
<td>$180.57</td>
</tr>
<tr>
<td>HB 5001 5 250000</td>
<td>Airport Rd-Hornell</td>
<td>$205.00</td>
</tr>
<tr>
<td>HB 6403 5 250000</td>
<td>Exterior Painting-Corning Courthouse</td>
<td>$5,106.00</td>
</tr>
<tr>
<td>HB 9901 5 250000</td>
<td>Seal &amp; Stripe Parking Lots</td>
<td>$6,115.81</td>
</tr>
</tbody>
</table>

TOTAL $38,607.38

BE IT FURTHER RESOLVED, the unexpended balances, 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. 179-09


INCREASING PRIVATE PAY RATES FOR BOTH SEMI-PRIVATE AND PRIVATE ROOMS AT THE STEUBEN COUNTY HEALTH CARE FACILITY EFFECTIVE JANUARY 1, 2010 TOGETHER WITH THE 6 PERCENT NEW YORK STATE CASH RECEIPTS ASSESSMENT.

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 $250 to $260 per day and the private room rate from $260 to $270 per day together with the 6 percent New York State Cash Receipts Assessment (total $275.60 Semi-Private and $286.20 Private); and

WHEREAS, the 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, 2010; 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.

RESOLUTION NO. 180-09

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

AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER $475,000 FROM THE CONTINGENCY FUND TO CORNING COMMUNITY COLLEGE TUITION AND $75,000 FROM CONTINGENCY FUND TO OTHER COMMUNITY COLLEGE TUITION IN THE 2009 BUDGET.

WHEREAS, the County lacks funds to pay invoices from community colleges tuition in the 2009 budget.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to transfer from the Contingency Fund to Community Colleges in the 2009 budget as follows:

From A 199000 5 499 000 $525,000 Contingency Fund
To A 249000 5 407 800 $75,000 Community College Tuition
To A 249500 5 407 800 $450,000 Corning Community College Tuition

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer.

Mr. Alger stated this is what we like to call an unfunded mandate. We have no discretion over these funds, but we are responsible to pay it. We do our best annually to estimate the community college budget in conjunction with Corning Community College. This is unexpected in some regard but in others it isn’t. It is a combination of the job market being poor and people needing retraining. Obviously we didn’t know this was going to happen. This is one of the reasons you have a contingent fund like you have.
Mr. Donnelly stated it is good that people are trying to develop new skills.

Mr. Creath stated it is an investment in our future and money well spent.

Vote: Roll Call – Adopted.

RESOLUTION NO. 181-09

Introduced by P. Donnelly. Seconded by F. Gehl.

AUTHORIZING A ONE-TIME BUDGET APPROPRIATION FROM THE CONTINGENCY FUND IN THE AMOUNT OF $15,000 FOR THE SPCA.

WHEREAS, on August 28, 2008 the Finger Lakes SPCA, Inc. (hereinafter “SPCA”) conducted an investigation at the Geraldine Trupia farm in Troupsburg, New York which investigation revealed 85 horses in various stages of starvation, one of the larger animal rescues in the history of SPCA and across the State of New York; and

WHEREAS, the care and maintenance of those animals is unprecedented and could not have been anticipated; and

WHEREAS, it is necessary to provide for the foster care for the animals remaining until such time as they can be adopted out; and

WHEREAS, were it not for the intervention of the SPCA these services would fall upon the County and could result in the expenditure of substantial sums of money for the care and maintenance of these animals.

NOW THEREFORE, BE IT

RESOLVED, in order to assist with the provision of care for the animals ceased at the Trupia farm, the Treasurer is hereby authorized and directed to make a one-time transfer of $15,000 from the Contingency Fund to the appropriate account for the SPCA; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer and the Finger Lakes SPCA, Inc., 7315 State Route 54, Bath, NY 14810.

Mr. Nichols asked didn’t they originally request $25,000? Mr. Donnelly stated they have since raised $10,000 in funding.

Mr. Ryan stated I have received phone calls from constituents who are concerned about these animals. One of the gentlemen who called is losing his job and has to take his animals to Empire Livestock. Another was concerned about the expenses of their new facility and the cost to maintain that facility. I have to vote on the side of my constituents.

Mr. Farrand stated I also received phone calls from constituents but after I explained to them about having to otherwise pay $100,000 for the seizure, they backed off. They agreed $15,000 is better than the alternative.

Mr. Gehl thanked the SPCA for their work in the County. I’m in awe of what you do. The cost would have been $250,000 to us and they are asking for $15,000. They don’t ask for much and we are fortunate to have them. At one time the County Sheriff’s Department had to conduct a seizure and we foot the whole bill. I’m asking you to vote yes on this.

Mr. Schwartz stated he’s confused because why wasn’t this individual prosecuted? Why not go after the individuals who didn’t retrieve their horses? I think that should be looked at.
Mr. Weaver stated with a bare bones budget and giving managerial staff a token raise that I personally think is an insult, I can’t support this.

Mr. Creath stated I support this. If they weren’t here, we would have a big bill.

Mr. Hauryski stated everybody mentions this big bill. My gut feeling is what is going to happen if this happens again? The dollars we are throwing out here, I guess it is going to what Mr. Schwartz is saying. We have to have some accountability. The taxpayer isn’t going to be able to afford this kind of money if it happens again and again. I have, however, changed my position since the AIP Committee meeting. We’re going to have our backs against the wall next year and my advice to the SPCA and anybody else out there: I don’t think you should come calling again for any large dollar amounts as it is going to be difficult.

Mr. Stachnik stated based on Dr. Farmer’s comments and her 20 years of experience, this is the worst case she has ever seen. This is an extraordinary circumstance. I think we owe this or else we would be derelict in our duty.

Mr. Donnelly noted that if a perpetrator has no assets, there is nothing to recoup.

Vote: Roll Call – Adopted. Yes: 8377; No: 1044; Absent: 451.
(No: Ryan and Weaver. Absent: Argentieri)

RESOLUTION NO. 182-09

Introduced by D. Creath. Seconded by T. Schwartz.

MODIFYING, ADOPTING, AND CONSOLIDATING AGRICULTURAL DISTRICTS NO. 10 AND NO. 11 AS A RESULT OF THE EIGHT YEAR REVIEWS OF SAID DISTRICTS.


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 November 23, 2009.

NOW THEREFORE, BE IT

RESOLVED, that District No. 10 and District No. 11 shall be consolidated into one district called District No. 10; 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. 10 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. 183-09

Introduced by P. Roche. Seconded by P. Donnelly.


Pursuant to Section 151 and Section 450 of the County Law of the State of New York.

BE IT RESOLVED, this Steuben County Legislature shall meet at the Legislative Chambers on Pulteney Square in the Village of Bath, New York, on Monday, the 4th day of January, 2010, at 10:00 A.M. for the purpose of the transaction of any business that may properly come before any regular meeting of this Legislature; 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. 184-09

Introduced by P. McAllister. Seconded by All Legislators Present.

MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE IN OPPOSITION TO REISSUANCE OF LICENSE PLATES AND ASSOCIATED FEES.

WHEREAS, New York State has proposed a new license plate reissuance program to take effect in April 2010 that will cost taxpayers a minimum of $25 for those who obtain a new license plate number, and an additional fee of $20 for those who desire to keep their current number; and
WHEREAS, the New York State Association of County Clerks unanimously opposes said tax imposition and the need for license plate replacement at this time; and

WHEREAS, this legislative body desires to minimize the tax and fee burden placed on its residents by the State of New York.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature does hereby declare its opposition to the proposed 2010 license plate reissuance program as an unnecessary burden for New Yorkers already coping with the ongoing recession, and urges that the implementation of the exchange program be cancelled or delayed; 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.

Vote: Acclamation – Adopted.

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 Mr. Donnelly, seconded by Mr. Gehl and duly carried.

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

Chairman Roche asked if there were any objections to the consideration of a resolution not on the agenda. There being none, the Clerk of the Legislature read the following resolution:

RESOLUTION NO. 185-09

Introduced by P. Roche. Seconded by T. Schwartz.

PRESENTING LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2009 ESTABLISHING THE STEUBEN COUNTY LOCAL CONDITIONAL RELEASE COMMISSION.

Pursuant to Article 12 of the Corrections Law.

WHEREAS, the Corrections Law of the State of New York now provides an option to establish a County Local Conditional Release Program; and

WHEREAS, the County of Steuben is desirous of availing itself of said option; and

WHEREAS, it is deemed in the best interest of the County of Steuben to do so.

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 2009 establishing the Steuben County Local Conditional Release Commission.
COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. FIVE FOR THE YEAR 2009

A LOCAL LAW establishing the Steuben County Local Conditional Release Commission.

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

SECTION 1. Legislative Intent

It is the legislative intent of this Local Law to establish a Local Conditional Release Commission pursuant to Article 12 of the Corrections Law.

SECTION 2. Definitions

As used in this Local Law, the following terms have the following meanings:

2. “County Administrator” means the Steuben County Administrator.
3. “Division” means the division of probation and correctional alternatives.

SECTION 3. Steuben County Local Conditional Release Commission; organization

1. Such commission shall be appointed by the county administrator, upon the advice and consent of the county legislature. Each such commission shall consist of at least five members. Each member of the commission shall have graduated from an accredited four year college or university and shall have had at least five years of experience in the field of criminology, administration of criminal justice, law enforcement, probation, parole, law, social work, social science, psychology, psychiatry or corrections.
2. The term of office of each member of such commission shall be for four years; provided, however, that any member chosen to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom the person is to succeed. Vacancies caused by expiration of term or otherwise shall be filled in the same manner as original appointments.
3. No member of the commission shall serve as a representative of any political party on an executive committee or other governing body thereof, as an executive officer or employee of any political committee, organization or association, nor be a judge or justice, a sheriff or district attorney.
4. Any member may be removed by the county administrator, for cause, after notice and an opportunity to be heard.
5. The director of the local probation department, or such director's designee, shall serve as an ex-officio, nonvoting member of the commission.
6. The local probation department shall assign staff support to the commission.

SECTION 4. Steuben County Local Conditional Release Commission; function, powers and duties

The commission shall:

1. have the power and duty of determining which persons sentenced within the county, and serving a definite sentence of imprisonment and eligible for conditional release pursuant to subdivision two of section 70.40 of the penal law may be released on conditional release and when and under what conditions in accordance with section two hundred seventy-three of this article;
2. have the power to determine, as each inmate applies for conditional release, the need for supplemental investigation of the background of such inmate and cause such investigation as may be necessary to be made as soon as practicable. The commission may require that the Steuben County Probation Department conduct such supplemental investigation. The results of such investigation together with all other information compiled by the local correctional facility and the complete criminal record and family court record of such inmate shall be readily available when the conditional release of such inmate is being considered. Such information shall include a complete statement of the crime for which the inmate has been sentenced, the circumstances of such crime, all presentence memoranda, the nature of the sentence, the court in
which such inmate was sentenced, the name of the judge and district attorney and copies of such probation reports as may have been made as well as reports as to the inmate's social, physical, mental and psychiatric condition and history;
3. have the legal custody of persons conditionally released and placed under the supervision of the local probation department for a period of one year, or until returned to the custody of the local correctional facility located in the jurisdiction of the commission, as the case may be;
4. have the power to revoke the conditional release of any person in the legal custody of the commission and to issue declarations of delinquency and authorize the issuance of a warrant for the retaking of such person, as provided for in section two hundred seventy-four of this article;
5. for the purpose of any investigation necessary in the performance of its duties, have the power to issue subpoenas, to compel the attendance of witnesses and the production of books, papers, and other documents pertinent to the subject of its inquiry. The minutes of all commission meetings must be recorded and such records shall be retained according to applicable standards;
6. have the power to authorize any members thereof to administer oaths and take the testimony of persons under oath;
7. notify, in writing, the initial sentencing court, the district attorney and defense counsel within five business days of receipt of an application for a local conditional release filed under this article and provide a fifteen day period for comment on such application. Comments submitted under this subdivision shall be provided to the commission and all parties;
8. notify in writing the appropriate local probation department prior to release of a conditionally released person of such department's responsibilities to supervise such person; such notice shall include the name and residence of the person, the date of release, the conditions of release, and all necessary records maintained on such person to aid the local probation department in the performance of its responsibilities pursuant to subdivision six of section two hundred fifty-six of the executive law;
9. have the power to transfer the legal custody of persons conditionally released in accordance with the provisions of section two hundred seventy-five of this article;
10. present an annual report to the county legislature, of its findings and actions on submitted applications.

SECTION 5. Conditional release; procedures for application and determinations

1. Any inmate who is eligible for conditional release by a commission pursuant to subdivision two of section 70.40 of the penal law and who has served a minimum period of sixty days in a local correctional facility may apply for conditional release. Eligibility criteria shall be limited to inmates:
   (a) who have not been previously convicted and who do not stand convicted of any crime which would make such inmate ineligible for the receipt of merit time pursuant to section eight hundred three of this chapter, any crime pursuant to article two hundred thirty-five of the penal law when the victim of such offense was under the age of eighteen at the time of the offense, or any crime which the commission determines constituted a crime of domestic violence;
   (b) having jail records which make them eligible for a reduction of sentence under section eight hundred four of this chapter;
   (c) having verified community ties in one of the following areas: employment, permanent residence and family.
Application shall be made in writing, on forms prescribed by the division, to the commission in the county where the sentence was imposed.
2. The commission shall review and make a determination on each application within thirty days of receipt of such application. No determination granting or denying such application shall be valid unless made by a majority vote of at least three commission members present. No release shall be granted unless there is a reasonable probability that, if such inmate is released, he or she shall live and remain at liberty without violating the law, and that his or her release is not incompatible with the welfare of society and shall not so deprecate the seriousness of his or her crime as to undermine respect for law.
3. If conditional release is granted, the commission shall set the conditions for release of the person in accordance with rules and regulations promulgated by the division. Such person shall be given a copy of the conditions of release. Such conditions shall, where appropriate, include a requirement that the person comply with any restitution order previously imposed by a court of competent jurisdiction that applies to the person.
4. No person who has been granted conditional release shall be released until such person has served a minimum period of incarceration of ninety days, in accordance with subdivision two of section 70.40 of the penal law, and unless such person has agreed in writing to the conditions set by the commission. Such agreement shall state in plain, easily understandable language the consequences of a violation of one or more of the conditions of release.
5. Persons who have been granted conditional release by the commission established pursuant to this article shall, while on conditional release, be in the legal custody of the commission for a period of one year, or until returned to the custody of the local correctional facility located in the jurisdiction of the commission, as the case may be. The probation department located in the jurisdiction of the commission has the duty of supervising the person during the period of such conditional release. The commission shall impose a minimum of four supervision contacts per month while the person is on conditional release, unless the commission determines that fewer contacts are appropriate in any individual case.

6. If conditional release is not granted, the commission shall inform the person in writing of the factors and reasons for such denial of conditional release within fifteen days of the decision. Such reasons shall be given in detail and not in conclusory terms. Inmates denied conditional release are eligible to reapply sixty days after the date of the denial.

SECTION 6. Conditional release; procedures for violation, delinquency, warrants and revocation

1. If at any time during the period of conditional release, the commission, or any member thereof, has reasonable cause to believe that a person who has been conditionally released has lapsed into criminal ways or company, or has violated one or more conditions of conditional release, the commission or such member may declare such person delinquent and issue a written declaration of delinquency. Upon such declaration, such commission or such member may issue a warrant for the retaking and temporary detention of such person.

2. A warrant issued pursuant to this section shall constitute sufficient authority to the chief administrative officer of any local correctional facility to whom it is delivered to hold in temporary detention the person named therein.

3. A warrant issued pursuant to this section may be executed by any probation officer or any officer authorized to serve criminal process or any peace officer, who is acting pursuant to his or her special duties, or any police officer. Any such officer to whom such warrant shall be delivered is authorized and required to execute such warrant by taking such person and having him or her detained as provided for in this section.

4. The alleged violator shall, within five days of the execution of the warrant, be given written notice of the time, place and purpose of the hearing. The notice shall state what conditions of conditional release are alleged to have been violated and in what manner and shall inform the alleged violator of his or her right to counsel as provided for in subdivision seven of this section.

5. The alleged conditional release violator shall appear before the commission within twenty days of the execution of the warrant. At the time of such appearance the commission shall ask the alleged violator whether he or she wishes to make any statement with respect to the violation. If the alleged violator makes a statement, the commission may accept it and base a decision thereon. If the commission does not accept it, or if the alleged violator does not make a statement, the commission shall proceed with the hearing.

6. The commission may receive any relevant evidence. The alleged violator may cross examine witnesses and may present evidence on his or her own behalf.

7. The alleged violator is entitled to counsel at all stages of any proceeding under this section and the commission shall advise him or her of such right upon delivering to the alleged violator written notice, required pursuant to subdivision four of this section.

8. At the conclusion of the hearing, the commission shall issue a finding. If the commission is not satisfied that there is a preponderance of evidence in support of the violation, the commission shall dismiss the violation, cancel delinquency and restore the person to supervision. If the commission is satisfied that there is a preponderance of evidence that the alleged violator violated one or more conditions of conditional release in an important respect, the commission shall so find.

9. Upon a finding in support of the violation, the commission may revoke the conditional release, or continue or modify the conditions of such conditional release. Where the commission revokes a person's conditional release, such person shall be committed to the custody of the chief administrative officer of the local correctional facility to serve the time remaining on his or her sentence, in accordance with subdivision three of section 70.40 of the penal law. Where the commission modifies the conditions of the conditional release, the commission shall inform the person, in writing, of such modified conditions.

10. Any actions by the commission pursuant to this article shall be deemed a judicial function and shall not be reviewable if done in accordance with law.

SECTION 7. Transfer of custody and supervision of conditional release

1. If a person who has been granted conditional release pursuant to this article resides or desires to reside in a place other than the one located within the jurisdiction of the commission which has legal custody of such person, such commission,
or any member thereof, may designate any other commission established pursuant to this article, or the parole board, to assume custody of such person and may so transfer custody upon the consent of such other commission or the parole board.

2. Where custody of a person who has been granted conditional release pursuant to this article is transferred pursuant to subdivision one of this section, upon designation and prior to transfer, the commission making the designation shall notify the commission which has been designated to receive custody of such transfer or the parole board. The commission making the designation shall immediately forward its entire case record regarding such person to the receiving commission or the parole board. The commission to which legal custody has been transferred, or the parole board, shall assume the same powers and duties exercised by the designating commission and shall have the sole custody of such person.

3. The commission making the designation shall, upon designation and prior to transfer, notify the local probation department located in the jurisdiction of the receiving commission of the duties of supervision and conditions of release of such person. Upon such notification, such probation department shall assume responsibilities of supervision. The commission making the designation shall immediately forward its entire case record regarding such person to such probation department.

SECTION 8. Regulations and report

The division shall promulgate regulations in conformance with the provisions of this article which ensure that local conditional release commissions operate in accordance with the requirements provided in the Corrections Law. The division shall report annually to the speaker of the assembly and to the temporary president of the senate concerning the operations of local conditional release commissions.

SECTION 9. Effective date: immediately upon adoption.

BE IT FURTHER RESOLVED, before said Local Law is adopted by the County Legislature, a Public Hearing shall be held on December 8, 2009 at 9:00 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 Director of Steuben County Probation Department.

Vote: Acclamation – Adopted.

Per the directive of the Chairman, received by the Clerk of the Legislature on November 30th, the public hearing was rescinded for the above resolution.

Motion to adjourn made by Mr. Stachnik, seconded by Mr. Weaver and duly carried.
The County Legislature of the County of Steuben convened in Special Session in the Legislative Chambers, Bath, New York, on Monday, November 23rd, 2009, at 6:00 p.m. and was called to order by the Chairman of the Legislature, Philip J. Roche.

Roll Call and all members present except Legislators Argentieri and Schwartz.

Mr. Nichols provided the invocation and Mr. Stachnik led the Pledge of Allegiance.

Chairman Roche opened the floor for comments by members of the public. There being none, he 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 upon Local Law Tentatively No. Four for the Year 2009, 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 2010. Chairman Roche 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 Notice of Completion and Filing of the Assessment Roll for the year 2009 for the Marsh Ditch Watershed Protection District in the Towns of Dansville and Hornellsville. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, 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 Notice of Completion and Filing of the Assessment Roll for the year 2009 for the Upper Five Mile Creek Watershed Protection District in the Towns of Prattsburgh, Wheeler and Urbana. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, 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 Notice of Completion and Filing of the Assessment Roll for the year 2009 for the Lamoka/Waneta Lakes' Protection and Rehabilitation District in the Towns of Wayne and Bradford. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being none, 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 of said County for the fiscal year 2010. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing.

Ristiina Wigg, Southern Tier Library System, stated thank you very much for continuing your support of the libraries, especially in this tough economic climate.

Marty Dibble, Wayland Library, stated without your support, we would have to raise taxes. It means a lot to us. We’ve got people pouring in looking for jobs and our 12 computers are in use constantly.

Jill Blagg, Addison Library, stated our children’s programs provide an extension of our English Language Arts curriculum for our children. I thank you for all that you have done for us. We’d like to continue offering our children the opportunity for this life of learning.
Jerry Keeler, Dormann Library, acknowledged the support the County has given all of the libraries. We are the gateway to new training and opportunities. As the economic climate worsens, our libraries are used more. Thank you for your support.

Paul Danielson, Southeast Steuben Library, stated we appreciate the support of the County. We make very good use of the money you give us, especially with providing technology. Your money goes to cover databases and electronic forms of information that our patrons make great use of. You are definitely getting your money’s worth.

Pauline Emery, Southeast Steuben Library, stated we’re seeing increases in the use of our library. Libraries do bridge the gap with technology. Your support is imperative and allows us to do a good job. We have added additional computer classes to help job seekers learn a new skill.

Lorraine Nelson, Howard Library, stated your funding provides our children in Howard with an equal opportunity for learning. Thank you.

There being no further comments, Chairman Roche declared the public hearing closed.

Mr. Alger stated Chairman Roche asked me to provide you with a short recap of where we are as compared with our neighbors. Chemung and Schuyler Counties both have increases in their tax levy that are larger than ours. Going into next year we have a solid budget trying to make sure we had a lower levy impact. Ours is going down one penny in the tax rate. We’ve been able to maintain services even with reductions in programs without severely impacting the residents receiving the services.

Chairman Roche announced that earlier today we voted to have a public hearing on December 2nd, 2009, regarding Local Law Tentatively No. Five of 2009. We need change the date to December 8th at 9:00 a.m. in order to comply with the publication deadline.

Motion changing the date for the public hearing upon Local Law Tentatively No. Five of 2009 to Tuesday, December 8, 2009, at 9:00 a.m. made by Mr. Donnelly, seconded by Mr. Gehl and duly carried.

Chairman Roche opened the floor for discussion regarding the proposed 2010 Budget. There being no discussion, he declared the Budget Workshop closed.

Chairman Roche thanked everyone for their hard work on the budget. He stated Department Heads and staff worked hard to bring in this budget.

RESOLUTION NO. 186-09


WHEREAS, there has been duly presented to the members of the Steuben County Legislature on November 13, 2009, County of Steuben Local Law Tentatively No. Four for the Year 2009, 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 2010, and this Legislature by resolution, preliminarily adopted said Local Law on November 13, 2009, making the final adoption of said Local Law subject to a Public Hearing to be held on November 23, 2009, 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 23, 2008 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. Four for the Year 2009, 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 2009

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 2010.

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 2010, 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 2010 as follows, to wit:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>2009 SALARY</th>
<th>2010 SALARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk of Legislature</td>
<td>$56,933</td>
<td>$57,858</td>
</tr>
<tr>
<td>Commissioner, Public Works</td>
<td>$88,275</td>
<td>$89,709</td>
</tr>
<tr>
<td>Commissioner, Social Services</td>
<td>$85,166</td>
<td>$86,550</td>
</tr>
<tr>
<td>County Attorney</td>
<td>$127,920</td>
<td>$129,999</td>
</tr>
<tr>
<td>County Auditor</td>
<td>$44,000</td>
<td>$44,883</td>
</tr>
<tr>
<td>County Clerk</td>
<td>$53,351</td>
<td>$54,218</td>
</tr>
<tr>
<td>County Treasurer</td>
<td>$82,202</td>
<td>$83,538</td>
</tr>
<tr>
<td>Director, Real Property Tax</td>
<td>$68,106</td>
<td>$69,213</td>
</tr>
<tr>
<td>Public Defender</td>
<td>$74,760</td>
<td>$75,881</td>
</tr>
<tr>
<td>Sheriff</td>
<td>$75,302</td>
<td>$76,526</td>
</tr>
</tbody>
</table>

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 (1) certified copy thereof to be filed in the office of the Steuben County Clerk, and one (1) certified copy 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.

RESOLUTION NO. 187-09


APPROVING AND CREATING THE ZERO-BASED 16 (B) POSITIONS CONTAINED IN THE TENTATIVE 2010 BUDGET OF THE COUNTY OF STEUBEN.

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

WHEREAS, the following 16B requests for zero-based positions were approved by the various committees; and

WHEREAS, all of these positions are zero-based in the 2010 Budget as listed; and

WHEREAS, it is necessary for the Legislature to authorize the said positions.

NOW THEREFORE, BE IT

RESOLVED, the following positions are hereby created and zero-based for the Departments listed:

<table>
<thead>
<tr>
<th>Department/Position</th>
<th>Number</th>
<th>Grade</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Care Facility</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receptionist</td>
<td>1</td>
<td>5</td>
<td>$24,925 – $35,189</td>
</tr>
<tr>
<td>Office for the Aging</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specialist, Services for the Aging</td>
<td>1</td>
<td>14</td>
<td>$36,416 – $51,412</td>
</tr>
<tr>
<td>Social Welfare Examiner</td>
<td>1</td>
<td>8</td>
<td>$28,238 – $39,866</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer, Personnel Officer, Administrator Health Care Facility, and Director Office for the Aging.
RESOLUTION NO. 188-09


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 2010 were duly filed with the Clerk of the County Legislature on or before November 13, 2009, 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 23, 2009, 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 2010; 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 2010 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 2010; 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, 2010 or thereafter in the Year 2010, 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 2010:
<table>
<thead>
<tr>
<th>Department/Project</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings &amp; Grounds</td>
<td>$399,000</td>
</tr>
<tr>
<td>Emergency Management Office</td>
<td>10,000</td>
</tr>
<tr>
<td>Information Technology</td>
<td>297,903</td>
</tr>
<tr>
<td>Public Works</td>
<td>$4,215,000</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>210,000</td>
</tr>
<tr>
<td>Parks</td>
<td>17,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$5,148,903</strong></td>
</tr>
</tbody>
</table>

**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**, those Capital Projects denoted as “Emergency Management Office” are hereby appropriated from the Communication Reserve; and be it further

**RESOLVED**, the balance of the $75,105 in the Public Safety Building Repairs and Renovations is authorized to be expended for debt service of the jail expansion bond; and be it further

**RESOLVED**, from and after January 1, 2010, 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, 2011, 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 2009 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 2010 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 Patrick F. Donnelly, Chairman, Finance Committee.

**Vote:** Roll Call – Adopted.

**RESOLUTION NO. 189-09**

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


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 2010, 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 2010, 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 2010 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 2010 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 2010 to be raised by taxes amounting to the sum of **$44,993,772** reduced by the pro-rata and omitted taxes of $26,921.81 and also reduced by anticipation of the sales tax credit in the amount of **$6,893,275.08** 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, 2010; 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 13, 2009 and filed with the Clerk of the Legislature on November 13, 2009 for the Year 2010, 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 2010; 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. 190-09

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

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2009 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 2009, 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 2010, 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 23, 2009, 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 23, 2009, 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 2009 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.

RESOLUTION NO. 191-09

Introduced by P. McAllister.        Seconded by F. Gehl.

ACCEPTING THE 2010 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 $18,400.00 of which sum $16,900.00 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 2010; 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. 192-09

Introduced by P. McAllister.        Seconded by R. Weaver.

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2009 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 2009 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 2010 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 23rd day of November 2009, 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 23rd day of November 2009, 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 2009 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. 193-09

Introduced by P. McAllister. Seconded by F. Gehl.

DIRECTING THE LEVY OF THE UPPER FIVE MILE CREEK WATERSHED PROTECTION DISTRICT FOR TAXES DUE JANUARY 2010.

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 2010, levied upon the various parcels of land in the said Protection District in the amount of $20,000.00 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. 194-09

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

COMPLETION AND FILING OF THE ASSESSMENT ROLL FOR THE YEAR 2009 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 2009 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 2010 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 23, 2009, 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 23rd day of November 2009, 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 2009 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. 195-09

Introduced by P. McAllister. Seconded by F. Gehl.


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 2010, levied upon the various parcels of land in the said Lakes’ Protection and Rehabilitation Districts in the amount of $30,611.14 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. Donnelly, seconded by Mr. McAllister and duly carried.
The County Legislature of the County of Steuben convened in Regular Session in the Legislative Chambers, Bath, NY on Monday, the 21st day of December, 2009, at 10:00 a.m. and was called to order by the Chairman of the Legislature, Philip J. Roche, Esq.

Roll Call and all members present except Legislator Argentieri.

Mr. Schwartz provided the Invocation and the Pledge of Allegiance was led by all outgoing Legislators.

Chairman Roche asked for a moment of silence in memory of Phyllis Peek, a longtime public servant and friend of Steuben County.

The 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 Local Law Tentatively No. Five for the Year 2009, Establishing the Steuben County Local Conditional Release Commission. Chairman Roche asked if anyone wished to address the Legislature relative to the Public Hearing. There being no comments, he declared the Public Hearing closed. Secretary’s Note: the resolution adopting this Local Law was withdrawn prior to final adoption.

Mike Maenza, ProAct, provided a status report on the 13 months since the launch of the County’s prescription discount card program. He stated the program has been well received and is a huge success. He stated that since the beginning of the program, card users have realized over $375,000 in savings on prescriptions. He reviewed the breakdown by pharmacy and the use of the cards based upon zip code. He noted that if you don’t see a heavy usage in some of your districts, you might want to encourage usage. Discussion followed. Chairman Roche thanked Mr. Maenza for his presentation.

Chairman Roche asked last year’s recipient, Assistant County Administrator Jack Wheeler, to provide the Traditional Fruitcake Presentation. Mr. Wheeler provided this year’s presentation through the use of audio-visual equipment. He created a video worthy of Sundance Film Festival acclaim depicting the infamous Steuben County fruitcake, looking uncannily similar to the “money you could be saving with Geico”, becoming his personal trainer, making him endure several different workouts. At the conclusion of this highly-entertaining “docudrama”, the fruitcake was forced to call 911 after Mr. Wheeler collapsed; setting the stage for the presentation to this year’s recipient, David Hopkins, E-911 Director. CONGRATULATIONS DAVE!

Mr. Hopkins thanked Mr. Wheeler for the award and stated he will try to do it justice next year.

The minutes of the previous month’s meetings were adopted upon the motion of Mr. Farrand, seconded by Mr. Weaver and duly carried.

Mrs. Hatch stated she placed on each Legislator’s desk a list of reports related to the town and county tax levy for 2010. She listed the reports that are included and noted that these relate to the fourth resolution on today’s agenda.

RESOLUTION NO. 196-09


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"

<table>
<thead>
<tr>
<th>Resolution No.</th>
<th>Former Owner</th>
<th>Parcel No.</th>
<th>Municipality</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Nick &amp; Erin Jensen</td>
<td>020.00-01-002.112</td>
<td>Prattsburgh Town</td>
<td>Correction &amp; Refund</td>
</tr>
<tr>
<td>A-2</td>
<td>Bath &amp; Hammondsport RR</td>
<td>118.00-01-089.000</td>
<td>Urbana Town</td>
<td>Correction (parcel split)</td>
</tr>
</tbody>
</table>

Vote: Roll Call – Adopted.

RESOLUTION NO. 197-09

Introduced by P. Roche. Seconded by F. Gehl.

RECEIVING AND ACCEPTING THE DECEMBER 21, 2009 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 13, 2009
Office of Community Renewal – Re: Fully executed copy of the New York State Community Development Block Grant (NYSCDBG) Agreement for Program Year 2009. Referred to: Greg Heffner, Planning Director.

Faith in Action Steuben County – Re: Proposal on Steuben Coordinated Transportation. Referred to: Human Services Committee; and Linda Tetor, OFA Director.

New York State Energy Research and Development Authority – Re: State Energy Program Agreement in the amount of $28,575.00. Referred to: Jack Wheeler, Assistant County Administrator.

November 16, 2009
NYS Department of Labor – Re: Review of the Local Plan Modification of the Chemung-Schuyler-Steuben Workforce New York. All issues identified as “findings” must be addressed to secure plan approval and needs to be submitted electronically no later than 30 days after date of letter. Referred to: Mark Alger, County Administrator.
November 23, 2009
U.S. Census Bureau – Re: 2010 Boundary and Annexation Survey Workshop information. This is the last opportunity for participants to update their legal boundaries prior to the completion of the 2010 Census. Referred to: Tom Sears, GIS Coordinator.

Harris Beach, PLLC – Re: Payment–in-lieu-of tax Allocation Agreement between Steuben County, Steuben County Industrial Development Agency, Town of Prattsburgh, Prattsburgh and Naples Central School Districts. Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

Finger Lakes S.P.C.A., Inc. – Re: Financial impacts and request for a one time grant of $15,000 which resulted from the August 2008 equine animal cruelty case. Referred to: A.I.P. and Finance Committees; Greg Heffner, Planning Director; and Carol Whitehead, County Treasurer.

NYS Department of State – Re: Fully executed SMSI grant agreement for the IT Services consolidation Project. Referred to: Jack Wheeler, Assistant County Administrator; and Ken Peaslee, IT Director.

November 25, 2009
Stuart I. Brown Associates, Inc. – Re: The State Archives and Records Administration (SARA) has recently announced applications for the 2010-2011 Local Government Records Management Improvement Fund (LGRMIF) must be submitted electronically by 5pm or postmarked no later than February 1, 2010. Referred to: Administration Committee; Ken Sherer, Records Manager; and Jack Wheeler, Assistant County Administrator.

Harris Beach, PLLC – Re: Canandaigua Power Partners, LLC and Steuben County Industrial Development Agency, distribution of second supplement to PILOT agreement and RP-412-a (Acquisition of additional 2008 supplemental property). Referred to: Finance and Administration Committees; Carol Whitehead, County Treasurer; Donna Hatch, RPTSA Director; and Fred Ahrens, County Attorney.

December 1, 2009
Bishop Sheen Ecumenical Housing Foundation, Inc. – Re: Public Notice on the HOME 2009 program in Steuben County. Referred to: filed with the Clerk of the Legislature.

NYS Education Department – Re: Medicaid Policy Updates for School Supportive Health Services Program (SSHSP) and the Preschool Supportive Health Services Program (PSHSP). Referred to: Health & Education Committee; Vicki Fuerst, PHN Director; and Diane Kiff, Special Children Services Administrative Officer.

December 2, 2009
NYS Department of Transportation – Re: Notification of vouchers recently sent to the State Comptroller that distributes the 2009-2010 Statewide Mass Transportation Operating Assistance (STOA) payments to the upstate formula bus systems. Referred to: Greg Heffner, Planning Director.

Western Regional Off-Track Betting Corporation – Re: Check in the amount of $4,972 which represents the October 2009 retained surcharge revenue for Steuben County. Referred to: Finance & Rules Committees; and Carol Whitehead, County Treasurer.

NYS Office of the Attorney General – Re: Notification of complete filing for the Jack Lisi Youth Award, Inc. annual filing for the year ending 12/31/05. Referred to: Human Services Committee; and Gary Pruyn, Youth Bureau Director.


December 3, 2009
Office of Community Renewal – Re: Certification of completion on Steuben County’s New York State Community Development Block Grant (NYS CDBG) #1115HR154-06. Referred to: Greg Heffner, Planning Director.
December 4, 2009
Office of 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: Greg Heffner, Planning Director; and Carol Whitehead, Treasurer.

December 8, 2009
NYS Department of Health – Re: Notification of Recertification Survey for the Steuben County Infirmary, Medicare Provider #335309, Plan of Correction required by 12/16/2009. Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

December 9, 2009
NYS Department of Health – Re: Amended Notification of Recertification Survey for the Steuben County Infirmary, Medicare Provider #335309, Plan of Correction required by 12/16/2009. Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

NYS Office of the Attorney General – Re: Notification of complete filing for the Jack Lisi Youth Award, Inc. annual filing for the year ending 12/31/07. Referred to: Human Services Committee; and Gary Pruyn, Youth Bureau Director.

December 10, 2009
NYS Department of Health – Re: Notification of amended Plan of Correction has been reviewed and determined to be acceptable (Steuben County Infirmary, Medicare Provider #335309). Referred to: Health & Education Committee; and Dave McCarroll, HCF Administrator.

Bishop Sheen Ecumenical Housing Foundation, Inc. – Re: Request to post the availability of housing services and programs available to income eligible homeowners in our community. Referred to: filed with the Clerk of the Legislature.

Vote: Acclamation – Adopted.

RESOLUTION NO. 198-09
Introduced by P. McAllister. Seconded by F. Gehl.


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 2010, and also by prior resolution duly adopted, made appropriations for the conduct of the County government for the Fiscal Year 2010; and

WHEREAS, the County Real Property Tax Service Director has prepared the statement of taxes due January 1, 2010, 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, 2010, tax rates and tax rolls for the taxes for the Year 2010 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, 2010; 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. 199-09


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.

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, such agricultural plastics shall be separated and apart from any other waste or recycling stream; and be it further

RESOLVED, the within resolution shall expire six (6) months after adoption; 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. 200-09


WHEREAS, a project for the replacement of BIN 1011100 on CR 115 (formerly US 15) over the Cowanesque River in the Town of Lindley, County of Steuben, PIN 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 of 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 be it further

RESOLVED, that the sum of $336,000.00 (of which, $300,000 has been previously appropriated) is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and be it 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 be it 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 Project costs within appropriations therefore that are not federal-aid and State eligible; and be it 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 be it further

RESOLVED, this Resolution shall take effect immediately.

Vote: Roll Call – Adopted.

RESOLUTION NO. 201-09

ACCEPTING AND APPROPRIATING THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 IMMUNIZATION PROGRAM GRANT.
WHEREAS, the New York State Bureau of Immunization is administering funds from the American Recovery and Reinvestment Act of 2009; and

WHEREAS, the mission of the statewide Immunization Program is to increase the number of children and adults vaccinated against vaccine-preventable diseases; and

WHEREAS, Steuben County has been awarded an Immunization Program grant in the amount of $20,000.

NOW THEREFORE, BE IT

RESOLVED, Steuben County accepts and appropriates these funds in the 2009 Steuben County Budget, any unspent funds will be re-appropriated to the 2010 budget; and be it further

RESOLVED, the Steuben County Treasurer is, and the same hereby is, authorized and directed to accept the $20,000 as revenue and appropriate $20,000 to Line Item A 402000 4 4600802, $3,000 to Line Item A 5 402000 5 419100, and $17,000 to Line Item No. A 402000 5 416100; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of Public Health Nursing Services and the County Treasurer.

Vote: Roll Call – Adopted.

RESOLUTION NO. 202-09

Introduced by F. Gehl and P. Donnelly. Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT $9,800 IN GRANT MONEY FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE.

WHEREAS, the Governor’s Traffic Safety Committee (GTSC) is awarding Steuben County $9,800 under the Child Passenger Safety Program; and

WHEREAS, it has been established that these funds would be used for purchasing child safety equipment; and

WHEREAS, it has been established that this funding will also be used for training and installation of child safety equipment; and

WHEREAS, this funding will enhance the current program already in place; and

WHEREAS, this is a zero match grant with no county funds expended.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to accept $9,800 as revenue and appropriate that amount to 331100 Traffic Safety Grant Fund in the Steuben County 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. 203-09

Introduced by F. Gehl and P. Donnelly.  Seconded by D. Farrand.

AUTHORIZING THE STEUBEN COUNTY SHERIFF TO ACCEPT $2,448 IN GRANT MONEY FROM THE GOVERNOR’S TRAFFIC SAFETY COMMITTEE.

WHEREAS, the Governor’s Traffic Safety Committee (GTSC) is awarding Steuben County $2,448 under the Bicycle Rodeo Safety Program; and

WHEREAS, it has been established that a portion of this funding will be used for the training and teaching of bicycle safety; and

WHEREAS, it has been established that a portion of these funds would be used for purchasing bicycle helmets; and

WHEREAS, this funding will create a new program for the Steuben County Sheriff’s office enhancing public awareness in bicycle safety; and

WHEREAS, this is a zero match grant with no county funds expended.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer be and the same hereby is authorized and directed to accept $2,448 as revenue and appropriate that amount to 331100 Traffic Safety Grant Fund in the Steuben County 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. 204-09

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

AUTHORIZING THE CREATION OF A CAPITAL PROJECT IN THE REAL PROPERTY TAX SERVICE AGENCY TITLED “CITRIX SYSTEM”.

WHEREAS, the Legislature did file for a grant through the NYS Office of Real Property Services for the purpose of Studying the Assessment System in Steuben County; and

WHEREAS, the County did receive the first of two $25,000 grant payments which was used to prepare a Study and was completed by an outside contractor; and

WHEREAS, the County did receive the second $25,000 grant payment after presenting the Study to the Legislature in February 2009; and

WHEREAS, as part of this study, the County committed to improving the assessment system and did submit a project request to the County Information Technology (IT) Department requesting development of a system which would provide online taxpayer access to all real property assessment information under the County’s website; and

WHEREAS, that project has been completed and the County IT Department has submitted related expenses of $19,162.
NOW THEREFORE, BE IT

RESOLVED, that the remaining balance of the second $25,000 grant payment in account 135500-43089600 of $5,838 be transferred to a new Capital Project titled Citrix System; and be it further

RESOLVED, that a project request be submitted to the County IT Department for the study and implementation of a Citrix System, which system may result with Steuben County hosting a dedicated server that would provide website access to all local Assessors and the County for the storing of and on going maintenance of the local assessment and inventory data; and be it further

RESOLVED, that certified copies of this resolution shall be sent to all Sole Appointed Assessors and Chair Persons of Boards of Assessors of Steuben County and to the Director of the Real Property Tax Service Agency.

Mr. Weaver asked will this be on the County website or will there be limited access? Mrs. Hatch stated at this point we are studying to see if it would be beneficial to have a Citrix system. The local assessors would have online access to our system.

Vote: Roll Call – Adopted.

RESOLUTION NO. 205-09

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

AUTHORIZED THE STEUBEN COUNTY ADMINISTRATOR TO ACCEPT GRANT FUNDS IN THE AMOUNT OF $28,575 TO CONDUCT AN ENERGY AUDIT OF THE FORMER HEALTH CARE FACILITY.

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has awarded Steuben County $28,575 under the Energy Conservation Study - ARRA Assistance Program; and

WHEREAS, Steuben County will benefit from the completion of a comprehensive energy audit to explore the use of renewable energy for heating and cooling, in addition to determining appropriate cost-saving measures; and

WHEREAS, Steuben County has partnered with Performance Systems Development of New York, LLC to assist in the preparation of the grant application and to conduct the comprehensive audit; and

WHEREAS, there is no required local match funding, nor any financial requirement to implement the recommended energy conservation measures.

NOW THEREFORE, BE IT

RESOLVED, the County Administrator is authorized to enter into an agreement with NYSERDA to accept grant funding in the amount of $28,575 for an energy audit of the former Health Care Facility; and be it further

RESOLVED, the County Administrator is authorized to enter into an agreement with Performance Systems Development of New York, LLC to conduct the energy audit; and be it further

RESOLVED, the County Treasurer is authorized to make the appropriate budget adjustments and transfers to satisfy the requirements of this reimbursable-based grant project; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the County Administrator, the County Treasurer, and Don Wells, Performance Systems Development of New York, LLC, 124 Brindley St., Ithaca, NY 14850.

Vote: Roll Call – Adopted.
RESOLUTION NO. 206-09


AUTHORIZING AND DIRECTING THE STEUBEN COUNTY TREASURER TO TRANSFER $180,000 FROM THE CONTINGENCY FUND TO PUBLIC DEFENDER ASSIGNED COUNSEL IN THE 2009 BUDGET.

WHEREAS, the County lacks funds to pay invoices from Public Defender Assigned Counsel attorneys in the 2009 budget.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Treasurer is hereby authorized to transfer from the Contingency Fund to Public Defender Assigned Counsel in the 2009 budget as follows:

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 199000 5 499 000</td>
<td>A 117300 5 423 200</td>
<td>$180,000</td>
</tr>
</tbody>
</table>

AND BE IT FURTHER RESOLVED, certified copies of this resolution shall be forwarded to the County Treasurer and the Public Defender.

Vote: Roll Call – Adopted.

RESOLUTION NO. 207-09

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

AUTHORIZING THE STEUBEN COUNTY PLANNING DEPARTMENT TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF HOUSING AND COMMUNITY RENEWAL FOR A COMMUNITY DEVELOPMENT BLOCK GRANT.

WHEREAS, Steuben County is an eligible applicant for the Community Development Block Grant (CDBG) Small Cities Program; and

WHEREAS, Arbor Development, Inc. is desirous of continuing its program of housing rehabilitation for low and moderate income households; and

WHEREAS, said housing rehabilitation activities are an eligible expenditure of CDBG funds; and

WHEREAS, under the CDBG Program, Steuben County is permitted to contract with Arbor Development, Inc. to provide said rehabilitation.

NOW THEREFORE, BE IT

RESOLVED, that the Steuben County Planning Department is hereby authorized to submit an application to the Department of Housing and Community Renewal for a Community Development Block Grant to provide funding for housing rehabilitation; and be it further

RESOLVED, the Chairman of the Steuben County Legislature is hereby authorized to sign the application as the Chief Elected Official of Steuben County; and be it further

RESOLVED, that should said grant be awarded to Steuben County, the Steuben County Treasurer is hereby authorized to deposit said grant in the appropriate line item in the Steuben County Budget; and be it further
RESOLVED, that the Steuben County Planning Director 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 Steuben County Planning Director, and Jeffrey E. Eaton, Executive Director, Steuben Churchpeople Against Poverty, Inc., d/b/a Arbor Development, 16 W. William Street, PO Box 31, Bath, NY 14810.

Vote: Roll Call – Adopted.

RESOLUTION NO. 208-09

Introduced by F. Gehl. Seconded by B. Schu.

APPROVING SUBMISSION BY THE STEUBEN COUNTY PROBATION DEPARTMENT OF THE ANNUAL ALTERNATIVES TO INCARCERATION PLAN AND EXPENDITURE OF FUNDS RECEIVED FOR THE ALTERNATIVE PROGRAMS.

WHEREAS, the Steuben County Probation Department has prepared an application and will submit same to the New York State Division of Probation & Correctional Alternatives for operation and funding of the Community Service Program, Pre-Trial Release Program and the Alcohol and Substance Abuse Intervention Program; and

WHEREAS, this plan has been approved by the Steuben County Alternatives to Incarceration Board.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature approves of the submission of said plan and the expenditure of funds toward the Alternatives to Incarceration Programs; and be it further

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

Vote: Roll Call – Adopted.

RESOLUTION NO. 209-09


RECLASSIFICATION OF A SENIOR TYPIST POSITION, GRADE VI, TO A COMPUTER AIDED DISPATCH SPECIALIST POSITION, GRADE XI, WITHIN THE STEUBEN COUNTY 911 ENHANCED DEPARTMENT.

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

WHEREAS, a position exists within the Steuben County 911 Enhanced Department that is inappropriately titled and not consistent with the duties of said position; and

WHEREAS, the Steuben County Personnel Officer and the Administration and Public Safety and Corrections Committees have reviewed and approved the recommended changes for said position.

NOW THEREFORE, BE IT

RESOLVED, effective with the adoption of this resolution, the following position in the Steuben County 911 Enhanced Department is hereby reclassified:

Senior Typist, Grade VI ($25,166-$35,527) to
Computer Aided Dispatch Specialist, Grade XI ($32,378-$39,975)
AND BE IT FURTHER RESOLVED, the Job Classification and Salary Schedule is hereby amended to reflect the above-stated changes; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Director of the 911 Enhanced Department, the County Treasurer, and the Personnel Officer.

Mr. Ryan asked will there be additional expenses in training this individual? Mr. Hopkins stated the individuals interested in applying for the position have already been trained in this system. There would be some additional training as we go through updating the application.

Mr. Van Etten stated this position, eventually we hope, would handle some of the support we are paying a lot of money for. Mr. Alger stated yes, we hope they would handle some of the in-house point of contact with Positron. This would hopefully take the third party out of the middle. We currently do a lot of troubleshooting ourselves in assistance to Frontier which is why we believe this is the way to go. It will hopefully save us some money, be more efficient and effective.

Vote: Roll Call – Adopted.

RESOLUTION NO. 210-09


APPOINTING MEMBERS TO THE STEUBEN COUNTY ALTERNATIVES TO INCARCERATION ADVISORY BOARD.


WHEREAS, the Alternatives to Incarceration Program has been in effect since 1985; and

WHEREAS, there is a requirement that said Board exists in order for the County to procure funding for certain Alternative to Incarceration Programs.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature appoints the following persons as members of the Steuben County Alternatives to Incarceration Advisory Board for a three-year term commencing January 1, 2010 through December 31, 2012:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honorable Peter C. Bradstreet (Chairman)</td>
<td>Chairman Public Safety &amp; Corrections Committee</td>
</tr>
<tr>
<td>Steuben County Court Judge</td>
<td></td>
</tr>
<tr>
<td>Honorable Marianne Furfure</td>
<td>Frank Justice</td>
</tr>
<tr>
<td>Surrogate Court Judge</td>
<td>Director of Probation</td>
</tr>
<tr>
<td>Honorable Joseph W. Latham</td>
<td>Robert Griffio</td>
</tr>
<tr>
<td>Steuben County Court Judge</td>
<td>435 North Main Street</td>
</tr>
<tr>
<td>Mark R. Alger</td>
<td>Penn Yan, New York 14527</td>
</tr>
<tr>
<td>Steuben County Administrator</td>
<td></td>
</tr>
<tr>
<td>John C. Tunney, Esq.</td>
<td>Robert Anderson, Ph.D., Director</td>
</tr>
<tr>
<td>Steuben County District Attorney</td>
<td>Steuben County Community Services</td>
</tr>
<tr>
<td></td>
<td>115 Liberty Street</td>
</tr>
<tr>
<td></td>
<td>Bath, New York 14810</td>
</tr>
</tbody>
</table>
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 Alternatives to Incarceration Advisory Board; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the above-named appointees; the County Auditor; and Robert M. Maccarone, Director, NYS Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, NY 12205.

Vote: Acclamation – Adopted.

RESOLUTION NO. 211-09

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

APPOINTING THE STEUBEN COUNTY RISK MANAGER 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 Risk Manager; 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 Kenneth E. Isaman of Hornellsville, New York, be appointed as the Steuben County Risk Manager; and

WHEREAS, it is the recommendation of the Administration Committee to set the salary of the Risk Manager at $65,000 per annum (Management Grade F).

NOW THEREFORE, BE IT

RESOLVED, that Kenneth E. Isaman of Hornellsville, New York, is hereby appointed as Steuben County Risk Manager, effective January 4, 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, the County Treasurer and the Personnel Officer.
Mr. Isaman invited everyone to come down to the office anytime. It is an honor to be back and working with the Legislature.

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

**RESOLUTION NO. 212-09**

Introduced by T. Schwartz. Seconded by All Legislators Present.

MEMORIALIZING THE PUBLIC SERVICE COMMISSION (PSC) OF THE STATE OF NEW YORK IN OPPOSITION TO NEW YORK STATE ELECTRIC AND GAS (NYSEG) AND ROCHESTER GAS AND ELECTRIC (RG&E) APPLICATIONS FOR RATE INCREASES; NYSEG CASE NOS. 09-E-0715 & 09-G-0716 AND RG&E CASE NOS. 09-E-0717 & 09-G-0718.

WHEREAS, NYSEG and RG&E have filed applications for 16-17 percent rate increases for electric and gas; and

WHEREAS, the County of Steuben is experiencing substantial unemployment with a dwindling economic base; and

WHEREAS, the applications by NYSEG and RG&E come at a time when the State of New York is seeking additional sums for governance of the State of New York; and

WHEREAS, the high cost of utilities for Upstate New York and in Steuben County in particular drives away employment and businesses from our county and state; and

WHEREAS, the Spanish Conglomerate, Iberdrola S.A. purchased the utilities a mere thirteen months prior to the within applications, the earliest date by which they could legally seek an increase; and

WHEREAS, Iberdrola S.A. heretofore attempted in a mere five months to increase rates which was heretofore denied; and

WHEREAS, there is no rationale for a hike in utilities based on a stable energy market which currently prevails.

NOW THEREFORE, BE IT

RESOLVED, the Steuben County Legislature does hereby memorialize the PSC to reject the rate increases filed by NYSEG and RG&E; and be it further

RESOLVED, a certified copy of this resolution shall be forwarded to the Hon. Garry A. Brown, Chairman, NYS Public Service Commission, Empire State Plaza, Agency Building 3, Albany, NY 12223; NYS Assemblyman James G. Bacalles; NYS Senator George Winner and NYS Assemblyman Thomas O’Mara.

Mr. Schwartz stated this has tremendous implications. They filed with the Public Service Commission for rate increases. Their sales are down due to the recession so they are trying to increase their fees to save the losses to the shareholders. This would give a 42% delivery charge increase on natural gas and 62% delivery charge increase for electric. Nobody can afford these increases.

**Vote:** Acclamation – Adopted.

Chairman Roche asked if there were any objections to addressing a resolution not on the agenda. There being no objections, the following resolution was presented:
RESOLUTION NO. 213-09

Introduced by P. Roche. Seconded by All Legislators Present.

CALLING FOR MEDICAID RELIEF AND CONTINUATION OF THE FEDERAL MEDICAID ASSISTANCE PERCENTAGE (“FMAP”).

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 $46 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, in response to the coordinated efforts of The New York State Association of Counties and county officials from across the state, the Governor and State Legislature included in the enacted 2005-06 State Budget a local Medicaid "cap" designed to limit annual Medicaid growth to 3.5 percent in 2006, 3.25 percent in 2007, and 3 percent in 2008 and years thereafter; and

WHEREAS, this Medicaid "cap" represents a significant reform in the way New York finances its Medicaid program and provides counties with a new level of stability and predictability that will benefit local taxpayers for years to come; and

WHEREAS, while the Medicaid "cap" will help shield local taxpayers from the impact of excessive Medicaid growth at the federal and state level, Steuben County remains 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, as New York's Medicaid program has evolved, it has become overly expensive, inefficient and unable to adapt to today's ever changing health care delivery environment; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 increased the Federal Medicaid Assistance Percentage, greatly assisting New York State counties during the current recession.

NOW, THEREFORE, BE IT

RESOLVED, that the Steuben County Legislature and the residents of Steuben County call for the continued implementation of the Local Medicaid Cap enacted in the 2005-06 state budget to stabilize county budgets and the impact the program has on local real property taxes; and

BE IT FURTHER RESOLVED, that the Steuben County Legislature calls for an extension of the enhanced FMAP currently set in the American Recovery and Reimbursement Act (ARRA) as passed by the United States House of Representatives in H.R. 3962; and

BE IT FURTHER RESOLVED, that the Steuben County Legislature and the residents of Steuben County call upon the Governor and State Legislature to continue to focus on the Medicaid program and expand statewide reform efforts designed to ensure public integrity, improve patient outcomes, and reduce overall program costs; 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,
RESOLUTION NO. 214-09

Introduced by P. Roche.        Seconded by All Legislators Present.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF RETIRING COUNTY LEGISLATOR RICHARD A. ARGENTIERI.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR RICHARD A. ARGENTIERI for his years of service on the Steuben County Legislature upon his retirement from public service.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of LEGISLATOR ARGENTIERI, 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 March 1979 as a Legislator representing District 1. During Richard’s tenure on the Legislature he served as both the Chairman and Vice Chairman of the Rules Committee, Vice Chairman of the Human Services Committee, and as Minority Leader of the Legislature. Richard has served with honor and distinction over his 30 years as a member of both the Board of Supervisors and the Steuben County Legislature, as well 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 RICHARD A. ARGENTIERI for his dedication, contributions and service to the residents of Steuben County and wish him continued success and good health.

Vote:  Acclamation – Adopted.

RESOLUTION NO. 215-09

Introduced by P. Roche.        Seconded by All Legislators Present.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF RETIRING COUNTY LEGISLATOR FRANCIS L. GEHL.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR FRANCIS L. GEHL for his years of service on the Steuben County Legislature upon his retirement from public service.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of LEGISLATOR GEHL, and publicly note its appreciation and thanks to him for his public service to the residents of Steuben County having served on the Board of Supervisors from January 1978 through December 1981, and as a member of the Legislature representing District 2 commencing January 1998. During Fran’s tenure on the Legislature he served as both the Chairman and Vice Chairman of the Public Safety and Corrections Committee, Vice Chairman of the Human Services Committee, Vice Chairman of the Administration Committee and as Minority Leader of the Legislature. Fran has served with honor and distinction over his 16 years as a member of both the Board of Supervisors and the Steuben County Legislature. He has worked tirelessly serving as a member of numerous advisory and ad hoc committees; also serving as a
RESOLVED, that the members of this Steuben County Legislature wish to thank FRANCIS L. GEHL for his dedication, contributions and service to the residents of Steuben County and wish him continued success and good health.

Mr. Gehl stated I would like to thank my wife, Lois. In April we will be wed 55 years. I would also like to thank Chris Kane, Brenda Mori, Amanda Chapman and Yvonne Erway. I could not have done it without you all. I thank my fellow Legislators for their support over the years. Mr. Alger, I would like to thank you for your leadership. To the department heads, I am thankful to have the best in County government. Good luck to our incoming legislators. I am ending my career on a very high note.

Vote: Acclamation – Adopted.

RESOLUTION NO. 216-09

Introduced by P. Donnelly. Seconded by All Legislators Present.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF RETIRING COUNTY LEGISLATIVE CHAIRMAN PHILIP J. ROCHE.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank CHAIRMAN PHILIP J. ROCHE for his years of service on the Steuben County Legislature upon his retirement from public service.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of LEGISLATOR ROCHE, 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 representing District 12 commencing April 1994. During Phil’s tenure on the Legislature he served as the Chairman of the Agriculture, Industry and Planning Committee and Vice Chairman of the Administration Committee. Phil was also elected to the Legislature’s highest honor serving as the Chairman of the Legislature since January 2006. Phil has represented Steuben County’s citizens with honor and distinction over his 15 years as a member of the Steuben County Legislature, having served as a member of various advisory and ad hoc committees, as well as serving for several years as a member of the Medicaid and Human Services Standing Committee of the New York State Association of Counties; and be it further

RESOLVED, that the members of this Steuben County Legislature wish to thank CHAIRMAN ROCHE for his dedication, contributions and service to the residents of Steuben County and wish him continued success and good health.

Chairman Roche stated I echo Legislator Gehl’s comments. Also, thank you for electing me Chairman for the past four years. It is always humbling to get elected, especially by those who know you. I’d like to thank the staff: Amanda Chapman - I always knew if I had a question at 4:50 p.m., Amanda would be here to answer it. Brenda Mori – she knows where everything is and has a quick wit. Chris Kane – you have to make the Legislature and I look good and you have done that. The employees of the County; they do it every day and do their jobs well. To the Department Heads and Management Group – you are probably the most under-appreciated employees in the County. Thank you for all that you do. Mr. Alger’s knowledge, experience and cynicism have been a great resource to me and this Legislature. While I was driving here today, I had a chance to reflect. When I started here, my son was 2 years old and next year he goes to college. At first I thought the same thing about him going away to college as I feel about the County: how are you going to do it without me? Well, I have confidence you will manage without me – as he will.

Vote: Acclamation – Adopted.
RESOLUTION NO. 217-09

Introduced by P. Roche. Seconded by All Legislators Present.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF RETIRING COUNTY LEGISLATOR THOMAS C. SCHWARTZ.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR THOMAS C. SCHWARTZ for his years of service on the Steuben County Legislature upon his retirement from public service.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of LEGISLATOR SCHWARTZ, 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 1996 as a Legislator representing District 13. During Tom’s tenure on the Legislature he served as both Chairman and Vice Chairman of the Public Safety and Corrections Committee. Tom has served with honor and distinction as a member of the Steuben County Legislature, as well 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 THOMAS C. SCHWARTZ for his dedication, contributions and service to the residents of Steuben County and wish him continued success and good health.

Mr. Schwartz stated we’ve had some feisty fights in these Chambers and I wish everybody peace and harmony in your life. Mr. Ahrens has waited 14 years to see this day and I imagine that by 1:00 p.m. today he will be in delirium. I might not like what you have to say but I defend the right for us to disagree.

Vote: Acclamation – Adopted.

RESOLUTION NO. 218-09

Introduced by P. Roche. Seconded by All Legislators Present.

RECOGNIZING THE SERVICE AND ACHIEVEMENTS OF RETIRING COUNTY LEGISLATOR DAVID R. STACHNIK.

WHEREAS, all members of the Steuben County Legislature would like to formally recognize and thank LEGISLATOR DAVID R. STACHNIK for his years of service on the Steuben County Legislature upon his retirement from public service.

NOW THEREFORE, BE IT

RESOLVED, that this Legislature is honored to recognize the service and achievements of LEGISLATOR STACHNIK, 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 1994 as a Legislator representing District 5. During David’s tenure on the Legislature he served as the Vice Chairman of the Agriculture, Industry and Planning Committee, Vice Chairman of the Health and Education Committee, Vice Chairman of the Administration Committee, and Chairman of Human Services Committee. David has served with honor and distinction as a member of the Steuben County Legislature, as well 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 DAVID R. STACHNIK for his dedication, contributions and service to the residents of Steuben County and wish him continued success and good health.
Mr. Stachnik echoed the praise of the county workforce and the management we have. It starts at the top with Mark Alger. Small minds will talk about people; mediocre minds will talk about events, but truly superior minds will talk about ideas and visions for the future. We have had stability in the County for several years and it is all due to the Administrative Code that we have. You might not always like it, but we adhere to it. To the incoming legislators: sometimes you listen to the loudest voice but that may not be the majority opinion of your constituents. I also would like to leave with a plug for management. In the future, you need to think about rewarding the Department Heads as they deserve. There always has to be disparity between the wages paid for management and what is paid to the people who work for them. We have very good employees and if you’ve been outside of Steuben and have worked with other County governments, you will see how much we have to be thankful for. I had the privilege of serving in Steuben County and I will take this with me for the rest of my days. Thank you.

**Vote:** Acclamation – Adopted.

*The meeting was adjourned upon the motion of Mr. Weaver, seconded by Mr. McAllister and duly carried.*