taxes, fees and interest due on the parcel, amounting to the sum of $959.47, and therefore the deed of the parcel to the County of Steuben should be cancelled, now therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to cancel the tax deed to the County of Steuben as of record on the above described parcel No. 710 of Warren and Mary Coons located in the Town of Prattsburg, the said Farmers Home Administration who hold a mortgage on the premises having paid the full amount of the taxes, fees and interest due on behalf of the former owners, and the Clerk of this Board is directed to forward certified copies of this resolution to Mr. John E. Clark, County Supervisor of the United States Dept. of Agriculture, Farmers Home Administration, Post Office Building, Wellsville, N.Y. 14895, to the former owners Mr. and Mrs. Warren Coons of R.D. #1, Prattsburg, N.Y., to the chairman of the Board of Assessors of the Town of Prattsburg, and to the Steuben County Treasurer.

The foregoing resolutions were seconded by Mr. Drake and adopted by roll call.

BY MR. BAUTER:

RESOLUTION NO. 103

Adoption Local Law No. 1—1967, Continuity Government, Attack or Public Disaster.

RESOLUTION ADOPTING A LOCAL LAW TO PROVIDE FOR THE CONTINUITY OF GOVERNMENT OF THE COUNTY OF STEUBEN, NEW YORK, IN THE EVENT OF AN ATTACK OR PUBLIC DISASTER AND PROVIDING FOR A PUBLIC HEARING THEREON AND NOTICE OF ITS BEING SUBJECT TO A PERMISSIVE REFERENDUM, in pursuance of Sections 10, 20, and 24 of the Municipal Home Rule Law and upon the recommendation of the County Insurance and Laws Committee and the Civil Defense Committee, duly adopted by the Board of Supervisors, Steuben County, New York, on the 17th day of April, 1967, a quorum of said Board being present and 31 supervisors voting in favor thereof and no supervisors voting against the same.

WHEREAS, Local Law No. One, 1967, County of Steuben, State of New York, providing for the continuity of government of the County of Steuben, New York, in the event of an attack or public disaster was printed in its final form, was placed upon the desks of the members of this Board of Supervisors, was introduced by Supervisor Carl L. Wellington to the Board on March 20, 1967, being at least seven calendar days before its adoption, and was then tabled for action by this Board at its meeting April 17, 1967, all in accordance with Section 20 of the Municipal Home Rule Law, and said Local Law having been taken from the table and reintroduced for action, now therefore be it,

RESOLVED, that there is filed and adopted, subject to the conditions hereinafter set forth, the following Local Law:

LOCAL LAW NO. ONE, 1967

COUNTY OF STEUBEN, STATE OF NEW YORK

A LOCAL LAW to provide for the continuity of government of the County of Steuben, New York, in the event of an attack or public disaster.

BE IT ENACTED by the Board of Supervisors of the County of Steuben, New York as follows:

SECTION 1. Intent. The New York state defense emergency act, in section twenty-nine-a thereof, authorizes political subdivisions of the
state to provide for the continuity of their governments in the event of an actual or imminent attack upon the United States by an enemy or foreign nation. The general municipal law, in section sixty thereof, authorizes political subdivisions to provide for the continuity of their governments in the event of other public disasters, catastrophes or emergencies. Based on the authority contained in such laws, this local law is adopted so that on such occasions the government of the County of Steuben, New York, may continue to function properly and efficiently under emergency circumstances.

SECTION 2. Definitions. As used in this local law the following terms shall mean and include:

a. "Attack." Any attack, actual or imminent, or series of attacks by an enemy or foreign nation upon the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shell fire, or nuclear, radiological, chemical, bacteriological, or biological means or other weapons or processes.

b. "Public disaster." A disaster, catastrophe or emergency, actual or imminent, of such unusual proportions or extent that (1) a substantial number of the residents of the County of Steuben either sustain injury, become ill, are infected with disease, have their lives imperiled, are killed or die as the result of injury, disease or exposure, or the property of a substantial number of such residents is imperiled, damaged, or destroyed, and (2) it is necessary and essential in the interest of public safety, health and welfare that the continuity of the government of the County of Steuben be assured in order that it be enabled to function properly and efficiently and to exercise its essential powers in meeting emergency conditions. Such disasters, catastrophes and emergencies may include, but shall not be limited to, conflagrations, explosions, earthquakes or other convulsions of nature, floods, tidal waves, pestilence, riots, insurrections, storms, prolonged failure of electric power or essential transportation services, or any incident or occurrence which causes or threatens to cause danger to life, health or property from exposure to noxious materials or radiation.

c. "Duly authorized deputy." A person authorized to perform all the powers and duties of a public office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer, where such authorization is provided pursuant to the provisions where such authorization is provided pursuant to the provisions of any general, special, or local law other than this local law.

d. "Emergency interim successor." A person designated pursuant to this local law for possible temporary succession to the powers and duties, but not the office, of a County Officer in the event that neither such officer nor any duly authorized deputy is able, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office.

SECTION 3. Designation, status, qualifications and terms of designation of emergency interim successors.

a. Elective Officers. Within thirty days following the effective date of this local law, and thereafter within thirty days after first entering upon the duties of his office, each elective officer shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to the powers and duties of his office and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, to perform the powers and duties of the office.

b. Appointive officers. Each officer or body of officers empowered by law to appoint officers shall within the time specified in subdivision a of this section, in addition to any duly authorized deputy, designate for
each such appointive officer such number of emergency interim successors to such officers and specify their rank in order of succession after any duly authorized deputy so that there will be not less than three duly authorized deputies or emergency interim successors, or combination thereof, for each such officer. Where such a body of officers consists of members having overlapping terms, such body of officers shall review and, as necessary, revise the previous designations of emergency interim successors by such board within thirty days after a new member elected or appointed to such body of officers first enters upon the duties of his office as a member of such body of officers.

c. Review of designations. The incumbent in the case of those elective officers specified in subdivision a of this section, and the appointing officer or body of officers specified in subdivision b of this section shall from time to time review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three duly authorized deputies or emergency interim successors, or combination thereof, for each elective and appointive officer of the county.

d. Qualifications. No person shall be designated to, nor serve as, an emergency interim successor unless he is legally qualified to hold the office of the person to whose powers and duties he is appointed to succeed.

e. Status of emergency interim successor. A person designated as an emergency interim successor shall hold that designation at the pleasure of the designator and such a designation shall remain effective until replaced by another by the authorized designator.

f. Compensation. An emergency interim successor shall serve without salary, unless otherwise provided by local law. He shall, however, be entitled to reimbursement for actual expenses necessarily incurred in the performance of his powers and duties.

SECTION 4. Assumption of powers and duties of officer by emergency interim successor. If, in the event of an attack or a public disaster, an officer described in subdivision a or subdivision b of section three of this local law or his duly authorized deputy, if any, is unable, due to death, absence from the county, or other physical, mental, or legal reasons, to perform the powers and duties of the office, the emergency interim successor of such officer highest in rank in order of succession who is able to perform the powers and duties of the office shall, except for the power and duty to discharge or replace duly authorized deputies and emergency interim successors of such officer, perform the powers and duties of such officer. An emergency interim successor shall perform such powers and duties only until such time as the lawful incumbent officer or his duly authorized deputy, if any, resumes the office or underakes the performance of the powers and duties of the office, as the case may be, or until, where an actual vacancy exists, a successor is duly elected or appointed to fill such vacancy and qualifies as provided by law.

SECTION 5. Recording and publication of designations. The name, address and rank in order of succession of each duly authorized deputy and emergency interim successor shall be filed with the county clerk and each designation, replacement, or change in order of succession of any emergency interim successor shall become effective when the designator files with such clerk the successor's name, address and rank in order of succession. Such clerk shall keep an up-to-date file of all such data regarding duly authorized deputies and emergency interim successors and the same shall be open to public inspection. The clerk shall notify in writing each designated person of the filing of his name as an emergency interim successor and his rank in order of succession and also shall notify in writing any person previously designated who is replaced or whose place in order of succession is changed.

SECTION 6. Qualification for taking office. At the time of their designation, or as soon thereafter as possible, emergency interim successors shall take such oath and do such other things, if any, as may be required to
qualify them to perform the powers and duties of the office to which they may succeed.

SECTION 7. Quorum and vote requirements. In the event of an attack or a public disaster the Chairman of the Board of Supervisors, or his duly authorized deputy or emergency interim successor performing his powers and duties, may suspend quorum requirements for the board of supervisors. If quorum requirements are suspended, any local law, ordinance, resolution, or other action requiring enactment, adoption or approval by an affirmative vote of a specified proportion of members may be enacted, adopted or approved by the affirmative vote of the specified proportion of those voting thereon.

SECTION 8. Separability clause. If any section, subdivision, sentence, clause, phrase or portion of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the section, subdivision, sentence, clause, phrase or portion thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 9. Effective date. This local law shall take effect upon its adoption and the filing of one certified copy thereof with the county clerk, one certified copy in the office of the state comptroller and three certified copies in the office of the secretary of state.

and be it further

RESOLVED, that before the Local Law is finally adopted by this Board of Supervisors, the said Board of Supervisors shall hold a public hearing at the Supervisors’ Chambers in the Village of Bath, New York, on the 15th day of May, at 10:30 A.M., and the Clerk shall cause notice of the Public Hearing to be posted on the bulletin boards at the respective Court Houses in Bath, Corning and Hornell and to be published for one insertion in the Corning Leader and the Hornell Evening Tribune, such posting and publication to be at least ten (10) days before the hearing and the Clerk shall file proof of such posting and publication in her office, and be it further

RESOLVED, that the notice shall be as follows:

"NOTICE IS HEREBY GIVEN, that the Steuben County Board of Supervisors will hold a Public Hearing at the Supervisors’ Chambers in the Village of Bath, New York, on the 15th day of May, 1967, at 10:30 A.M. upon Local Law No. One, 1967, County of Steuben, State of New York, providing for the continuity of government of the County of Steuben, New York, in the event of an attack or public disaster as follows.”

(Herein the Clerk shall insert the full text of said Local Law.)

"NOTICE IS FURTHER GIVEN, that the Local Law is subject to a permissive referendum of the qualified electors of Steuben County. Such referendum may be required by the filing of a petition within forty-five (45) days from the date of this notice with the undersigned Clerk of the Board of Supervisors demanding such referendum on Local Law No. One, 1967, County of Steuben, State of New York relating to the continuity of government of the County of Steuben. The petition must be signed by qualified electors of the County, registered to vote therein at the last preceding general election, in number equal at least ten percentum of the total number of votes cast for Governor at the last gubernatorial election in such County.”

BY ORDER OF THE BOARD OF SUPERVISORS.
Dated: April 17, 1967

MARIAN NASH
Clerk of the Board of Supervisors

and be it further
RESOLVED, that a report concerning the Public Hearing be made and filed with this Board of Supervisors of Steuben County.

Seconded by Mr. Balch.

ADOPTED BY ROLL CALL.

BY MR. BELANGER:

RESOLUTION NO. 104

Redemption: Anna Bricks property, Town of Wayland

RESOLUTION AUTHORIZING THE REDEMPTION OF THE ANNA BRICKS PROPERTY IN THE TOWN OF WAYLAND, in pursuance of Section 106 of the Social Welfare Law, duly adopted by the Board of Supervisors, Steuben County, New York on the 17th day of April, 1967, a quorum of said board being present and 32 supervisors voting in favor thereof and no supervisors voting against the same.

WHEREAS, Anna Bricks on December 21, 1964 conveyed premises in the Town of Wayland, Steuben County to the County to secure reimbursement for old age assistance and other public relief, said deed being recorded in the Steuben County Clerk's Office in Liber 826 of Deeds at Page 108, and the said Anna Bricks having died on April 23, 1966 and Anna R. Lawrence, a daughter, having indicated her desire to redeem the property by the payment to the County of $2,193.12, this being the total amount of welfare assistance granted to the said Anna Bricks, now therefore be it

RESOLVED, that the County Commissioner of Public Welfare is authorized and directed to deliver a conveyance of the aforementioned premises to Robert E. Lawrence and Anna R. Lawrence, residing at Perkinsville, Town of Wayland, New York upon the receipt by him of the sum of $2,193.12 and the Clerk is directed to forward certified copies of this resolution to the purchasers, to the tax assessors of the Town of Wayland and to the Commissioner of Public Welfare.

Seconded by Mr. Parks.

ADOPTED BY ROLL CALL.

Mr. Clark made a proposal that a study be made whereby towns pay non-resident tuition fees of their students attending the Corning Community College, as under the present procedure, the Greater Corning School District is paying a disproportionate share of the county budget appropriation. He further stated, if the college's growth rate continues as it has in the past three years, a greater disproportionate share is indicated.

Mr. Clark moved, seconded by Mr. Overstrom, and duly carried, that the matter be referred to the Insurance & Laws committee for study.

BY MR. CLARK:

RESOLUTION NO. 105

Appropriation: Steuben County Jail

RESOLUTION AUTHORIZING AN APPROPRIATION OF $6240.00 TO THE COUNTY JAIL ACCOUNT NO. 170-100 AND AUTHORIZING TRANSFER OF SAID AMOUNT FROM THE CONTINGENT FUND ACCOUNT NO. 200-650, in pursuance of Section 364 of the County Law and upon the recommendation of the Appropriations and Sheriff's Committees, duly adopted by the Board of Supervisors, Steuben County, New York, on the 17th day of April, 1967, a quorum of said Board being present and 31 supervisors voting in favor thereof and no supervisors voting against the same.