

## LOCAL BRIEFS

**Elmira woman charged with welfare fraud**

An Elmira woman has been arrested after police say she submitted false documents to establish eligibility for public assistance.

Jenny Hong Ha was arrested on an active Elmira City Court warrant for third degree welfare fraud, a class D felony, and first degree offering a false instrument for filing, a class E felony, according to Elmira police.

From May 2011 through August 2013, Hong Ha submitted false documents to the Chemung County Department of Social Services to obtain benefits including daycare assistance, food stamps and Medicaid, police said.

Hong Ha had received more than \$11,000 in food stamps and day care assistance she was not entitled to, according to the county's welfare fraud unit.

**One person injured in Sunday evening Elmira fire**

One person was injured when fire broke out Sunday evening at a home on Davis Street in Elmira.

Elmira firefighters were called to 709 Davis St. a 6:53 p.m. to respond to a blaze that started in the kitchen of a two-

story, single family home.

One occupant of the house was upstairs at the time.

He took himself to the hospital for treatment of smoke inhalation, fire officials said.

Units were on the scene for about an hour.

Fire investigators say the blaze was started by cooking oil that had been left unattended on the stove.

**Chemung Valley History Museum expands hours**

The Chemung County Historical Society is adding extra hours this summer for the Chemung Valley History Museum.

Beginning Thursday June 4th and running every Thursday until Sept. 3, the Chemung Valley History Museum will be open until 8 p.m.

Museum admission fees will also be waived Thursday evenings from 5 to 8 p.m., according to a news release.

Summer museum hours Monday through Saturday are 10 a.m. to 5 p.m., except Thursday, which is 10 a.m. to 8 p.m.

Museum admission is \$5 adults, \$3 to people over 55, \$1 for students ages 6-18 and free to children under 5 and historical society members.

**Appeal**

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reckless disregard for the safety of others, municipal vehicles that are engaged in work are immune from being held liable for damage, court documents say. The appeal then ensued.

Morris had been cleaning gravel that had spilled over a section of less than a half-mile of Interstate 86. While moving into the left lane to access a break in the concrete barrier to make a U-turn, the sweeper struck Matsch's car, who was attempting to pass the sweeper, according to court documents.

The primary issue in the appeal was whether Morris was actually engaged in work while operating the street sweeper, because immunity does not apply when traveling to or from the work location, according to the law.

The appeal maintained that Morris was not engaged in work because the sweeper broom was disengaged at the time of the accident. Morris was not traveling to another site, however, and a circuitous route involving a series of U-turns was necessary to be able to pass over the affected area a number of times to complete the work, court documents say.

Additionally, a state trooper assigned to escort Morris throughout the route to get her in and out of traffic safely testified he saw her check her mirror and look to the left and right before moving into the left lane, and that did not amount to reckless disregard for the safety of others, according to court papers. The original ruling was affirmed in a decision May 21.

Follow Ray Finger on Twitter @SGRayFinger.

**Obituaries****Barden, Esther**

Esther "Bonnie" Barden of Millport, NY, passed away Wednesday, May 27, 2015, in Coudersport, PA, on her 90th birthday. Bonnie is survived by her children, Linda (Richard) Chapman of The Villages, FL, Cindy (Joe) Stratton of Painted Post, NY,

Colleen (William) Frisk of TX, David (Ann) Barden of NY, Gary Barden of PA, and Robert (Becky) Freedman of MO; 15 grandchildren; several great grandchildren; siblings, Robert Gordon of FL, and Peggy Tucker of Horseheads; many nieces and nephews. Bonnie was born in Detroit, MI, to the late Archie and Harriet (Rosekrans) Gordon. In addition to her parents, she was also predeceased by her husband, DeFay M. Barden, Jr.; son, Larry Barden; and siblings, Johnny and Dickie Gordon and Susie Harness. Bonnie loved spending time in her home in the country, which her husband built, and was very proud of his "Labor of Love." She also loved her motor home and trips to Florida as well as bingo and loved singing to music. Bonnie will be greatly missed. Family and friends are invited to a graveside service on Wednesday, June 3, 2015, at 10AM in Maple Grove Cemetery, Horseheads, NY. In lieu of flowers, donations in Bonnie's memory may be made to the Chemung County Humane Society & SPCA, 2435 State Route 352, Elmira, NY 14903. Arrangements by the Barber Funeral Home, Inc. Condolences and remembrances at www.barberfuneralhome.com



A hand-cuffed, 13-year-old Eric Smith is guided into Town of Bath Court on Aug. 11, 1993, by New York State Police officers for arraignment on a second-degree murder charge in the beating death of Derrick J. Robie, of Savona.

**Parole**

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felons are clearly not going to get out of prison on parole.

"We need to pass this law," said Assemblyman Phil Palmesano, R-Corning. "It is not fair that families have to go through this ordeal and relive this tragedy every 24 months."

The bill has support in the Republican-led Senate, but has faced resistance in the Democratic-led Assembly. Advocates said there has been concern from some lawmakers that the measure could provide a disincentive for violent felons to rehabilitate.

But Sen. Tom O'Mara, R-Big Flats, said the bill would only give the Parole Board the option to delay parole for the most violent offenders who committed class A felonies. Also, with new leadership in the Assembly, lawmakers are hopeful the bill, which has languished in recent years, could gain enough support to be adopted.

"This is about the victim. It's about the victim's family that has to relive this nightmare every other year, going through the parole process," O'Mara said. "It's not right. It's not fair."

Derrick Robie's death drew national attention.

Now 35, Smith was 13 when he lured Derrick into a wooded area near the boy's Savona home and violently killed the boy as Derrick walked to summer camp at a nearby park.



State Sen. Tom O'Mara, R-Big Flats, urges for a parole bill to be passed by the state legislature during a news conference Monday near the state Capitol.

Smith was convicted a year later and sentenced to 9 years to life in prison. He's been denied parole seven times and is up again for review next year as he serves his sentence at the Collins Correctional Facility in Erie County near Buffalo.

Dorie Robie said she's merely looking for some peace for her family.

"Everything that I've squelched and healed over for a year and a half is gone," she said. "So this really is not fair to these families."

Follow Joseph Spector on Twitter @gannettalbany.



A portrait of Derrick Robie, taken when he was 4, is displayed on an easel in the Robies' home in 2004.

**Rating**

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He explained the differences between the ratings: "Standard and Poor's had the same data that Moody's does, but Moody's focuses on different factors than Standard and Poor's did," he said.

Moody's said the downgrade reflects the city's weakened financial position following several years of reserve draws, resulting in a negative unassigned fund balance and negative net cash position, with a reliance on market access to sustain operating liquidity.

The rating also incorporates the city's limited

but growing tax base, below-average socioeconomic indices, and elevated debt and pension burdens, Moody's said.

The city's rating could go down further with additional financial deterioration or failure to materially improve fund balance and liquidity, and if there is an increase in cash-flow borrowing, Moody's said.

However, the rating could go up with:

» An increase in the unassigned general fund balance to a positive level and improved liquidity.

» Elimination of the city's structural gap by aligning recurring revenues with recurring expenditures.

» Reduced reliance on cash-flow financing.

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