

First Special & Organizational Meeting
January 2, 2014

The First Special and Organizational Meeting of 2014 was called to order by the Clerk at 9:01 A.M.

The following County Legislators were present:

DISTRICT 1
Richard L. Huttleston

DISTRICT 5
Raymond P. Case

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Michael Roberts

DISTRICT 7
William H. Standinger, III
Ed Hollenbeck

DISTRICT 4
Loretta A. Sullivan
Tracy Monell

There were 29 people in attendance.

The Clerk asked Legislator Case to have a moment of Prayer. "As we approach this New Year, I ask the Heavenly Father to give us the guidance and compassion to do well by the people we serve."

Legislator Case led all Legislators and those in attendance in the Pledge of Allegiance.

County Clerk Robert Woodburn swore in District Attorney Kirk Martin and County Treasurer James McFadden.

County Treasurer McFadden asked for a moment of silence for William Distler who died yesterday. "He was a very honorable man and really set the goal very high in the office. He was a great guy."

The Clerk announced that the first order of business was the election of a Chair. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Weston. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all members voted Aye and the Clerk

cast one ballot and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one year term.

County Clerk Robert Woodburn swore Legislator Sauerbrey in as Chair of the Tioga County Legislature for 2014.

Chair Sauerbrey spoke. "I really appreciate this opportunity to lead the Tioga County Legislature and I appreciate your support. I look forward to working alongside all of you as we work together in the spirit of cooperation into the New Year. I first want to acknowledge Dale Weston for his leadership over the past seven years. There have been a lot of challenges along the way, everything from an economic slump to a major flood, and during those times Dale worked hard and kept us through and kept the helm steady. You know there is a quote and it says "the ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at the times of challenge and controversy. As Deputy Chair, I got to see a lot of that with Dale, his experiences with challenges and controversy. I observed Dale's commitment and diligence to serve the community, the County, and his sincere desire to do the best for the citizens of Tioga County, and Dale I thank you for that, we all thank you for that.

"As I stand here I look at the plaques around the room and I see the faces of those people that served before us, and I wonder what kind of challenges that they faced, what kind of success did they accomplish, did they work together cooperatively or did they have controversy. I can only guess that whatever they experienced, their motivation for service was similar to ours. I think we all want to be on the Legislature because we want to do the very best we can for our Government. I believe this Legislative body will continue to work to keep taxes low, provide needed services in the community in the most effective and efficient way. We all know that that is not an easy task, but I think we are all up to the challenge. I look forward to 2014 with a spirit of optimism, that whatever comes across our path we will work together to do the very best we can to overcome any obstacles. I look forward to being your leader and your partner as we move in to 2014. Thank you."

The Chair announced the next order of business was the election of a Deputy Chair. Legislator Hollenbeck nominated Legislator Case, seconded by Legislator Monell. Legislator Standinger nominated Legislator Weston, seconded by Legislator Roberts. Legislator Weston respectfully declined. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Monell. On roll call vote all members voted Aye and the Chair cast one ballot and Legislator Case was appointed Deputy Chair of the Tioga County Legislature for a one year term.

County Clerk Robert Woodburn swore Legislator Case in as Deputy Chair of the Tioga County Legislature for 2014.

The Chair called for nominations for Public Information Officer. Legislator Standinger nominated Douglas Barton, seconded by Legislator Case. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all Legislators voted for Douglas Barton as Public Information Officer, and the Chair cast one ballot and Douglas Barton was appointed Public Information Officer for a one year term.

The Chair called for nominations for Republican Majority Leader. Legislator Weston nominated Legislator Roberts, seconded by Legislator Case. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Monell. On roll call vote all Legislators voted for Legislator Roberts as Republican Majority Leader, and the Chair cast one ballot and Legislator Roberts was appointed Republican Majority Leader for a one year term.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Case stated. "I have none."

Legislator Hollenbeck stated. "I have none."

Legislator Huttleston stated. "I own a real estate appraisal company and I do no appraisals for any county owned properties or anything involving any county transactions."

Legislator Monell stated. "I have none."

Legislator/Chair Sauerbrey stated. "I have none."

Legislator Roberts stated. "I have none."

Legislator Standinger stated. "I have none."

Legislator Sullivan stated. "I have none."

Legislator Weston stated. "I have none."

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 1-14 *TRIPS AUTHORIZED*

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 2-14 *DESIGNATION OF OFFICIAL DEPOSITORIES*

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies received by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$30,000,000
Chemung Canal Trust Company	\$30,000,000
Citizens Bank, N.A.	\$30,000,000
Community Bank, N.A.	\$30,000,000

First Niagara Bank, N.A.	\$30,000,000
M&T Bank	\$30,000,000
Tioga State Bank	\$30,000,000
National Bank and Trust Company, N.A.	\$30,000,000

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 3-14 *DESIGNATE OFFICIAL NEWSPAPERS*

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws, notices and other matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 4-14 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 5-14 *DESIGNATION OF NEWSPAPER FOR
DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 6-14 SET SALARY OF CHAIR

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$31,784 per year, which includes the salary received as County Legislator of \$9,828 and an additional \$21,956 to serve as Chair.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 7-14 FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE
MEETINGS

RESOLVED: That the Tioga County Legislature during 2014 shall meet regularly in the Edward D. Hubbard Auditorium of the County Office Building, 56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Committees which are held during the first full work week of the month; and be it further

RESOLVED: That the, March, June, September and December 2014 Legislative meetings shall be held at 6:00 P.M; and be it further

RESOLVED: That the November 2014 Legislative meeting shall be held on Monday, November 10, 2014 at 12:00 P.M. due to Tuesday, November 11, 2014 being a Holiday.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 8-14 APPOINTMENT OF
ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2014; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2014 and be given a stipend of \$3,000.00 as set forth in the County budget.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 9-14 *APPOINT DIRECTORS
SOIL & WATER CONSERVATION
DISTRICT*

RESOLVED: That Legislators Dale Weston and Tracy Monell are hereby appointed Directors of the Tioga County Soil and Water Conservation District for a one year term of January 1, 2014 through December 31, 2014; and be it further

RESOLVED: That John King is hereby appointed the Pomona Grange Representative to the Tioga County Soil and Water Conservation District for a three year term of January 1, 2014 through December 31, 2016.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 10-14 *APPOINT MEMBER
BOARD OF ETHICS*

WHEREAS: Royden L. Fox has agreed to serve another term on the Board of Ethics; now therefore be it

RESOLVED: That Royden L. Fox, Majority appointment, be hereby appointed to the Board of Ethics for a three-year term effective 1/2/14 through 12/31/16.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 11-14 ANNUAL REVIEW OF PROCUREMENT POLICY

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; now therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 12-14 APPOINT MEMBERS
FISH & WILDLIFE
MANAGEMENT BOARD

RESOLVED: That Dale Weston, Tioga County Legislator, be appointed as the Elected Official Representative to the Fish and Wildlife Management Board for a two-year term through December 31, 2015 and Jeff Barnes be appointed as the Sportsman Member to the Fish and Wildlife Management Board for a two-year term through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:16 A.M.

WHEREAS: Dale N. Weston has served several terms on the Soil & Water Board; and

WHEREAS: Dale N. Weston has served as Chair of the Tioga County Legislature from January 2, 2007 through December 31, 2013; and

WHEREAS: Dale N. Weston has been extremely dedicated and loyal in the performance of his duties and responsibilities over the past nine years to the Tioga County Legislature and more importantly the past seven years as Chair of the Tioga County Legislature. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Dale N. Weston stepped down as Chair of the Tioga County Legislature on December 31, 2013; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Dale N. Weston for his nine years of dedicated and loyal service to the residents of Tioga County and in particular the last seven years as Tioga County Legislative Chair; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding Legislator, Dale N. Weston.

ROLL CALL VOTE

Unanimously Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Weston spoke. "Thank you. I guess I could argue to the negative on many of the points that she made there, but I will say it has been a real hoot. Thank you very much."

Legislator Huttleston read and presented the following recognition resolution to Teresa Ryder of the Department of Social Services.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 14-14 *RECOGNIZE TERESA L. RYDER'S
34 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Teresa L. Ryder began her career with the Tioga County Department of Social Services as a Social Welfare Examiner on August 8, 1980, and was promoted to Senior Social Welfare Examiner on April 16, 1984, and promoted to her current title of Welfare Management Systems Coordinator on February 10, 1986; and

WHEREAS: Teresa L. Ryder has been a dedicated and loyal employee in the performance of her duties as the Welfare Management Systems Coordinator; and

WHEREAS: Teresa L. Ryder has shown the highest levels of integrity, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Teresa L. Ryder will retire on January 31, 2014; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Teresa L. Ryder for her thirty-four years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Teresa L. Ryder.

ROLL CALL VOTE

Unanimously Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Huttleston spoke. "We go back a long ways and one thing about Teresa was she was always bubbly and always very personable, which I think is really a good trait plus Shawn has a tough void to fill right now. I appreciate what you and everybody in the Department of Social Services, and

you certainly have been a good employee and we are going to miss you. I hope you do not have to go through some bad times. As you know, she went through a bad time when the flood came. She got hit pretty hard and on top of it she still did her job. Thank you and I appreciate that."

Shawn Yetter, Commissioner of Social Services spoke. "Thank you Mr. Huttleston for recognizing Teresa. There is a great turnout here for Teresa and there is obviously a reason for that. There are a lot of retirees here today, which is absolutely great to see and all of you retirees who are back, you should know that this is pretty much what the size of our staff is down to now. If any of you are looking for volunteer opportunities, you are welcome to come back.

"We are just having to many of these high profile retirements at the Department lately and they do not get much more high profile for us than Teresa Ryder. With over 33 years of service and 27 years as our Welfare Management Systems Coordinator, Teresa has earned the respect of our staff, administration, other county staff, and State information technology staff. There is not much that she has not seen over the past many years and she takes with her an unimaginable amount of knowledge and history of how our systems operate. Teresa has witnessed hundreds of system changes and throwing one more at you before you leave, and has transitioned through them all seamlessly, smoothly taking the agency along with her.

"Her duties range from high level conversations with State IT officials to crawling on her hands and knees under employees desks to assist with technical difficulties. There is not anything that she will not do. We were hoping that did not include retire, but here we are. Along with her high level of technical expertise, Teresa has always maintained a great sense of humor and love for her job. Her explanation of specific computer situations often times comes with her spot on skills as an impressionist of the person that she was just dealing with and if any staff out there think that you were exempt from this, you are not. She can do you all.

"There are also so many specific instances of when Teresa rose to the highest levels of dedication and skill, but I cannot possibly name them all. Two that have to be mentioned are how flawlessly she handled our move into the new building in 2005 with no lost systems productivity other than the expected actual day of the move. At that time we had over 110 users and workstations to deal with and it was no easy task. As Dick mentioned, the flood of 2011 where Teresa was personally impacted so significantly, but was also right there when we needed her to keep things moving with our systems needs of both the HSS Building and Disaster Center locations. During those difficult times Teresa defined civil servant and dedication.

"What is important to remember about Teresa is she never lost her roots with the organization and that is her initial role as an Examiner and Senior Examiner, making sure that those we serve are served in a timely and emphatic manner. I believe that those years of experience grounded her for her entire career. It has been a benefit to both the people we serve and the taxpayers of the county that the person responsible for top notch functional systems and efficient timely data entry operations has been Teresa Ryder. All the complexities of the technical world she has lived in for 27 years, she has never over those years lost sight of our mission and our values.

"You are one of the few employees we have who touches the work lives of all employees and I can say without doubt that every employee wishes you the best as you move into the next phase of your life. We all wish you the healthiest and happiest of retirements and it is said with sincere respect and gratitude for all that you have given to the Department. Thank you."

Teresa Ryder spoke. "Thank you Shawn. Thank you for the very kind words. I want to thank my family, my husband and daughters are here today. My kids were babies when I started working at DSS, so to them and to me working for the County and DSS has been part of me. It is part of my identity and it has been in a very very positive way. I am so fortunate to have worked for an agency that I believe in and I am proud of, and to have a job that I am challenged by and I have really loved for years and years, and I am never ever bored, never.

"I am fortunate to have people to work for that I admire and respect, Shawn, Gail Barton, and my Director, Gary Grant. Thanks so much. Thanks to the staff of the Fiscal Division, especially my current systems, past and present. You are great and I cannot thank you enough. Thanks to my fellow supervisors, i.e., my confidants and coconspirators. Thanks to all the folks really that I have worked with throughout the years. It has been great and I am going to miss everybody, but I do look forward to this next step and just thanks everybody."

Legislator Huttleston spoke. "It is quite a tribute. I appreciate all you people that came. This is quite a tribute. It tells you how well she was liked and I appreciate it."

Legislator Sullivan read and presented the following recognition resolution to Adam Schumacher, formerly of the District Attorney's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGAL COMMITTEE

RESOLUTION NO. 15-14 *RECOGNIZE ADAM SCHUMACHER'S
13 YEARS OF DEDICATED SERVICE
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Adam Schumacher began his career with the Tioga County District Attorney's Office as Third Assistant District Attorney on September 25, 2000, was promoted to Second Assistant District Attorney on July 12, 2006, and promoted to First Assistant District Attorney on January 2, 2013; and

WHEREAS: Adam Schumacher has been a dedicated and loyal employee in the performance of his duties to the District Attorney's Office; and

WHEREAS: Adam Schumacher has shown the highest levels of integrity, trust, loyalty and competence in the performance of his duties; and

WHEREAS: Adam Schumacher left the District Attorney's Office on December 31, 2013; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Adam Schumacher for his 13 years of dedicated and loyal service to the Tioga County District Attorney's Office; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Adam Schumacher.

ROLL CALL VOTE

Unanimously Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Adam Schumacher spoke. "Thank you. I am certainly humbled to receive this and appreciate that the Legislature took the time out of your busy schedules to go ahead and do this. Most of the people that I have dealt with over the last 13 years probably would not want to be here or would not be here, or have anything really good to say. I am certainly proud to have worked in that office and again thank you."

Chair Sauerbrey noted the following recognition resolution on Irene Graven.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGAL COMMITTEE

RESOLUTION NO. 16-14 *RECOGNIZE IRENE GRAVEN'S
22 YEARS OF DEDICATED SERVICE
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Irene Graven began her career with the Tioga County Attorney's Office as Assistant County Attorney on March 4, 1991, was promoted to Senior Assistant County Attorney on January 1, 1994, then went to the District Attorney's Office as Second Assistant District Attorney on September 6, 1999, was promoted to First Assistant District Attorney on September 25, 2000, and was appointed Acting District Attorney on January 1, 2013; and

WHEREAS: Irene Graven has been a dedicated and loyal employee in the performance of her duties to the County and the District Attorney's Office; and

WHEREAS: Irene Graven has shown the highest level of integrity, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Irene Graven retired from the District Attorney's Office on January 1, 2014; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Irene Graven for her 22 years of dedicated and loyal service to the Tioga County District Attorney's Office; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Irene Graven.

ROLL CALL VOTE

Unanimously Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chris Kallin of the Employee Recognition Committee presented the Employee of the year 2013 to Amy Poff of the Personnel Office. “First of all, on behalf of the Employee Recognition Committee I would like to thank this Legislature for their continued support of this very fine program. Amy has been a recipient of the Employee of the Quarter Award on two separate occasions, in 2000 and again in 2013, and now is being honored as your Tioga County Employee of the year for 2013.

“Amy has been the Benefits Manager for Tioga County for 15 years and as such provides invaluable assistance to both county employees and retirees. Amy is one of the first representatives of the county that employees meet as she conducts all the new hire orientations and is responsible for providing assistance to employees for all benefit programs such as health insurance, retirement, flexible spending, deferred compensation. The adoption of the Affordable Care Act and changes in the health insurance plans for over 300 employees in 2012 has created significant additional work for Amy and yet she continues to make serving the employees and retirees her top priority.

“In addition to assisting county employees and retirees, Amy is responsible for managing both the Consolidated Health Insurance Plan in which the county and 9 towns and villages historically participate as well as the Self-Insured Workers’ Compensation Program in which the county and all 12 towns and villages participate. These programs have required a great deal of attention the past few years due to New York State’s adoption of the Workers’ Compensation Reform, which not only increased the awards to claimants, but also streamlined the claim process, shortening the timeline employers have for collecting information and processing claims.

“Likewise the Consolidated Health Plan is undergoing major changes, being dissolved because of the Affordable Care Act, requires the towns and villages to seek other coverage as of January 1, 2014. The dissolution of this plan has been in place since 1992 and assisting the participating municipalities and securing alternative coverage has been very time intensive for Amy during the past year.

"In addition to excelling in all of the above, Amy is a true player within the Personnel Department, always considerate of her coworkers, willing to assist with the administration of weekend civil service exams, and any other needs that arise. Despite the volume of work, night meetings, never ending phone calls, unscheduled drop-in visitors needing assistance, and the inundation of e-mails she receives, Amy manages it all well maintaining an impressive level of courteous customer service. Because of all she does and how well she has done it, the Employee Recognition Committee voted Amy as Tioga County's Employee of the year for 2013. Amy is extremely deserving of this award and continues to be a great asset to all of Tioga County. Congratulations Amy."

Amy Poff spoke. "I too would also just like to thank the Legislature for the support of the Employee Recognition Program and also the committee members who work hard to implement the program because there is nothing like recognition from coworkers. It is very rewarding. I could not do what I do without the support of my Department, my Department Head Bethany, my coworkers, Linn, Nancy, and Camille, and the many other coworkers in the Departments that help me on a daily basis. I am very proud to work among so many dedicated Tioga County employees and I just really want to thank you."

Legislator Tracy Monell spoke. "I cannot think of anybody in the County that is more deserving of this. We as the Personnel Committee get to see what Amy does on a regular basis and there are things that a lot of people are not aware of. For instance, last year there was a problem with the credits cards not working and Amy would get in her car and drive to Waverly so she could take care of that with whoever had the problem, and that is the kind of thing that you just do not see from every employee, whether it is for the County or anybody else. She really cares about the people that she works with and I cannot be prouder than I am to be the Personnel Committee Chair and have you receive this award. Good job."

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		620.58
A1165	District Attorney		3,327.79
A1170	Public Defender		4,456.33
A1172	Assigned Counsel		26,837.23
A1185	Medical Examiners/Corners		7,116.56
A1355	Assessments		6,444.24
A1362	Tax Advertising and Expense		1,356.42
A1410	County Clerk		79.90
A1411	Department of Motor Vehicles		220.00

A1420	Law		3,050.00
A1430	Personnel		1,779.60
A1450	Elections		30,531.96
A1620	Buildings	2,600.90	37,405.49
A1621	Buildings		27,851.90
A1680	Information Technology		28,809.80
A2490	Community College Tuition		112,439.31
A2960	Education Handicapped Children		84,590.62
A3020	Public Safety Comm E911 System		13,351.03
A3110	Sheriff	293.78	13,431.95
A3121	Sheriff LE11-1038-E00 Grant	3,864.00	
A3140	Probation		50.10
A3150	Jail		20,182.69
A3315	Special Traffic Programs		10,086.59
A3410	Fire		9,385.47
A3640	Emergency Mgmt Office		518.25
A3641	LEMPG Grant	1,500.00	
A4010	Public Health Nursing		4,775.25
A4011	Public Health Administration		1,914.49
A4042	Rabies Control		188.00
A4044	Early Intervention		51,493.51
A4047	Handicapped Education Administration		16.20
A4053	Preventive/Primary Health Services		19.88
A4054	Preventive Dental Services		1,043.59
A4064	Managed Care-Dental Services		75.00
A4070	Disease Control		2,122.64
A4090	Environmental Health		101.79
A4210	Alcohol and Drug Services		10,913.36
A4211	Council on Alcoholism		11,089.26
A4309	Mental Hygiene County Admin		5,804.73
A4310	Mental Health Clinic		42,494.35
A4320	Crisis Intervention Services		5,693.34
A4321	Intensive Case Management		2,255.42
A4390	Criminal Psychiatric Expenditures		1,363.38
A5630	Bus Operations		82,805.59
A6010	Social Services Administration		71,022.48
A6610	Sealer of Weights and Measures		152.96
A7310.41	Youth Programs, Refundable		14,225.61
A8020	Planning		16,479.50
SOLID WASTE FUND			2,980.08
SPECIAL GRANT FUND			5,861.13
COUNTY ROAD FUND			163,584.16
CAPITAL FUND			870,359.74
CONSOLIDATED HEALTH INSURANCE FUND			20,940.77

SELF INSURANCE FUND	<u>1,300.00</u>
GRAND TOTAL	\$ 1,843,258.70

Legislator Monell made a motion to approve the minutes of December 10 & 19, 2013, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey made the following appointment to Cornell Cooperative Extension for a one year term.

Legislator William Standinger

Chair Sauerbrey made the following appointment to a Security Implementation Committee effective January 14, 2014.

1st Assistant County Attorney
Information Technology Director
Director of Community Services

Chair Sauerbrey abolished the Assigned Counsel Study Committee effective January 14, 2014.

Chair Sauerbrey announced the Standing Committees for 2014.

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2014**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Case	Standinger
2. Economic Development/ Planning/Tourism/ Agriculture	Case	Roberts	Hollenbeck	Weston
3. Finance/Legal & Safety	Hollenbeck	All Legislators		
4. Information Technology	Sullivan	Case	Monell	Huttleston
5. Legislative Worksessions/ Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standinger	Sullivan	Case	Monell

7.Public Safety/ Probation & DWI	Weston	Hollenbeck	Roberts	Standing
8.Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9.Personnel/ADA	Monell	Hollenbeck	Weston	Standing

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 17-14 *RESOLUTION IN SUPPORT OF TIOGA DOWNS FOR SELECTION AS EASTERN SOUTHERN TIER REGION CASINO GAMING LICENSE AWARDEE*

WHEREAS: In November 2013, New York State voters approved a constitutional amendment to allow casino gaming in the State; and

WHEREAS: Tioga County voters showed overwhelming support of said constitutional amendment with 69.2% of voters in favor; and

WHEREAS: Tioga Downs has already proven to be a valued community partner by way of job creation, capital investment and revenue generated; and

WHEREAS: Tioga Downs owner has also shown experience in the gaming industry, not only at the existing facility in Tioga County but also in other facilities across New York State; and

WHEREAS: In anticipation of the passing of the Upstate New York Gaming and Economic Development Act, Tioga Downs has made substantial improvements to their already existing facility located in Tioga County; and

WHEREAS: The Tioga Downs existing facility is centrally located within the identified Eastern Southern Tier Region to best serve all residents of the region; therefore be it

RESOLVED: That the Tioga County Legislature pass this resolution in support of Tioga Downs being awarded the Eastern Southern Tier Region Gaming License; and be it further

RESOLVED: That the Clerk to the Legislature shall send a copy of the resolution to Governor Andrew Cuomo, Senator Thomas Libous, Assemblyman Christopher Friend and Assemblywoman Donna Lupardo.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 18-14 *AUTHORIZATION REQUEST FOR TRANSFER OF FUNDS TO MATCH IDA EMPIRE STATE DEVELOPMENT STRATEGIC PLANNING AND FEASIBILITY STUDIES GRANT FOR SITE DESIGN AT THE ESITE*

WHEREAS: The funding from the Empire State Development Strategic Planning and Feasibility Studies Program for the site design of Rte. 434, Owego, NY (ESite) owned by the Tioga County IDA has been approved; and

WHEREAS: The funding will supply costs toward a Phase I design to construct an access road, prepare a grading plan, install necessary utilities, such as water, sewer, telecommunications, storm water drainage, large parking lot, a 4,000 square foot building to house a Tourism Visitor Information Center as well as a storage facility for Tioga County digital records; and

WHEREAS: This project will create a distinctive niche and promote regional Tourism, as well as create employment with the increased staff for the Visitor Center with the potential to expand development in addition to promoting a private/public partnership development; and

WHEREAS: This is a collaborated effort with the Tioga County IDA, Tioga County and Tioga County Tourism submitting the submission of the Consolidated Funding Application for a total project in the amount of \$100,000; and

TO:	A1620.10-10 Personnel Services	\$ 4,021
	A1165.10-20 Personnel Services	\$21,917
	A9010.80-88 Retirement	\$ 1,194
	A9030.80-88 Social Security	\$ 1,984
	A9060.80-88 Health Insurance	\$ 1,591

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 20-14 TRANSFER OF FUNDS
TROPICAL STORM LEE DISASTER

WHEREAS: In December 2013 there were three resolutions (339-13, 340-13, and 341-13) passed to allow for mitigation on three County owned buildings to be done that are related to the Tropical Storm Lee Disaster; and

WHEREAS: Funds will be received from FEMA and SEMO and funds need to be allocated to the Tropical Storm Lee Disaster Account to cover these expenses; therefore be it

RESOLVED: That the following sums be transferred:

From:	H4960.00 Federal Aid-Emergency Disaster	\$508,500
	H3510.00 State Aid-FEMA	\$169,500
To:	H1624.20 Tropical Storm Lee Disaster	\$678,000

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 21-14 *TRANSFER OF FUNDS*
WORKERS' COMPENSATION

WHEREAS: Resolution 276-13 authorized the Chair of the Legislature to purchase workers' compensation specific excess Insurance from Safety National Casualty Corp. for the period of January 1, 2014 through December 31, 2014; and

WHEREAS: The 2014 renewal rate and terms for this policy were not finalized by Safety National Casualty Corp. until late December 2013; and

WHEREAS: The 2014 amount budgeted for this policy was \$158,000 but the actual cost for the options selected came in at \$190,921; and

WHEREAS: Funds are available in one of the Expense accounts; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1710.40 (270)	\$ 1,187.00
From: Workers' Compensation Account S1720.40 (101)	\$31,734.00
To: Workers' Compensation Account S1722.40 (270) insurance-liability	\$32,921.00

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 23-14 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll for property No. 7344, assessed to Mark McQueeney on the 2014 tax roll of the Town of Owego indicates that the taxable value for this property should have been \$136,100 on the 2013 final assessment roll; and

WHEREAS: The 2014 tax bill for property no. 7344 has not yet been paid to the Town of Owego Tax Collector; be it therefore

RESOLVED: That a new 2014 tax bill be issued by the Town of Owego Tax Collector to Mark McQueeney for property no. 7344 as follows:

	<u>Bill Property #7344</u>	<u>NEW Bill Property #7344</u>
County	1,641.77	1,469.06
Recycle	71.18	63.69
Townwide	154.25	138.03
Part-Town	398.09	356.21
Apal Fire	<u>360.38</u>	<u>322.47</u>
	2,625.67	2,349.46

RESOLVED: That the erroneous town tax of \$58.10 be charged back to the Town of Owego, and the erroneous Fire Tax of \$37.91 be charged back to the Apalachin Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$7.49 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$172.71 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 24-14 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for credit and refund of property taxes on property No. 11336, assessed to Haig D & Diane J McNamee on the 2014 tax roll of the Town of Owego indicates that an interior inspection was done in 2004 to show demolition of a finished rec room in basement, yet the assessment was never lowered to reflect the demolition; and

WHEREAS: Real Property tax law stipulates that refunds for erroneous assessments can only be given for three years and the assessor for the Town of Owego has calculated a total reduction amount of \$400.44 for the room demolition for tax years 2012-2014; and

WHEREAS: The 2012 and 2013 tax bills for property no. 11336 were paid to the Town of Owego Tax Collector, and the 2014 tax bill has not yet been paid; be it therefore

RESOLVED: That a refund of \$264.82 for overpayment of 2012-2013 taxes on property no. 11336 be issued to Haig D & Diane J McNamee by the Tioga County Treasurer; and be it further

RESOLVED: That a new 2014 tax bill be issued by the Town of Owego Tax Collector to Haig & Diane McNamee for property no. 11336 as follows:

	<u>Bill Property #11336</u>	<u>NEW Bill Property #11336</u>
County	1,090.19	1,002.38
Recycle	47.27	43.46
Townwide	102.43	94.18
Part-Town	264.34	243.05
Owego Fire	<u>179.53</u>	<u>165.07</u>
	1,683.76	1,548.14

RESOLVED: That the erroneous town tax of \$84.22 be charged back to the Town of Owego, and the erroneous Fire Tax of \$42.79 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$11.57 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$261.86 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 25-14

*ERRONEOUS ASSESSMENT
TOWN OF NEWARK VALLEY*

WHEREAS: An application for corrected tax roll indicates that property no. 3020 assessed to Susan Durgala, and George and Sharon Zurko on the 2014 tax roll of the Town of Newark Valley is erroneous in that the exemption codes were removed in error; and

WHEREAS: The 2014 town and county bill for property no. 3020 has not yet been paid to the Town of Newark Valley tax collector; be it therefore

RESOLVED: That a new bill be issued to Susan Durgala, and George & Sharon Zurko for property no. 3020 by the Town of Newark Valley tax collector as follows:

	<u>Bill #808/Acct 3020</u>	<u>Corrected Bill #808/Acct 3020</u>
County	\$ 1,298.90	\$ 1,130.30
Recycle	56.30	48.99
Townwide	520.10	452.59
Newark Valley Fire	<u>146.56</u>	<u>146.56</u>
	\$ 2,021.86	\$ 1,778.44

and be it further

RESOLVED: That the erroneous town tax of \$67.51 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous solid waste tax of \$7.31 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$168.60 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE

RESOLUTION NO. 26-14 APPOINT MEMBER TO THE SUSQUEHANNA HERITAGE AREA COMMISSION

WHEREAS: Per resolution 70-12, the Tioga County Legislature authorized membership into the Susquehanna Heritage Area (SHA) Commission and Advisory Board via a GML Article 5-G intermunicipal agreement; and

WHEREAS: Since that time all five required municipalities (Broome County, Tioga County, City of Binghamton, Village of Johnson City, Village of Endicott) have made such authorization and signed the Susquehanna Heritage Area (SHA) Commission intermunicipal amended agreement that broadened the geographic scope of the SHA from the 5 original municipalities to all of Broome and Tioga counties, meaning that all municipalities within Broome and Tioga counties *can* become SHA Commission members; and

WHEREAS: During said intermunicipal agreement amendment process conducted in 2012, all municipal attorneys involved expressed concern that the SHA Commission membership was too large and this would inhibit the organization to conduct necessary business ; and

WHEREAS: As a result, the Susquehanna Heritage Area Commission approved an amended intermunicipal agreement that reduces the SHA Commission membership from two (2) to one (1) municipal representative and one (1) Advisory Board representative per municipality, to be appointed by their governing bodies, effective January 1, 2014; and

WHEREAS: Currently Elaine Jardine, County Planning Director and Stella Reschke, Tioga County Tourism Office Director have been serving as the 2 SHA Commission members; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints the Designated Legislator as the Tioga County member on the Susquehanna Heritage Area Commission for Term of Office of the County Legislature Chair who appoints said person.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE

RESOLUTION NO. 27-14 *APPOINT MEMBER TO THE SUSQUEHANNA
HERITAGE AREA ADVISORY BOARD*

WHEREAS: Per resolution 70-12, the Tioga County Legislature authorized membership into the Susquehanna Heritage Area (SHA) Commission and Advisory Board via a GML Article 5-G intermunicipal agreement; and

WHEREAS: Since that time all five required municipalities (Broome County, Tioga County, City of Binghamton, Village of Johnson City, Village of Endicott) have made such authorization and signed the Susquehanna Heritage Area (SHA) Commission intermunicipal amended agreement that broadened the geographic scope of the SHA from the 5 original municipalities to all of Broome and Tioga counties, meaning that all municipalities within Broome and Tioga counties *can* become SHA Commission members; and

WHEREAS: During said inter-municipal agreement amendment process conducted in 2012, all municipal attorneys involved expressed concern that the SHA Commission membership was too large and this would inhibit the organization to conduct necessary business ; and

WHEREAS: As a result, the Susquehanna Heritage Area Commission approved an amended intermunicipal agreement that reduces the SHA Commission membership from two (2) to one (1) municipal representative and one (1) Advisory Board representative per municipality, to be appointed by their governing bodies, effective January 1, 2014; and

WHEREAS: Currently Elaine Jardine, County Planning Director and Stella Reschke, Tioga County Tourism Office Director have been serving as the 2 SHA Commission members; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints the Tourism Office Director as the Tioga County member on the Susquehanna Heritage Area Advisory Board for Term of Office of the County Legislature Chair who appoints said person.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 28-14 APPOINT - FIRE ADVISORY BOARD

RESOLVED: That upon recommendation of the Tioga County Fire Chiefs, the following members be and are hereby appointed to the Tioga County Fire Advisory Board for the year 2014:

OFFICERS:	CHAIRMAN	STEVE FEDOROWICZ
	VICE CHAIRMAN	DONALD HOWARD
	SECRETARY	GINA KLETT

Membership:

<u>DEPARTMENT</u>	<u>DELIGATE</u>	<u>ALTERNATE</u>
APALACHIN	MIKE GEORGE	SHAUN FOLAND
BERKSHIRE	KEN BEAN	RON SHARP
CAMPVILLE	MARK DANIEL	DIANA FORD
CANDOR	JON ROMAN Jr.	TOM KING
HALSEY VALLEY	RON FRISBIE	DAVE BUMP
LOCKWOOD	DAVE CURTIS	BOB LONG
NEWARK VALLEY	GEORGE WAHL	JOHN HANEY
NICHOLS	ROB MINER	EVAN SMITH
OWEGO	SCOTT GIRNEY	ROBERT WILLIAMS
RICHFORD	JOHN KEENER	ZACH ARMSTRONG
SOUTHSIDE	CHARLES KLETT	FRANK OKRASINSKI
SPENCER	DEREK GRIER	SCOT GILLETTE
TIOGA CENTER	MILTON KEMP	ART MAYER
WAVERLY	DON HOWARD	JEFF WHEELER
WELTONVILLE	TONY ROSENBERGER	JOHN WAHL

1. To partially fund the position of Family Court Public Defender and to entirely fund the office of Assigned Counsel Administrator and staff
2. To partially fund Attorney's fees for Assigned Counsel Panel
3. To purchase a Family Court case management system and data entry services
4. To purchase on line research tool for Public Defender's Office
5. To purchase an Ipad for Family Court Public Defender.

And

WHEREAS: There are no local matching funds required under this grant; now therefore be it

RESOLVED: That the Tioga County Legislature authorizes the submission of said grant to the Office of Indigent Legal Services for the sum of \$61,902.00, and authorizes and directs the Chair of the Legislature to execute any contracts or other necessary documents to proceed with the grant, subject to approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:32 p.m.

Second Regular Meeting
February 11, 2014

The Second Regular Meeting of 2014 was held on February 11, 2014 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless the Olympic athletes who are competing in Sochi, Russia, and please God keep them all safe from harm."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

George Penney had privilege of the floor. "I would suggest that you are planning a rather inappropriate situation for the Route 434 property, which you no longer own. My suggestion is that building a warehouse for that type of structure on that property would reduce its value and a Visitor Center is not required there. The present Visitor Center in Owego itself is very adequate. It has parking. It has a good location. It has a good place where it is. There is no need for a Visitor Center on Route 434 and the County Building is not the best use of that property. Thank you."

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		8.46
A1165	District Attorney		2,361.63
A1172	Assigned Counsel		14,179.21
A1185	Medical Examiners/Coroners		1,153.93
A1325	Treasurer		30.15
A1355	Assessments		648.57
A1362	Tax Advertising and Expense		3,024.00
A1410	County Clerk		1,340.20
A1420	Law		4,268.98
A1430	Personnel		5,069.81
A1450	Elections		31,597.96
A1460	Records Management		30.00
A1490	Public Works Administration		515.78
A1620	Buildings	912.42	64,267.93
A1621	Buildings		28,746.79

A1680	Information Technology	2,376.00	4,183.01
A1920	Municipal Association Dues		6,615.00
A2490	Community College Tuition		10,297.01
A2960	Education Handicapped Children		66,533.42
A3020	Public Safety Comm E911 System		1,759.48
A3110	Sheriff		23,242.24
A3140	Probation		879.91
A3150	Jail		111,591.86
A3315	Special Traffic Programs		729.37
A3410	Fire	39.99	4,910.59
A3412	2012 NYS Tech Rescue Grant	11,047.07	
A3640	Emergency Mgmt Office		397.29
A4010	Public Health Nursing		20,371.91
A4011	Public Health Administration		19,568.19
A4042	Rabies Control		129.30
A4044	Early Intervention		74,255.53
A4053	Preventive/Primary Health Services		87.00
A4054	Preventive Dental Services		1,905.66
A4064	Managed Care-Dental Services		9,625.00
A4070	Disease Control		9,752.59
A4090	Environmental Health		64.38
A4210	Alcohol and Drug Services		1,915.33
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene Co Admin		10,135.39
A4310	Mental Health Clinic		15,137.89
A4311	Rehabilitation Support Services		134.00
A4320	Crisis Intervention Services		1,528.42
A4321	Intensive Case Management		1,546.93
A5630	Bus Operations		75,109.10
A6010	Social Services Administration		120,341.22
A6141	Energy Crisis Assistance Programs		19,708.82
A6422	Economic Development		1,762.00
A6610	Sealer Weights and Measures		128.97
A7310.41	Youth Programs, Refundable		6,732.39
A7510	Historian		117.93
A7989	Tourism		150,000.00
A8020	Planning		834.88
A8025	Regional Planning 7-County Board		10,000.00
SOLID WASTE FUND			91,633.98
SPECIAL GRANT FUND			9,613.61
LIABILITY INSURANCE FUND			8,491.00
COUNTY ROAD FUND			77,622.01
CAPITAL FUND			39,691.65
SELF-INSURANCE FUND			<u>201,639.00</u>

GRAND TOTAL \$ 1,393,332.47

Legislator Monell made a motion to approve the minutes of January 2 and 14, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey abolished the Real Property Director Search Committee and Information Technology Director Search Committee effective February 11, 2014.

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Chair Sauerbrey spoke. "I attended the NYSAC Conference last week at which time I completed Tier I of the Emergency Management requirement that allows me to apply for and get grant funding for emergency management. I also completed the courses necessary for the Pelletier degree, which I have now graduated from."

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 32-14 REAPPOINT MEMBER
RECORDS MGMT. ADVISORY BOARD

WHEREAS: Representative of the Media appointment on the Records Management Advisory Board is up; and

WHEREAS: Current Incumbent Mary Beth Jones has expressed an interest to continue to serve on the Records Management Advisory Board; therefore be it

RESOLVED: That the following Representative of the Media member be reappointed to the Records Management Advisory Board as follows:

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Martha Sauerbrey has faithfully volunteered her time and has been dedicated and loyal in the performance of her duties and responsibilities during the past seven years on the Tioga County Industrial Development Agency (TCIDA) Board of Directors; and

WHEREAS: Martha Sauerbrey has expressed she will resign from the Tioga County Industrial Development Agency Board of Directors on February 28th, 2014; and

WHEREAS: the Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Raymond Case has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Raymond Case to replace Martha Sauerbrey's position on the Tioga County Industrial Development Agency Board of Directors effective March 1st, 2014.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 35-14 *APPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH*

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: Tioga County Board of Health By-Laws state that one member shall be a member of the Tioga County Legislature, serving to the end of their legislative term; and

WHEREAS: The appointed term for Legislator Richard Huttleston on the Board of Health expires 12/31/2015; and

WHEREAS: It has been policy of the Legislature to appoint the Chair of the Health & Human Services Committee to the Board of Health; and

WHEREAS: Legislator Richard Huttleston has resigned from the Board of Health; and

WHEREAS: Legislator William Standing III is the new Health & Human Services Committee Chair and has agreed to replace Legislator Richard Huttleston; therefore be it

RESOLVED: That Legislator William Standing III, be appointed to the Board of Health to replace Legislator Richard Huttleston effective 02/12/2014, for his term of office expiring on 12/31/2014.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 36-14 *APPOINT MEMBERS ALTERNATIVES TO
INCARCERATION ADVISORY BOARD*

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck introduced Local Law Introductory No. A of 2014.

County of Tioga

Local Law No. of the Year 2014.

A Local Law authorizing an override of the Tax Levy limit for Tioga County for 2015 and authorizing the adoption by Tioga County of a budget for 2015 that requires a tax levy that is greater than the tax levy limit for the 2015 fiscal year.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: Title:

This Local Law shall be known as “Tioga County Responsible Budgeting Law of 2014”.

SECTION 2: Declaration of Intent:

The intention of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2015 Tioga County Budget.

The regulations regarding the tax cap calculation continue to evolve, making it difficult to be certain that the 2015 budget falls under the calculated tax levy limit established by the General Municipal Law.

While the Tioga County Legislature intends to comply with the tax cap, it recognizes the need to authorize an override, as an insurance policy, in order to avoid these negative fiscal impacts that would result due to lack of clarity in the tax cap regulations from the OSC.

SECTION 3: Budget Authorization:

The Tioga County Legislature hereby authorizes an override to the tax levy limit for Tioga County for 2015 and authorizes Tioga County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2015

that requires a tax levy that is greater than the tax levy limit calculated for 2015 pursuant to Section 3-c of the General Municipal Law.

SECTION 4: Severability:

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

SECTION 5: Effective Date:

This Local Law shall take effect upon the date on which a certified copy of this Local Law is filed in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 38-14

*SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. A OF 2014*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2014 A Local Law authorizing an override of the Tax Levy limit for Tioga County for 2015 and authorizing the adoption by Tioga County of a budget for 2015 that requires a tax levy that is greater than the tax levy limit for the 2015 fiscal year in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, March 6, 2014 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Weston, and Case.

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 39-14 *ERRONEOUS ASSESSMENT*
TOWN OF BARTON

WHEREAS: An application for credit and refund of property corrected tax roll for property no. 1082 assessed to Kandi M. Dixon on the 2014 tax roll of the Town of Barton indicates that parcel 166.15-3-61 was split into two parcels and the original parcel was not deleted due to a clerical error resulting in two bills (no. 364 and 365) being issued for the same parcel; be it therefore

RESOLVED: That bill no. 364 for parcel no. 1082 in the Town of Barton be disregarded; and be it further

RESOLVED: That the erroneous town tax of \$94.32 be charged back to the Town of Barton, and the erroneous Fire Tax of \$40.33 be charged back to the Barton Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$18.28 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$421.58 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 40-14 *ERRONEOUS ASSESSMENT
TOWN OF CANDOR*

WHEREAS: An application for corrected tax roll indicates that Special Franchise property no. 3011 assessed to the State of New York on the 2014 tax roll of the Town of Candor is erroneous in that a clerical error allowed fire tax not approved by ORPTS to be billed on a transition parcel; be it therefore

RESOLVED: That New York State deduct the \$389.51 fire tax for property no. 3011 in the Town of Candor (Bill #2802) from the NYS property tax payment; and be it further

RESOLVED: That the erroneous fire tax of \$389.51 be charged back to the Candor Fire District.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 41-14 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for corrected tax roll indicates that parcel #2020 (tax map 59.00-1-25.11) assessed to Lorie Emery on the 2014 tax roll of the Town of Spencer is an invalid parcel that was added to the 2011 assessment roll in error by the assessor and is a duplication of parcel 59.00-1-19.20; and

WHEREAS: The 2012, 2013 and 2014 tax bills, totaling \$9,965.84, including erroneous school relieves for parcel #2020 have not been paid; be it therefore

RESOLVED: That the tax bills for 2012, 2013, and 2014, including the relieved school taxes for parcel #2020 be rendered null and void and the parcel be removed from the County Tax Foreclosure; and be it further

RESOLVED: That the erroneous town tax of \$1,624.00 be charged back to the Town of Spencer and the erroneous fire tax of \$166.22 be charged back to the Spencer Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$110.14 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$5,204.59 be charged back to the Spencer-VanEtten School District; and be it further

RESOLVED: That the erroneous county tax of \$2,496.57 and the erroneous school penalties of \$364.32 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 42-14

*ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for corrected tax roll indicates that parcel #385 assessed to Arnold Income Only Trust 6/08 on the 2014 tax rolls of the Town of Spencer is erroneous in that an IRA Distribution was used incorrectly in calculating the exemptions ; and

WHEREAS: The 2014 tax bill for parcel no. 385 in the Town of Spencer has not been paid to the Town of Spencer Tax Collector; be it therefore

RESOLVED: That a new 2014 tax bill be issued for the Arnold Trust as follows

	<u>Incorrect Arnold Bill#407</u>	<u>Corrected Arnold Bill #407</u>
County	\$ 1,035.34	\$ 621.21
Recycle	44.89	26.93
Townwide	248.60	236.17
Part Town	435.81	414.02
Spencer Fire	<u>67.99</u>	<u>67.99</u>
Total	\$ 1,832.63	\$ 1,366.32

and be it further

RESOLVED: That the erroneous town tax of \$34.22 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous solid waste tax of \$17.96 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$414.13 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 43-14 *AUTHORIZATION FOR BOARD OF ELECTIONS
TO APPLY FOR GRANT FOR
DIGITALIZATION OF ELECTION RECORDS*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to the Electronic Voting system and just recently all counties complied; and

WHEREAS: These federal funds will be used to digitize paper election records into a system that would link with current Elections Administration system and the Department of Motor Vehicles; and

WHEREAS: Federal regulations require pre-approval for all items purchased over \$5,000; and

WHEREAS: The Tioga County Board of Elections is to receive \$41,963.00; and

WHEREAS: Tioga County protocol is for The Board of Elections to seek permission prior to submitting grant applications; and

WHEREAS: Federal regulations require the county purchase the item prior to reimbursement and submit proof of payment in the grant application; therefore be it

RESOLVED: That the Tioga County Board of Elections be given permission to apply for this grant and be authorized to purchase the digitalizing document system after Federal Pre-Approval has been received by the Tioga County Board of Elections; and be it further

RESOLVED: That the grant funding be applied as follows:

From: A3906.00-State Grant/Elections	\$41,963.00
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To: A1450.20-620-Elections	\$41,963.00
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ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 44-14 *NOTIFICATION OF GRANT APPLICATION*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to Electronic Voting systems and just recently all counties complied; and

WHEREAS: The County Boards of Elections must apply for reimbursement and part of the application process is notifying the County Legislature that grants are being applied for; therefore be it

RESOLVED: That the Tioga County Legislature accepts the GOVERNING BODY GRANT APPLICATION NOTIFICATION from the Tioga County Board of Elections in the amount up to \$5,312.13.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 45-14 *APPROPRIATION OF FUNDS
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Supported Housing; and

WHEREAS: TCMH has contracted with Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A3490.00 Mental Health Programs Revenue	\$25,279.00
To: A4333.40-130 Psycho Social Club	\$25,279.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 46-14 *TRANSFER OF FUNDS*
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to provide Health Home Non-Medicaid Care Management to Tioga County residents; and

WHEREAS: TCMH has had a vacancy in its Care Management position since October 2013; and

WHEREAS: TCMH has contracted with Rehabilitative Support Service (RSS) to provide this service to Tioga County residents with no local share increase; and

WHEREAS: TCMH has identified available funds within their 2014 budget, yet these will require a transfer of funds into the proper account codes; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4310.10-10 Mental Health Clinic \$19,844.00

To: A4321.40-130 Intensive Case Management
 Health Home Non-Medicaid Care Management Services Rendered
 \$19,844.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS
 FINANCE

RESOLUTION NO. 47-14 RE-ESTABLISH PRIOR YEAR
 PUBLIC WORKS PROJECTS

WHEREAS: Prior year Public Works Projects need to be re-established for the remaining balance as of year-end 2013 for completion in 2014; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>Bridge Projects</u>		<u>Amt to Establish</u>
H2009.02	East River Rd.	\$ 1,410,224.79
H2010.07	Lillie Hill RD	\$ 25,000.00
H2012.05	Penn. Ave Bridge	\$ 50,000.00
H2012.06	Gaskill Road Bridge	\$ 30,000.00
H2013.01	County Rd Project	\$ 195,000.00
H2013.05	Catatonk Hill Rd	\$ 924,820.34
H2013.06	Ellis Creek Rd	\$ 1,000,000.00

H2013.07	West Creek Rd	\$	39,850.70
H2013.08	Halsey Valley Rd	\$	1,151.37
H2013.09	Hamilton Valley Rd	\$	65,400.00

Capital Projects

H1624.20	Trop. Storm Flood Capital	\$	70,145.93
H1625.20	Trop. Storm Flood Expenditure	\$	4,310.99

Capital Construction

H1620.20-923	Stand by Generator	\$	115,985.00
H1620.20-926	HVAC Control System	\$	21,500.00
H1620.20-927	Court House Ext. Renov.	\$	351,006.00
H1620.21-913	Jail Renovations	\$	23,116.12
H1620.21-929	Boiler	\$	35,000.00
H5130.21-911	Renovation 56 Main St	\$	3,000.00

Capital Equipment

H4310.21	Capital Equipment-MH	\$	7,624.86
H5130.21-230	Radio & Equipment	\$	13,788.10

And be it further

RESOLVED: That the corresponding revenue sources shall also be re-established in the 2014 modified budget.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRING TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 48-14 AMEND COUNTY POLICY 53: WORKPLACE
VIOLENCE PREVENTION AND DISCRIMINATORY
HARASSMENT

WHEREAS: There was confusion on the reporting procedures for Workplace Violence and Harassment complaints, and also on whom various responsibilities were assigned to; and

WHEREAS: County Policy 53 was revised in its entirety in order to clarify both issues; therefore be it

RESOLVED: That the revised County Policy 53 shall appear as follows effective immediately:

POLICY 53

TIOGA COUNTY

WORK PLACE VIOLENCE PREVENTION POLICY AND DISCRIMINATORY HARASSMENT POLICY

SECTION 1 – WORKPLACE VIOLENCE PREVENTION PROGRAM MANUAL

- I. Policy Statement
- II. Overview of the NYS Workplace Violence Prevention Act
- III. Definitions
- IV. Savings Clause
- V. Responsibilities
- VI. Response Procedures

- VII. Reporting Procedures
- VIII. Incident Investigation
- IX. Training and Education
- X. Workplace Risk Evaluation
- XI. Methods of Hazard Prevention and Control

SECTION 2 – DISCRIMINATORY HARASSMENT POLICY

- I. Policy Statement
- II. Definitions
- III. Responsibilities
- IV. Reporting Procedures
- V. Complaint Investigation

VI. Response Procedures

SECTION 3 – FORMS

Form 1: Workplace Violence Incident Report

Form 2: Workplace Violence Prevention Program Policy Acknowledgement Form

Form 3: Workplace Violence Prevention Program Training Acknowledgement Form

Form 4: Discriminatory Harassment Complaint Form

Form 5: Notice of Withdrawal of Complaint of Discriminatory Harassment

SECTION 1 – WORKPLACE VIOLENCE PREVENTION PROGRAM MANUAL

I. Policy Statement

Tioga County is committed to providing its employees with a work environment that is safe, secure, and free from harassment, threats, intimidation and violence. The County also considers the safety of its residents, vendors, contractors and the general public (collectively referred to as “visitors” throughout this policy) to be of paramount importance and strives to provide them the same type of protections while on County Property.

The County will not tolerate any acts of violence and will take all reasonable and practical measures to prevent violence and protect employees and visitors from acts of violence. This includes but is not limited to threatening or violent actions by:

1. Employees directed against other employees or County property.
2. Employees directed against visitors.
3. Visitors directed against County employees or County property or facilities.
4. Individuals who are conducting County business at an off-property location.

Any and all incidents of workplace violence should promptly be reported in accordance with the reporting procedures outlined in Section VII of this policy.

Enforcement of this policy will be accomplished through the implementation of a Workplace Violence Prevention Program, and by complying with the requirements of the NYS Workplace Violence

Prevention Act, as set forth in NYS Labor Law Section 27-b. A copy of the County's policy is available by contacting the Legislative Office. A general review of this program will be conducted annually, at the time of a reported workplace violence incident, or if there is a change in operations or physical structure of any building.

Violations of this policy may result in appropriate remedial, disciplinary (in accordance with respective collective bargaining agreements), and/or legal action, according to the circumstances.

This Workplace Violence Prevention Program policy statement is to be posted where notices to employees are normally displayed. In addition, a copy of the policy will be made available to employees, the authorized employee representative(s), and the Commissioner of the New York State Department of Labor.

II. Overview of the New York State Workplace Violence Prevention Act

Based on an increasing awareness of, and in response to, workplace violence in public sector workplaces, the New York State Workplace Violence Prevention Act was passed in 2006. The Act amended NYS Labor Law by adding a new Section 27-b requiring that all state and local government employers take steps to ensure their employees are provided adequate protection from potential incidents of violence in the workplace.

Among other stipulations, Section 27-b requires every public sector employer to:

1. Conduct a risk assessment of their worksites to identify and address any existing risk factors that may increase the possibility of workplace violence;
2. Provide training for all employees (upon initial assignment and annually thereafter) which informs them of the risk factors that may be present in their workplace(s), the measures they can take to protect themselves from such risks, and the steps the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, and use of security alarms and other devices; and
3. Develop and implement a written workplace violence prevention program that lists the risk factors and the methods the employer is using to prevent violence and minimize or eliminate identified hazards. (Required if the employer has 20 or more full-time employees).

III. Definitions

1. "Violence" means physically harming another, fighting, shoving, pushing, harassing, intimidating, coercing, brandishing weapons or threatening or talking of engaging in these activities.
2. "Workplace violence" can be any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening, disruptive behavior that occurs in the workplace. Workplace violence can affect employees, visitors, contractors and others.

Workplace violence incidents are generally categorized as:

- Level I – Disruptive behavior such as verbal abuse
 - Level II – Aggressive or threatening behavior
 - Level III – Physical assault
3. For the purpose of this policy, "workplace" or "place of employment" is defined as any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, County-owned buildings and facilities, parking lots and traveling to and from work assignments or work sites.

A number of different actions in the work environment can trigger or cause workplace violence. It may even be the result of non-work-related situations, such as domestic violence or "road rage". Workplace violence can be inflicted by an abusive employee, a supervisor, member of the public, family member, or even a stranger. Whatever the cause or whoever the perpetrator, workplace violence will not be accepted or tolerated.

Workplace violence presents serious occupational safety hazards for workers and unique challenges for employers who must attempt to prevent violence from occurring. The majority of violent incidents effecting workplaces are cases of assault, threats, domestic violence, forms of harassment and physical and/or emotional abuse.

4. A "workplace violence incident" is defined as one or more of the following according to the NYS Department of Labor:
 - An attempt or threat, whether verbal or physical, to inflict injury upon another person.
 - Any intentional display of force which would give a person reason to fear or expect bodily harm.

- Intentional or wrongful physical contact with a person without his or her consent that entails some injury or offensive touching.
- Harassment of a nature that would give a person reason to fear escalation or make it difficult to pursue a normal work life or private life when the harassment arises out of or in the course of employment.
- Stalking a person with the intent of causing fear when such stalking has arisen through or in the course of employment.

An incident may be committed without one person actually touching or striking or doing bodily harm to another person.

While sexual harassment (as defined in herein and New York State Human Rights Law) is prohibited by Tioga County, it is specifically excluded from the definition of a workplace violence incident. An employee should refer to Section 2 of this policy for more information about this topic.

Possession of firearms, imitation firearms, knives, or other dangerous weapons, instruments or materials by County employees is covered in County Policy 49.

5. The Department of Labor defines an "imminent danger" as any conditions or practices in any place of employment which are such that a danger exists that could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated.

IV. Savings Clause

Tioga County has made every effort to ensure that this Workplace Violence Prevention Program complies with NYS Department of Labor regulations. In the event any of the provisions, portions or applications of this program are found to be invalid or inconsistent with any superseding legal requirements by any tribunal of competent jurisdiction, then the provisions, portions or applications specified in such decision shall be of no force and effect, but the remainder of this program shall continue to be in full force and effect.

V. Responsibilities

1. Department Head/Supervisor Responsibility

Department Heads and supervisors are expected to enforce the program in a fair and consistent manner and ensure all aspects of the program under their area of responsibility are properly met.

If an employee notifies his/her Department Head of an actual or potential workplace violence incident or submits a completed Workplace Violence Incident Report, the Department Head is responsible for following the reporting procedures as outlined in Section VII of this policy.

2. Employee Responsibility

Employee and authorized employee representatives involvement in Tioga County's Workplace Violence Prevention Policy is essential to the program's success. Employees are expected to read, understand and comply with the County's program and to attend ongoing education and training on workplace violence. Any questions should be directed to the employee's Department Head or supervisor.

Employees must promptly report any violations of the County's Workplace Violence Prevention Policy or any workplace violence imminent danger in accordance with the reporting procedures outlined in Section VII of this policy.

Individuals who obtain a protective order or restraining order which lists specific workplace locations as being protected areas must provide their Department Head and the Safety Officer a copy of any temporary or permanent protective or restraining order that was granted. The County will maintain confidentiality that recognizes and respects the privacy of the reporting employee, unless in conflict with this policy.

3. Safety Officer

The Safety Officer, or his/her designee, will be responsible for annual training and disseminating any changes made to this policy to County personnel, as well as ensuring the policy is posted appropriately throughout county buildings and other work sites.

4. Workplace Violence Advisory Team

Tioga County will establish a Workplace Violence Advisory Team to administer the Workplace Violence Prevention Program. The team's responsibilities will include, but will not be limited to:

- Conducting an annual comprehensive risk evaluation of the entire workplace to identify any factors or situations that may place employees at risk of violence
- Periodically seek employee feedback on the risk factors employees believe are present in the workplace, previous workplace violence incidents, etc.
- Developing and implementing risk reduction strategies and plans for responding to acts of violence
- Coordinating employee training and education programs relating to workplace violence
- Semi-annual review of workplace violence incidents and forwarding to the Loss Control Committee any recommendations to reduce or eliminate the likelihood of similar incidents occurring in the future
- Reviewing the Workplace Violence Prevention Program at least annually, to include analyzing Workplace Violence Incident Reports to identify trends in the effectiveness of the mitigating actions taken
- Recommend any updates to the Workplace Violence Prevention Policy as needed

The Workplace Violence Advisory Team shall consist of representatives from the following: Safety, Law, Public Works, Sheriff's Office, Health & Human Services building, and labor groups.

5. Personnel Officer

The Personnel Officer is responsible for ensuring that new employees or transferred employees have a copy of the Workplace Violence Policy and Procedures made available to them and also ensuring that County employees receive the required initial training.

VI. Response Procedures

1. During an Incident

If a threatening situation arises:

- Try to remain calm.
- Remove yourself from the threat as soon as possible.

- Immediately call or alert others call appropriate help (e.g., police, supervisor, ambulance) to obtain immediate on-site assistance.
- If appropriate, evacuate in accordance with County Policy 31.
- Notify co-workers as soon as practical to enable them to also reach safety if danger is imminent and applicable to them.

2. Post Incident

If a workplace violence incident occurs or an employee submits a Workplace Violence Incident Report, the Safety Officer, or his/her designee, in conjunction with the County Attorney and Personnel Officer will conduct an investigation. Tioga County will respect the privacy and confidentiality rights of employees during investigations to the greatest extent possible, although the County cannot guarantee complete confidentiality.

Based on the specific situation and the results of the investigation, appropriate measures may be taken, if needed, to eliminate or reduce the likelihood of similar workplace violence incidents occurring in the future. Throughout the investigation, the County will attempt to maintain open lines of communication with employees, visitors, and the public to answer any questions and alleviate anxiety.

VII. Reporting Procedures

1. Recordkeeping

Tioga County will strive to maintain accurate records regarding all workplace violence incidents. The County will adhere to all the requirements of 12 NYCRR Part 801, known as the Public Employer Recordkeeping Rule, which is implemented pursuant to Section 27-a of the Labor Law, for the recording of employee injuries or illnesses due to workplace violence incidents. All workplace violence incident forms will be kept according to the applicable retention and disposition schedules.

Any situation that meets the definition of workplace violence incident as defined in Section III or any workplace violence injury that results in death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness will be documented on a Workplace Violence Incident Report (Form 1). Any recordable injury will also be documented on the SH 900 Log.

2. Incident Reporting

The County will follow all federal, state and local laws and procedures in the reporting of workplace violence incidents. Any workplace violence incident that has been reported may be of a criminal or domestic violence nature will, to the extent practical, be immediately reported to the appropriate police authorities or be handled in accordance with this Policy.

Internal Workplace Violence Incident Reporting Procedures

Any employee or authorized employee representative who believes that a workplace violence imminent danger exists or that there has otherwise been a violation of the County's Workplace Violence Prevention Policy shall report such to the employee's Department Head. If the Department Head is unavailable or is a party to the violation, the report shall be made to the County Attorney or Personnel Officer.

An employee is responsible for reporting all incidents of Level I violence in writing within 48 hours of the occurrence using the Workplace Violence Incident Report Form (Form 1). All Level II and Level III incidents must be reported immediately using Form 1.

The Department Head is responsible for forwarding copies of the Workplace Violence Incident Report to the County Safety Officer. If the Safety Officer is unavailable or a party to the violation, the Report shall be forwarded to the County Attorney or Personnel Officer. All Level II and Level III incidents must be forwarded immediately and all Level I incidents must be forwarded within 48 hours.

An employee is not required to provide written notice to the Department Head or the County Attorney if a workplace violence imminent danger exists to the safety of a specific employee or to the general health of a specific person and the employee reasonably believes in good faith that reporting this information to the Department Head or the County Attorney would not result in corrective action.

An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

Law Enforcement Reporting Procedures

The County Attorney is responsible, to the extent practical, for reporting any workplace violence incident that may be of a criminal or domestic violence nature to the appropriate law enforcement agency.

If a pattern of workplace violence incidents involving criminal conduct or serious injury develops, the County will work with the District Attorney or local police department to develop a protocol to ensure that any future violent crimes occurring in the workplace are promptly investigated and appropriately prosecuted.

If an employee chooses to file a criminal complaint, the County will provide the employee with the protocol and contact information for the District Attorney and/or Police Department.

VIII. Incident Investigation

1. Risk Evaluation After a Workplace Violence Incident

The Safety Officer, or his/her designee, will perform a risk evaluation and determination immediately after the occurrence of a workplace violence incident. The investigation may take various forms, depending upon the type of incident.

Upon completion of the review, the Safety Officer, or his/her designee, will address the cause(s) of the incident and take the necessary steps to eliminate or reduce the likelihood of such an incident occurring again. The Safety Officer may also make recommendations for revising the Workplace Violence Prevention Policy. Any revisions to the policy will be put in writing and made available to employees. Employee training will be provided if significant changes to the policy are made. The County will also consider global prevention enhancements at all work sites which may be necessary to properly protect employees.

2. Annual Review of Workplace Violence Incident Reports

The Workplace Violence Advisory Team, or its designee, is responsible for reviewing and updating the County's Workplace Violence Prevention Policy at least annually. Part of this review will include summarizing the Workplace Violence Incident Reports and SH 900 Logs from the previous 12 months so they can be analyzed for any trends in the types of

workplace violence incidents occurring and to review the effectiveness of the mitigating actions the County has taken.

IX. Training and Education

All employees will receive training and education on the risk of workplace violence. Training will be provided at the time of hire and at least annually thereafter. Additional training may be required prior to starting a new job assignment, if new laws relating to workplace violence are enacted or there are changes in any current laws, or if the County makes significant changes in this policy. At a minimum training shall address the following:

- The requirements and risk factors in their workplace that were identified in the risk evaluation and determination, except there will be no disclosure of the information otherwise kept confidential for security reasons;
- The measures that employees can take to protect themselves from the identified risks, including specific procedures that the county has implemented to protect employees such as incident alert and notification procedures, appropriate work practices, emergency procedures, and use of security alarms and/or other devices;
- The location of the written workplace violence program and how to obtain a copy, and shall make it available for reference to employees, authorized employee representatives and the supervisor in the work area during the regular work hours.

Upon hire, employees will receive a copy of the County's Policy and will be required to sign a Policy Acknowledgement Form (Form 2) and a Training Acknowledgement Form (Form 3). The signed Form 2 will be placed in the employee's personnel file, and signed Form 3 will be filed with the Safety Officer.

X. Workplace Risk Evaluation

As required by Section 27-b of the NYS Labor Law, the County conducted an evaluation of the workplace in general, and each worksite specifically, to identify existing or potential hazards that might place employees at risk of workplace violence.

The following risk factors, locations and applicability in Tioga County are listed below:

1. Working in public settings: applies to all County locations and personnel.
2. Working late night or early morning hours: applies to personnel at the County Office building, Court Annex/County Clerk's building, Health and Human Services building, Public Safety Building, Highway Department, Buildings & Grounds, and Mental Hygiene in Waverly.
3. Exchanging money with the public: applies to personnel at the County Office building, Public Safety building, Court Annex/County Clerk's building, Health and Human Services building, and Mental Health in Waverly.
4. Working alone or in small numbers: applies to personnel at all County Office buildings. It also applies to personnel who do County work off County premises.
5. Uncontrolled access to the workplace: applies to personnel at the County Office buildings or sites with unrestricted access.
6. Areas of previous security problems include the County Office building and Health and Human Services building.

XI. Methods for Hazard Prevention and Control

1. It is the policy of the County to make high risk areas more visible, install additional lighting where needed, post signs where necessary, train employees on conflict resolution and maintain a response system through the Sheriff's Department.
2. The hierarchy of controls to be used is:
 - Engineering Controls.
 - Administrative Controls.
 - Personal Protective Equipment.
3. It is also the County's policy to use input from a variety of sources including, but not limited to: employee security surveys, self-assessments, Sheriff's Department recommendations and lessons learned from other entities to effect changes that make the County's work areas and personnel as safe as possible.

SECTION 2 – DISCRIMINATORY HARASSMENT POLICY**I. Policy Statement**

It is the policy of the County of Tioga to provide and maintain a work environment which is free from unlawful discrimination based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, sexual orientation and any other class protected by law (collectively referred to as “discriminatory harassment” or “harassment”). Harassment based on these characteristics is a form of unlawful discrimination and is prohibited in each and every work environment and each and every situation which directly impacts the work environment.

The County of Tioga will take appropriate steps to prevent and correct unlawful harassment and discrimination as defined by both federal and state law. The federal laws include Title VII of the Civil Rights Act, the Age

Discrimination in Employment Act, and the Americans with Disabilities Act. The state law is the New York State Human Rights Law.

The County of Tioga considers discriminatory harassment to be a form of employee misconduct and considers this type of misconduct to be a serious offense which will not be tolerated. Allegations of harassment will be investigated thoroughly and if substantiated, will be met with appropriate corrective and/or disciplinary action commensurate with the seriousness of the offense(s), and in accordance with the parameters of applicable collective bargaining agreements and/or state law.

This policy applies to all applicants and employees of the County of Tioga and prohibits harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the County (e.g., an outside vendor, consultant or citizen).

Conduct prohibited by this Policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

All information gathered during an investigation of a harassment complaint will be handled in a confidential manner, to the extent possible.

Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is forbidden. Retaliation is a serious violation of this policy which may result in disciplinary action.

This Policy does not preclude the filing of discriminatory harassment complaints with either the New York State Division of Human Rights or the Federal Equal Employment Opportunity Commission, or the pursuing of any other remedies as permitted by law.

II. Definitions

1. "Sexual Harassment" is defined as:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment (e.g., promotion, training, assignments, etc. . .);
- B. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions (e.g., hiring, evaluation, promotion) affecting such individual; or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of specific behaviors that may be considered sexual harassment include, but are not limited to:

- Spoken or written words related to an employee's sex
- Any sexual advance that is unwelcome
- Sexually oriented comments
- Showing or displaying pornographic or sexually explicit objects or pictures in the workplace
- Offensive touching, patting or pinching
- Requests for sexual acts or favors
- Abusing the dignity of an employee through insulting or degrading sexual remarks or conduct
- Threats, demands or suggestions that an employee's work status is contingent upon her/his toleration of or acquiescence to sexual advances
- Subtle pressure for sexual activities

- Leering at a person

Sexual harassment is gender neutral and may involve members of the same or different gender.

2. Other unlawful harassment:

Harassment on the basis of any other protected characteristic is also prohibited. Under this policy, prohibited harassment is verbal or physical conduct that is offensive to or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, sexual orientation or marital status (and any other class protected by law) , and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group, based on an individual's protected class.

3. Other Unacceptable Conduct:

This policy also prohibits conduct of one employee toward another that may not rise to the level of discrimination or harassment in violation of the law, but nonetheless creates a degree of hostility or intimidation that adversely affects the work environment. Teasing, ridicule, and other conduct intended to annoy, personally attack, belittle or embarrass

another individual is inappropriate and also unacceptable in the workplace. Therefore, the County encourages the use of its complaint procedure by employees who believe they have been subject to inappropriate conduct by another employee, even if such conduct may not be harassment or discrimination per se. The County endeavors to create an environment in which employees may feel free to raise concerns and are confident that those concerns will be addressed.

III. Responsibilities

1. Managerial and Supervisory Personnel

All managerial and supervisory personnel of the County of Tioga shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from discriminatory harassment and its effects. Failure of a manager or supervisor to comply with this responsibility may result in disciplinary action.

All managerial and supervisory personnel who receive discriminatory harassment complaints will be responsible for reporting such in accordance with Section IV.2 below.

2. The County

The County of Tioga will conduct periodic training for managerial and supervisory personnel in each Department of the County on the issues surrounding discriminatory harassment, its effects and its appearances, and the role and responsibility of managerial/supervisory personnel in preventing incidents of harassment complaints.

The County of Tioga shall distribute this Policy to all County employees and all others covered by its parameters. Copies of this Policy will be distributed to new employees as they are hired.

Copies of this Policy will be conspicuously posted.

IV. Reporting and Resolution Procedures

1. If an individual is subjected to a situation which he/she believes constitutes discriminatory harassment in violation of this Policy, the County recommends that the employee confront the harasser directly and advise the harasser that his/her behavior is not welcomed and will not be tolerated. Note that neither this policy nor state/federal law requires that an individual tell an alleged harasser to stop his/her actions. Employees should feel free to keep written records of any alleged sexual harassment incidents, including the date, time, location, names of people involved, witnesses (if any), and who said or did what to whom.
2. A written or verbal complaint should be filed by the affected employee with the employee's immediate supervisor. The supervisor will immediately forward the complaint to the Department Head. In the event the employee does not believe it would be appropriate to file the complaint

with the immediate supervisor, it may be filed directly to the appropriate Department Head or to the County's Personnel Officer. If the Department Head is unavailable or a party to the violation, the supervisor shall forward the complaint to the Personnel Officer or County Attorney.

V. Complaint Investigation

1. Harassment complaints should be investigated as promptly as possible and resolved within a reasonable time after the receipt of the complaint. **The Office of the County Attorney** and with the oversight of the Personnel Officer and/or their designee(s) will coordinate an investigation of the complaint. Following the investigation, **the County Attorney and/or his/her designee(s)** may issue a written report of findings and conclusions.
2. Thereafter, any conclusions may be issued from the the County Attorney and/or his/her designee(s), in writing, back to the complainant.
3. Retaliation against any individual making a harassment complaint or assisting in the investigation of such a complaint is strictly forbidden. Retaliation, like discrimination and harassment, is against the law and is a serious violation of this Policy. Employees who retaliate against other employees who complain about harassment and/or participate in investigation of harassment may be subject to disciplinary action.

VI. Response Procedures

1. In the event a complaint of discriminatory harassment is determined to be founded, the County may take disciplinary action in accordance with the provisions of applicable collective bargaining agreements and/or state law, if applicable.
2. If disciplinary charges are filed against an employee on the grounds that the County has determined the employee is guilty of unlawful harassment, the accused employee may exercise his/her rights through the disciplinary procedure provided for in his/her labor contract and/or state law, if applicable.
3. Reporting of a false complaint is a serious act. In the event it is found that the individual bringing the complaint has knowingly made false accusations, the County will take action in accordance with the provisions of the applicable collective bargaining agreement and/or state law, if applicable.

SECTION 3 - FORMS

The following forms are to be used in administering Tioga County's Workplace Violence Prevention Program and Discriminatory Harassment Policy:

- **Form 1:** Workplace Violence Incident Report Form
- **Form 2:** Workplace Violence Prevention Program Policy Acknowledgement Form
- **Form 3:** Workplace Violence Prevention Program Training Acknowledgement Form
- **Form 4:** Discriminatory Harassment Complaint Form
- **Form 5:** Notice of Withdrawal of Complaint of Discriminatory Harassment

**TIOGA COUNTY
WORKPLACE VIOLENCE INCIDENT REPORT (FORM 1)**

This form is to be used to document any reportable workplace violence incident. This form is to be completed and forwarded to the Safety Officer within the timeframe outlined in Section VII of the Workplace Violence Prevention Policy.

Today's Date _____
 Date of Incident _____
 Time of Incident _____
 Case Number _____

Employee Name _____
 Title _____
 Workplace Location _____

Name/Title of Individual Completing this Report _____
 Date Report Received by County Attorney _____
 County Attorney Name/Signature _____

(DSS ONLY: Attach a WMS or CSMS inquiry screen, if available)

Check the Type of Violence the victim experienced (Levels I, II or III):

Level I Violence:

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> Intimidation | <input type="checkbox"/> Bullying | <input type="checkbox"/> Verbal abuse |
| <input type="checkbox"/> Minimal Harassment | <input type="checkbox"/> Shouting | <input type="checkbox"/> Swearing |
| <input type="checkbox"/> Obscene gestures | <input type="checkbox"/> False statements | <input type="checkbox"/> Other |

Level II Violence:

- | | | |
|---|---|---|
| <input type="checkbox"/> Psychological trauma | <input type="checkbox"/> Swore at directly | <input type="checkbox"/> Obscene calls |
| <input type="checkbox"/> Threats of assault | <input type="checkbox"/> Shouted at directly | <input type="checkbox"/> Suicide threat |
| <input type="checkbox"/> Advanced harassment | <input type="checkbox"/> Being followed/stalked | <input type="checkbox"/> Other |

Level III Violence:

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Shooting | <input type="checkbox"/> Stabbing | <input type="checkbox"/> Grabbing |
| <input type="checkbox"/> Striking with an object | <input type="checkbox"/> Throwing objects | <input type="checkbox"/> Pushing |
| <input type="checkbox"/> Sexual assault | <input type="checkbox"/> Homicide | <input type="checkbox"/> Other |

Detailed Incident Description (Including what happened immediately prior to the incident and how the incident ended):

Names and job titles of involved employees:

Names or identifiers of individuals involved (non-employee):

Extent of injuries, if any:

Name(s)/Title(s)/Phone Numbers of Any Potential Witness(es):

What was the immediate action taken?

Police Notified?: _____ YES _____ NO

Police Department _____

Name of Officer _____

Date _____

Time _____

Police Report Number (If applicable) _____

Did you lose any work days? YES NO If so, how many? _____

Have you received counseling since this incident? YES NO

Did you have any reason to believe that this incident might occur?

YES NO

Has Tioga County taken measures to avert this incident from occurring in the future, that you are aware of? If so, describe the actions Tioga County has or is in the process of taking to mitigate future incidents (list time table for correction, interim protective measures and any global prevention enhancements for similar worksites which are apparent:

Signature

Date

**TIOGA COUNTY
WORKPLACE VIOLENCE PREVENTION PROGRAM POLICY ACKNOWLEDGEMENT
FORM (FORM 2)**

I hereby acknowledge that I have received a copy of Tioga County's Workplace Violence Prevention Policy outlining the County's policy, objectives, procedures, and regulations regarding violence in the workplace. I further acknowledge that I have read or will read the content of the Policy and will contact my Department Head or supervisor with any questions.

I understand the objectives, procedures and regulations in this Policy will remain in effect unless changes become necessary.

I understand that Tioga County reserves the right to interpret, add to, or revise any part of this Policy, consistent with statutory requirements. Moreover, this Policy may be subject to alteration by changes in federal or state legislation, rules, and/or regulations.

I agree to abide by Tioga County's Workplace Violence policies and procedural requirements.

EMPLOYEE NAME (PLEASE PRINT)

EMPLOYEE SIGNATURE

DATE OF SIGNATURE

A copy of this form is to be placed in the employee's personnel file.

**TIOGA COUNTY
WORKPLACE VIOLENCE PREVENTION PROGRAM TRAINING ACKNOWLEDGEMENT
(FORM 3)**

I hereby acknowledge that I have received training on the dangers of workplace violence, identified risk factors and available prevention methods, and my responsibilities and rights with respect to addressing the potential for workplace violence. I have been informed of the County's policy regarding workplace violence and the program and procedures in place to minimize risks.

DATE OF TRAINING

EMPLOYEE NAME (PLEASE PRINT)

SIGNATURE OF EMPLOYEE

DATE OF SIGNATURE

A copy of this form is to be filed with the Safety Officer

**TIOGA COUNTY
DISCRIMINATORY HARASSMENT COMPLAINT FORM (FORM 4)**

(Submit to Department Head and/or Personnel Officer)

This form may be used to file a charge of harassment which is a form of discrimination prohibited by federal law, the New York State Human Rights Law, and County Policy.

It in no way deprives you of the right to file a complaint with the US Equal Employment Opportunity Commission, New York State Division of Human Rights, and/or the Federal/State courts.

(PLEASE PRINT OR TYPE)

1. Name _____
 Phone Number _____
 Residence _____
 Mailing Address (if different from residence) _____
 City _____ State _____ Zip Code _____

2. Department _____

3. Have you filed this charge with a Federal, State or local government agency?

YES/NO: _____ When _____ Where _____
 (Month/Day/Year)

Have you instituted a suit or court action on this charge?

YES/NO: _____ When _____ Where _____
 (Month/Day/Year)

(AN AFFIRMATIVE REPLY TO THIS QUESTION WILL IN NO WAY STOP A COUNTY
 REVIEW OF YOUR COMPLAINT)

4. Alleged Discrimination Occurred on or about:

Month: _____ Day: _____ Year: _____ Time: _____

Is this alleged discrimination continuing: YES _____ NO _____

Describe the alleged act of harassment. **Use additional sheets if necessary.**

5. Indicate the name(s) of the alleged harasser(s):

6. State the name(s) of any potential witness(es):

7. I swear or affirm that I have read the above related facts and that the statements are true and correct to the best of my knowledge, information and belief.

Date: _____

(Signature)

-INFORMATION PROVIDED HEREIN WILL BE CONFIDENTIALLY MAINTAINED-

**TIOGA COUNTY
NOTICE OF WITHDRAWAL OF COMPLAINT OF DISCRIMINATORY HARASSMENT
(FORM 5)**

COMPLAINANT'S NAME: _____

TITLE AND DEPARTMENT: _____

DATE COMPLAINT FILED: _____

DEPARTMENT HEAD NOTIFIED: _____

I hereby withdraw this complaint and agree that no further internal action is required.

Complainant's Signature

Date

cc: Personnel Officer

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRING TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 50-14 RECLASSIFY VACANT POSITION; AUTHORIZE
WAIVER OF 90-DAY HIRING DELAY
MENTAL HYGIENE

WHEREAS: Legislative approval is required for all position reclassifications and waivers of 90-day hiring delay; and

WHEREAS: One Clinical Supervisor position (CSEA Salary Grade XVIII) became vacant on January 27, 2014 due to the resignation of the incumbent; and

WHEREAS: The Director of Community Services has reviewed the staffing needs within the Mental Hygiene Department and has determined that said vacancy would be better utilized in the service of clients if the position was classified as a Clinical Social Worker; and

WHEREAS: Due to program needs, there is an immediate need to fill the vacancy as a Clinical Social Worker; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant, full-time Clinical Supervisor position (CSEA Salary Grade XVIII) to a full-time Clinical Social Worker (CSEA Salary Grade XVI); and be it further

RESOLVED: That the Director of Community Services is authorized a waiver of the 90-day delay in filling the full-time Clinical Social Worker position and is authorized to fill the position effective February 12, 2014 on a provisional basis, pending the outcome of the civil service examination.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case made a motion to have the following late-filed resolution considered, seconded by Legislator Hollenbeck and carried.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 51-14 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Kristin Barnhardt expires as of March 31, 2016; and

WHEREAS: Kristin Barnhardt resigned in December 2013; and

WHEREAS: Kim Depew has expressed a desire to replace Kristin Barnhardt on the Tioga County Local Development Corporation and fill her unexpired term; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Kim Depew to the Tioga County Local Development Corporation to fill the unexpired term of Kristin Barnhardt effective 2/12/14 and said term will expire on 3/31/16.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:12 p.m.

Public Hearing
Annual Agricultural District Inclusion
February 20, 2014

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2014 was called to order by the Chair at 10:03 A.M. All Legislative members were present.

There were three people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Chair Sauerbrey stated that in Elaine Jardine's absence Kat Loeck, Extension Community Educator and Regional Fruit & Vegetable Specialist from Tioga County Cornell Cooperative Extension will be presenting.

Kat Loeck spoke. "Thank you. In 2014 we received seven requests for a total acreage of 407.74 acres, which were located within the Spencer, Owego/Nichols, and North Tioga Ag Districts. Farm types include beef, cattle, horses, hay, corn, blueberries, managed woodlots. On February 18 this information was presented to the Tioga County Agricultural and Farmland Protection Board, which made a resolution to accept these inclusions."

George Penney spoke. "I think all of us should realize that agriculture is primarily the most significant business we have in Tioga County. Thank you."

There being no further comments, the hearing was adjourned at 10:05 A.M.

Public Hearing
Local Law Introductory No. A of 2014
March 6, 2014

The Public Hearing on Local Introductory No. A of 2014 A Local Law authorizing an override of the Tax levy limit for Tioga County for 2015 and authorizing the adoption by Tioga County of a budget for 2015 that requires a tax levy that is greater than the tax levy limit for the 2015 fiscal year was called to order by the Chair at 1:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were three people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:02 P.M.

Third Regular Meeting
March 11, 2014

The Third Regular Meeting of 2014 was held on March 11, 2014 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "As I was driving here today for this special occasion, a wonderful example of democracy, which many countries are unable to enjoy, I said to myself this is as good as it gets. I thought isn't it great to be an American and we are so lucky and blessed to be born in a great caring, loving and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let us take the time to thank the many people from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our leaders and military forces who are making many sacrifices to ensure and protect our freedom. Let us pray that the entire world will someday be able to live in peace and all people will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to guide and bless this Legislative body, our department heads, and employees."

Legislator Huttleston led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey gave the State of the County Address.

"Good evening ladies and gentleman and thank you for being here tonight for the State of the County Address. The information I am going to share was collected with the staff from the county and I appreciate their support.

"Tonight we will talk about the challenges and success of 2013 and talk about our goals and objectives for 2014.

"Tioga County provides many services to the public such as the care and maintenance of county roads and bridges, election services, public defenders for those that cannot afford an attorney, health care clinics, food stamps, services to veterans, foster care and the list goes on.

"The legislature works with department heads and staff to provide services in the most affordable way. It's a challenge to provide needed services and keep the taxes low for county property owners. Even though we are organized, plan well, and run our departments efficiently, there are always unplanned surprises that come our way.

"One example is the flood of 2011 for which we are still recovering. We are still dealing with FEMA and working on mitigation plans to prevent damage from future floods. Another unplanned surprise was the change in Medicare funding for rural transportation. We knew changes were coming but we were totally unprepared for what happened. The change came when the state contracted with an outside vendor to handle Medicaid transportation. The vendor chose to use taxis instead of our bus system. We are now in a position where we have to modify or cut the bus system or experience a 1.7% in taxes.

"I will share an overview of 2013 as it relates to each area of business in the county.

Administration

"In 2013 the Board of Elections provided the opportunity for a complete review of the street file database, which is the fundamental element in providing Election District integrity for elections held in Tioga County.

"Managing important county documents is critically important and the Records Management Department is still in recovery mode from the flood of 2011. In March 2013 there was a major shred of 17,318 pounds of documents.

"The Tioga County Clerk's Office made progress by hiring Cott Systems as the new ERMS software vendor. The software is now installed, operational and is helping to make the department more efficient. A total of all fees collected by the County Clerk were 4.9 M, 3 M went to New York State and 1.9 M went to Tioga County.

"In the Real Property Tax Services Department, Terie Huseby was appointed in October 2013 to the position of Real Property Tax Services Director for a six-year term. This department continues to produce tentative and final assessment rolls, tax bills for villages and town and county bills.

"Tioga County Historian, Emma Sedore handled, 64 genealogy requests and completed her third book "Gone, but not Forgotten, History of the Ahwaga Hotel".

"As a service to our US Veterans, the Tioga County Veterans Office reaches out and supports the nearly 4,700 veterans in Tioga County. Last year they provided support for 511 individuals in 2013. The Veterans Office has relocated to the Health and Human Services Department.

Finance/Legal

"The Law Department under the supervision of our Attorney Judy Quigley, reviewed 165 contracts for 2013, worked with the County's Labor Counsel, Roemer, Wallens, Gold & Mineaux and the Personnel Department in matters relating to the administration of the civil service, personnel related challenges, benefits administration issues and the administration of labor contracts and grievances. All of this while continuing to address issues surrounding the 2011 flood including document recovery, insurance issues, audit of clean up bills, and processing of FEMA paperwork.

"William Kenville came on board on August 26, 2013 as our Safety Officer and went to work immediately addressing numerous issues and making sure we are safe in our work environments.

"Kirk Martin was elected District Attorney in November 2013 for a four-year term and took office on January 1, 2014. Previous to that on November 7, 2013 the Defense in the Calvin Harris murder conviction served and filed a Motion for Change of Venue with the New York State Appellate Division which creates a challenge for the future. In 2013, the District Attorney's Office had 126 County Court Indictments and Superior Court informations filed.

"In 2013, the Public Defender's Office covered 1,816 cases for Drug Treatment Court, Felony, and Violations/Misdemeanor and Parole Hearings. Looking to 2014 we have Mari Townsend coming on as the new Family Court Public Defender.

Health and Human Services

"Tioga County's Health and Human Services Departments provide valuable services to the citizens of Tioga County. The Department of Social Services Preventive Unit provided direct preventive services to 70 families with 165 children. There were 10 admissions to foster care and 14 discharges from foster care. The Department of Social Services reported local revenues and recoveries totaled approximately 1.3 M. Medicaid recoveries from accident settlements, estates, and liens totaled \$418,797, an increase of \$181,729 (77%). Child Support Enforcement Unit collected 5.6 M for children in Tioga County.

"The Federally funded HEAP Unit processed 7,876 benefits to customers totaling 3.8 M for the 2012-2013 seasons. This is an increase in HEAP benefits of almost 32%, but a decrease of almost 17% in benefits processed from the previous year.

"Our Mental Health Clinic provided 15,499 services to citizens of Tioga County. The Mental Hygiene Department purchased new electronic healthcare record/billing software so that we are in compliance with the Affordable Care Act requirements.

"Tioga County Alcohol and Drug Services continue to be the primary provider of outpatient and alcohol services within the County. During 2013, a total of 6,169 services were provided to individuals.

"Tioga County welcomed James Rich, MPH, as he was appointed to Tioga County as Public Health Director effective November 12, 2013. Health Educators facilitated the 2014-2017 Community Health Assessment and the Community Health Improvement Plan. Lasts year the Health Department held the largest car seat event in the region for National Child Passenger Safety Week.

"Tioga County Employment Office. Long term unemployment benefits, which extended unemployment benefits from the regular 26 weeks to up to 99 weeks, were discontinued as of 12/31/13. The annual unemployment rates in Tioga County decreased in 2013 to 7.9%.

"Transportation, Tioga County Bus Transportation System. The Governor's Medicaid Redesign plans kicked in late last year regarding transportation for Medicaid beneficiaries. The state secured an outside vendor to arrange transportation, and took away local control from the counties. Medicaid recipients used our bus transportation to go back and forth for their appointments and now those Medicaid recipients are being transported by taxi, not by bus. Therefore the funding Tioga County received to provide transportation has gone away and we are now responsible for funding the bus system. The contract with our transportation provider also ran out this year, the county went out for bids as required by law and First Transit secured the bid.

Information Technology Department

"2013 was a year of significant change affecting the County's Information Technology Department. Douglas Camin was appointed the permanent Director in November. Several significant technology projects were undertaken,

including upgrade and replacement of approximately 75% of the county's desktop and laptop computers; redistributing many servers of the County to better prepare for any network failures and placing key servers in every building.

Legislative Support

"The Legislative Office completed the Journal of Proceedings which are the minutes and official resolutions for the county for 2013 and they are posted on the County website. Staff continues to help with the education and transition of the new county chair.

Personnel Department

"The Personnel Department conducted 36 Civil Service Examinations in which 246 candidates participated. This was the 2nd year the County had the high deductible health insurance and health reimbursement accounts in place for over 300 employees.

Public Safety

"The safety of Tioga County Citizens is of upmost concern for county leaders. We are pleased that our Public Safety departments work together to ensure the safety and security of our residents.

"The Road Patrol Division recorded 402,607 miles of patrol, and handled 8,733 calls for service. The total number of calls-for-service comprised of 45,417 for police related incidents and 8,101 were calls for EMS or Fire services.

"Stop DWI operational costs came in 11% under budget with expenditures totaling \$101,787.54 for 2013. Revenues from fines collected totaled \$88,097.22. The Coroner's Office handled 62 cases in 2013.

"The ATI Weekend Work Program conducted by Public Safety performed more than 2936 hours of community service labor during 2013. The Civil Office received and disbursed \$767,998.73 during the year; a 41.5% increase from 2012, \$189,890 in bail money was received and disbursed. The Division earned \$62,308.64 in revenue, a 1.5% increase from 2012.

"Pistol permit transactions increased 32% from 2012, a total of 1,536. Since 2011, the program has realized a 73% increase in transactions.

"In the Probation Department officers completed 292 Investigations, which were ordered during 2013 by the 18 courts serviced by the Probation Department. Probation collected \$67,966 in restitution, designated surcharges, and DWI Supervision fees, and disbursed to Tioga County government and crime victims.

"The Bureau of Fire and EMS Services total calls were up slightly again from the past year. In 2013 there were 8,101 calls for service. Good news regarding grants, the Bureau of Fire received a 2.3 Million interoperable communications grant to enhance infrastructure of the aging County Public Safety Communications System.

"Emergency Management Office. The Emergency Management Office testified before the Governor's Mooreland Commission on NYSEG response for major disasters on 4/22/2013. The Chair of the Legislature completed the mandatory training for the NYS Division of Homeland Security and Emergency Services.

Public Works Department

"The Department of Public Works maintains our buildings, keep our roads and bridges secure. In 2013 the Department of Public Works managed the Pennsylvania Avenue Bridge construction using 100% FHWA emergency funds stemming from the Topical Storm Lee flood.

"Buildings & Grounds Dept. constructed a new entry/waiting area for Mental Health, new offices for STIC, new storage room for Information Technology, and reconditioned an office for the new Assistant Public Defender.

"Recycling. Recycling revenues went up by 67.3%. The sixth annual tire and scrap metal collection program was held in 2013 and there have been more than 600 tons of tires cleaned up and properly disposed of since its inception.

Economic Development and Planning.

"We look to the Economic Development and Planning Department to bring jobs and create opportunity for Tioga County. July 2013 brought a change in leadership to the Economic Development and Planning Department. LeeAnn Tinney with sixteen years of experience at the Tioga County Industrial Development Agency took over as Director of the Department. Since that time, she and her staff are actively pursuing new opportunities for Tioga County.

"They secured 1 M for site preparation and infrastructure expansion to the Tioga County Industrial Development Agency owned ESite on 434 in the Village of Owego.

"On the Western end of the county Tioga County ED&P Assisted Rynone Manufacturing to help keep the longstanding Tioga County based business at their current locations in the Town of Barton and Village of Waverly.

"As a priority, work is being done to support Tioga Downs in their efforts to obtain the Southern Tier Region gaming license. Last fall they helped Tioga Downs in their efforts to promote Proposition One, the amendment to the New York State Constitution to allow table gaming.

- Worked with the Town of Nichols, Village of Owego, and Town of Tioga to complete Long Term Community Recovery strategies.
- Facilitated the New York Rising Community Reconstruction Program involvement for the Town of Nichols, Village of Nichols, Town of Owego, Village of Owego, and Town of Tioga.
- Assisted the Town of Nichols in the sale of 15 acres and extension of existing water/sanitary sewer for the construction of the Army Reserve Training Center located in Lounsberry.

Financial news for the County.

"The County's financial reporting received a clean audit from our independent auditors. Although the County Sales Tax collections were down 4.98%, collections exceeded the prudent budgeted amount. The annual summer auction of tax foreclosed properties produced winning bids of \$910,000. After recovering the \$205,000 in back taxes, the auction closings produced a surplus of \$700,500 to the county's general fund.

"Last August the Treasurer bonded 9.9 M at a low interest rate of 2.27%. The 10-year debt issuance will pay for capital fund infrastructure improvements to a dozen bridges and an energy savings project including two new roofs in 2014.

"General fund appropriations came in at 67.362 M, down from 2.1 M from 2013, and revenue was set at 44.655 M, down 1 M from 2013.

"In the 2014 budget the appropriated fund balance was reduced from 2.956 M to 1.5 M to reduce taxes.

"FEMA and insurance reimbursements continued in 2013 with the county recovering close to 95% to date of the 4.8 M in various damages from the 2011 flood of county assets by over 1 M. 4.9 M in sales tax dollars was distributed to towns and villages.

Challenges for 2014.

"2014 has brought us several challenges. Working with our experienced department heads and staff the legislature is working with other rural counties to resolve the rural bus transportation issue. We are looking to Albany for some relief and restore the former funding for our bus system. We fear that if that does not happen, Tioga County will not be able to pay for a bus transportation system. We are looking at many options and working to make the best decisions for the Tioga County Citizens

"We are also concerned about the Governor's Property Tax Freeze Proposal. As it stands now we fear that the process of implementing this program lies heavily with the county, requiring extra staff hours to implement the program over the next few years. There are many unanswered questions to this project and the information is confusing.

"We are working on good news.

"The FMAS – Financial Management Accounting System Project is now underway. We have secured Jeff Morgan from Evolve to help us with our RFP, request for proposal to purchase new financial software for the county. This is expected to be a two year project that should bring more efficiency and help our departments run more effectively. This is a badly needed upgrade and I am pleased that we are off to a good start.

"More activity for 2014 include: Continue to work on space allocation and place Departments in the most efficient and practical spaces.

"Tioga County Public Works has an ambitious program this year including the reconstruction of as many as eight (8) bridges including the E. River Road Bridge at Kirby Park in Nichols.

"We look for new opportunity for the E-Site on 434 in the Village of Owego as we begin construction on that property.

"Tioga County will benefit by the Southern Tier Network 5 M project that will extend the dark fiber backbone into Tioga and Broome Counties from Steuben and Chemung Counties.

"Property improvements will be completed in the Village of Waverly under the \$137,000 Rural Area Revitalization Program Grant

"NY Rising Community Reconstruction Program priority projects will be underway and the Ag and Farmland Protection Plan update will be complete.

"We look forward to The Army Reserve Facility opening in the spring. They are located in Lounsberry in the Town of Nichols and will be in operation in 2014.

"The County will also be doing 1 M of flood mitigation work in our Owego County Office Building, a \$350,000 improvement project at the Court House and a 2 M energy project including new roofs at the Public Safety Building and County Office Building.

"In closing...Running county government takes a team effort.

"Thank you to our dedicated employees, professional staff, directors, and hardworking legislators who work together to get positive results. I look forward to making progress this year, and along with my fellow legislators, we expect to make good decisions and do the right thing for our Tioga County Citizens."

Chad Post presented the Employee of the 1st Quarter 2014 to William Ackley of the Department of Public Works.

"I would first like to thank the Legislature on behalf of the Employee Recognition Committee for their continued support of the ERC Program. This evening we are pleased to recognize Tioga County Mechanic and Working Supervisor William "Zeb" Ackley as Employee of the 1st Quarter of 2014.

"William began his career in Tioga County on October 1, 1979 as a laborer and on February 1, 1981 he was promoted to auto mechanic. Over the years Zeb has continued to work his way up the ladder, being promoted to parts clerk on June 11, 1984, automotive stock clerk on July 10, 1990, and mechanic and working supervisor on January 2, 1999. Zeb's job is very hectic as he is in charge of keeping the county trucks and equipment in good working order.

"He is often called upon to go out to various job sites and fix equipment in inclement weather. Winter can bring long hours for the Highway Department and Zeb is always there when he was needed, whether day or night. Zeb lives in Berkshire with his wife Patty and he has two grown sons, Brian and David, both of whom work for Tioga County Buildings & Grounds. Zeb also has daughter-in-laws, Alana and Jess as well as two grandchildren. Zeb enjoys the outdoors including hunting, fishing, boating, snowmobiling, and four-wheeling. Zeb and Patty also enjoy vacationing in the Adirondacks. Thank you Zeb for your outstanding service and for the hard work you do for the County. Your dedication is appreciated by all."

Ken Del Bianco, Commissioner of Public Works, spoke. "I finally found out how he got his nickname "Zeb" after working with him for almost 14 years. It was a previous employee gave him the nickname of Zeb and that is how we all know him as Zeb. 37 years with the County, I do not know what you can say about that, it is amazing and the dedication is unbelievable. It is hard to believe he is younger than I am.

"As mentioned in the biography, this is the guy that when it is zero degrees out and we are plowing snow and a truck is broke down, he is out there in that weather dealing with the situation and the temperatures. He is always there when you need him. I think the guys at the shop would all say that about him. If there is a piece of equipment that is broke down and we need to find a way to make it work, Zeb finds a way to make it work. He will fit some part in there. He will find some way to do it and we get that piece of equipment up and running when we need it.

"On a personality note, Zeb is kind of a jokster I would say. He likes to start things up a little bit. He is also known to exaggerate a little, especially about the weather. If it is 5 degrees at the County Highway Department, it is always 5 degrees below zero where Zeb lives. If we have 12 inches of snow, they have 18 inches wherever Zeb is, but because of it we have had several bets over the years on how much snow we are going to get for storms and I think I have won quite a few more than he has won. Zeb's favorite words, at least to me, the words I hear the most are when I ask him if a piece of equipment is ready, if it is fixed, is "oh waiting on parts boss". I think I have heard that probably about a hundred times since I have been working, but I will say in most cases it is true because when we do get the parts in he gets the piece of equipment up and running, and it is fast. I just want to give him a lot of credit and congratulate him on being the Employee of the 1st Quarter."

Legislator Standinger read and presented the following recognition resolution to Sue Hall of the Department of Social Services.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 52-14 *RECOGNIZE SUE HALL'S TWENTY-NINE YEARS OF
DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Sue Hall began her career with the Tioga County Department of Social Services as a Community Services Worker on December 11, 1984, and was promoted to a Social Welfare Examiner on January 16, 1985, and promoted to her current title of Senior Social Welfare Examiner on November 14, 1988; and

WHEREAS: Sue Hall has been a dedicated and loyal employee in the performance of her duties as a Senior Social Welfare Examiner; and

WHEREAS: Sue Hall has shown the highest levels of integrity, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Sue Hall will retire on March 31, 2014; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sue Hall for her twenty-nine years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Sue Hall.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Gail Barton spoke. "Before I start, I just want to say how nice it is to see the many DSS retirees who are here this evening and they all look great, so I do not know what that means about retirement, but nice to see you all.

"The story was told at the Employee Recognition luncheon when Sue was honored for 25 years of service that on her first application with the County in 1984 under previous experience and within the box that asks you to describe duties below, Sue simply wrote "none that pertain to this type of work". Despite her lack of pertinent related experience, she was hired. Those who interviewed her must have been confident that Sue would be able to learn and develop the needed job skills. They must have also known that having a kind and compassionate attitude towards those we work with in the world of DSS is something that cannot be taught and that those personal qualities are just as important as the skills we can teach you.

"Here we are 29 years later and Sue has accumulated a wealth of knowledge and experience about working with the diverse people that we serve day in and day out. Sue has done a little bit of everything in her years with the Department from which she began as a Community Services Worker to her current role within the HEAP and Energy Unit where there is such a high demand for both quantity and quality. Sue adjusted to the fast paced high volume crisis driven world of HEAP with good humor, a positive attitude, and chocolate.

"One of Sue's favorite roles over the years was that of teaching our employment workshop. Sue put much effort into developing the employment classes. In that role, Sue found a niche that was both rewarding for the people she taught basic work skills to as well as rewarding for her. Touching each and every client's life and lifting them up was an important accomplishment for her.

"What has always been true about Sue is her ability to always keep a steady focus on how she treated the person sitting across the desk from her. There has always been a high level of compassion and empathy for those we serve. Sue has received countless thank you notes and notes of appreciation from people she has served. Sue has a humorous and caring side to her when it comes to her coworkers, enjoying playing practical jokes on them, something about tinfoil and tinfoiling an office, but also feeding them delicious baked goods.

"Sue's coworkers appreciate her great listening skills, ability to keep a confidence, and her willingness to do whatever is asked without complaint. Even though Sue has had much to overcome personally and was ready to retire last fall, she stuck it out until HEAP closing because of her loyalty to her coworkers and extreme dedication to the clients we serve.

"Thank you Sue sincerely for your 29 years of service. Thank you for your dedication to the Department of Social Services, to your coworkers, and most importantly for your dedication to anyone who has ever been in need of another person's concern and compassion. We hope you recognize how important you have been to the thousands of individuals and families you have helped. Congratulations on reaching a most well deserved retirement. We all wish you much good health and happiness as you continue along life's journey."

Sue Hall spoke. "I just want to say thanks and I have enjoyed it. I have learned a lot along the way. I have met a lot of friends, wonderful coworkers, and thanks."

Chair Sauerbrey noted the following Proclamation on Public Health Week.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, learning about prevention of deadly diseases or receiving vaccinations; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore be it

RESOLVED: That the Tioga County Legislature does hereby ask all residents of our county to join in declaring the week of April 7, 2014 to April 13, 2014 be designated as Public Health Week in Tioga County.

George Penney had privilege of the floor. "I do not think that I need to remind any of you that farming is still the number one industry in Tioga County and now with increasing world population I think it will remain so for some time. As yet the drilling for gas industry in New York State has not been prohibited, such drilling would have a severe impact on Tioga County farms. It is very important that any drillers be required to post a bond for removal of equipment and debris. I thank you for listening."

Cynthia Roy had privilege of the floor. "Hi, I just want to let you know I ride the Tioga County bus and I depend on it, and I wanted to give you a few things about the bus that I ride. I ride the Waverly to Ithaca to Cornell bus and it encourages us to buy locally I believe because where I park my car I get off the bus and I actually do my shopping in Spencer, and I buy my gas in Spencer, so it all goes towards Tioga County.

"I ride the bus with a lot of people and I just want to tell you about the people that I ride with, just some of them. There is a man who works at Ithaca College. There is a young woman who works downtown Ithaca and she works making stuffed animals. There is a man who goes to Ithaca who is a dog behavioralist. There are Cornell employees. There is a lady who goes to Ithaca twice a week to go visit her mother. There is a lady who goes to Ithaca to see her doctor. There are people whose cars break down and they ride the bus for a week or so while their car is being worked on. Some of them find out they like

it and they quit driving, and they take the bus, which is good. There is a guy who walks a mile every day to the bus stop there in Spencer. There is a lady who takes the bus who works at Walmart and at Christmastime she had two different jobs in Ithaca and she took the bus. There is a guy who rides the bus to Ithaca so he can go to unemployment services. He lost his job recently. We lost a construction worker recently who used to ride the bus because on January 2 and 3 our bus did not actually show up and his boss had told him the next time he is late he is fired, so he does not ride the bus anymore. In general the bus is there and it is there for us.

“There are many people who ride the bus at our stop and right now the webpage shows there are two stops in Spencer, West Danby and then Green Street when in actuality in Spencer it stops at Dollar General, stops at the Big M. We have a flag stop between the Big M and Liberty Street. We stop at Liberty Street. We have a flag stop at Fisher Settlement Road. We have a flag stop at the subdivision and flag stops are where people do not ride it every day, maybe two times a week. We have a stop at Michigan Hollow Road. We have a stop at Hill View Road. We have a stop at the Nature Center. We have a stop in West Danby. We have a stop at VanBrusser Road. We have a flag stop at Piper Road. We have a flag stop at Home Depot when we get to Ithaca. We have a stop at the Mobile in Ithaca and we have a stop at Kwik Fill. These are all stops of ones we stop at every day and there are multiple people. We also have a flag stop at Tops, flag stop at Dunkin Donuts, and then we get to Green Street. Where you show we have two stops to Ithaca from Spencer to Green Street, there are actually eight all time stops and there are another seven flag stops that vary from time to time. We ride the bus because it is economical. Thank you very much.”

Anie Clark had privilege of the floor. “I just want to share my story about how I ride the bus. I gave a call to Loretta and thank you so much, she was very attentive and helpful. I started riding the bus in 2008 after I hit a deer and my car was totaled, so I had no car for a month. If the bus service had not been available I would not have had a way to get to work and get back on my feet so I could put a down payment on a car. It is a very long ride from Spencer to Ithaca and there is people that ride from Waverly. There are people that ride all the way from Owego.

“I think why to keep the service is to have available for people. Now I have a car, but I do not know if I will hit another deer, which it is highly likely in this area. I do not know if my car is going to break down. Also, my husband became disabled last year and our income went down like 50%. If I ride the bus, my expense in gas is more than half of what I would pay driving every day to

get to work in Ithaca because that is where Cornell and Ithaca College are, which are the largest employers in the area, and in the end I pay taxes in Tioga County. If we say we lose the bus, there is a tax increase. I will guess that nobody is going to like to hear those words. I do not have any kids, but my taxes pay for services for kids, so I think that in the end we all pay for services for everybody and everybody benefits directly or indirectly from those services. I would invite you if you want to hear from your constituents and you want to know what riding the bus or going to work every day 50 miles, do hop on the bus and go talk to the people that are on the bus, they are the ones that are using the service, ask them why are they riding the bus and why would it benefit them or how would it affect them if the bus was not there anymore. Thank you."

Richard Vanderpoel had privilege of the floor. "First and foremost I want to thank all of you for serving and I know it is not a great gratitude job, but you are all doing a wonderful job. My wife has been riding for a few years. She never dreamed of it. She loves it, of the time that she gets to do things that you could not do if you were not here, but I understand a lot of folks think that it is a service for a few, mainly large corporations in Ithaca or Colleges and things like that, and I imagine the majority is that.

"As I was talking to the Legislature not long ago, I got thinking about that and if we are doing transportation for a big part of Cornell or a big part of Ithaca College, or Walmart or Wegman's, or Tops, I wonder if it is possible if they would like to pay for some advertising on the side of our buses or even the car dealers, which are now just a few, one that has many of them, which you cannot get any better advertising than going through every rural town in Tioga County and that could set off some of the costs, maybe for fuel and for repair, and I really believe that they would jump at it because there is no other way, the newspapers today do not go out as much, people do not take them anymore, they are not worth it, people do not listen to a lot of shows on radio anymore, so I really think that kind of advertisement you could afford and they would be more than glad to do. Thank you."

Wendy Deis had privilege of the floor. "Thank you for letting me speak today. My comments are brief. It is my understanding that you are thinking about cutting the bus system and there is a lot of misconception that I have heard, you know just kind of rumors that people think that it is just Medicaid patients who are riding the bus or people who do not have cars, that should go out and buy them. I just am here to tell you that never did I think I would ride the bus, but I do ride the bus and I am a taxpayer, and I do own a car, but I have epilepsy and so I cannot drive, and cutting the bus is cutting away my independence, my ability to go shopping and get clothes. I have a lot of great

friends who take me a lot of places, but I cannot count on the people all of the time to take me every way I need to go. I am really begging you not to do this. Thank you."

Charles Kerr had privilege of the floor. "I am not the democrat of the family. I own a fair amount of property. I owe lots of money on taxes. My new car is a 2003 so I guess I am cheap, but the bus service makes a difference. I had one question, the Veterans' Center moved to where something else was, where is that, is that up the road by the Jail? Without the bus, I am not sure how I could get there as a Veteran. The other thing is it is independence. My wife has a medical condition. She is still able to drive. We do have only one working car. I drive her to the bus at Dunkin Donuts every morning and give her a kiss and see her again 11 hours later.

"I had two strokes in my 40s because I was too stubborn to have a nervous breakdown. I was one of the nerds for one of the blue collar companies around here. Oh and by the way the only person I recognize in the room is Zeb because I have seen him out under equipment. I grew up in an area like this. My city wife here, it took her five years to admit she liked it better. It took me seven years to get her pizza. I wish those were all on the bus route. I tried not to repeat anything to respect your things, but actually I repeat most of the things the other bus people said.

"Our independence goes away when driving stops and the reason we use the buses is because we do not have trains. I see a sign everyday on the old Owego/Ithaca train route and I lived in New York for quite a while, and I took trains to places we have to take buses or we take cabs, and you can be as conservative as you like, it is a waste of money. It is a shame we lost a free ride off of the folks that get extra benefits, but if my taxes go up, they go up. You are not talking a lot of money for a bus service.

"I think there is a lot of talent right here plus some of your colleagues of these other counties that might be the same way, they can think of a solution. My job used to only be working at problems other people gave up on because they were not interested, so please do not give up on this one. It is solvable and it is part of the community, and we are all getting older, our whole community is getting older. Things like this are going to become more important. I have one question later if someone could tell me the answer. Since the new bus company took over, I have seen the small little buses early in the morning on rural roads I had not seen previously. They are picking up somebody and doing something, I would love to know how they are being utilized even though the

contract for stuff went away. They are doing stuff before 8:00 in the morning. Thank you."

Russ Barber had privilege of the floor. Thank you for giving me the time here. I come from a different unique position, I am not a bus rider, but I do have a vested interest in the public transportation considering the fact that I spent a fair amount of time as the operations manager of the previous contractor. I can tell you some things, but I guess my first question that seems to be aloof here is whether or not we are considering other alternatives. So far all I have heard in every domain is it is one or the other. It is either we end the service or we raise taxes. I am convinced it does not have to be either.

"The service as it stands today, given the current contract, I believe is overvalued. It is archaic. There are routes that should not be run. There are routes that could be far more effective than they currently are. My basic philosophy during the time that I was at Tioga Transport was that we need to start putting the buses where the people are because at the time that whole system was developed, it may have made sense then, but does not make sense now.

"Unfortunately I went through a catastrophic event, we call it the flood and that kind of ended my time in Tioga Transport. Prior to that, we were already working on some plans and some ideas and revisions for changing the routes that would make them far more effective. You have heard, I am sure everybody has heard, that yea we frequently see buses running empty. Yes you do. There are a lot of buses that do run empty because they are not effective routes. You are also hearing a lot about the Medicaid. This is one of the issues that bothers me the most. It is well known that the State took over the Medicaid function, the nonemergency medical transportation portion. That leaves a quandary. How can the current contract be more expensive than the previous one when you have lost one-third of your demand for service and certainly the funding that went with it. How does the new contract exceed the old one? That is a mystery to me. Having said that, I do not know where the County is in this conversation, nothing has been published at least that I have seen in terms of what the actions are going forward and what the intent is going forward, but I can tell you having been in that position, that there are a lot of people, a lot of residents in this County that depend on that service and if it should go away certainly will be catastrophic to those people.

"From my perspective, I do not think it is an either or. I do not think it is a matter of raising taxes and I do not believe it has anything to do with cutting out the service. Thank you."

Joe Dabbracci had privilege of the floor. "I am a bus rider from the Owego to Ithaca route. I work at Cornell University. I am the Director of Human Resources for the Division of Alumni Affairs there. I want to first thank Ms. Sullivan here who spent some time with me this week explaining the difficult challenge that each of you face as you try to resolve a tough conundrum here. I think though instead of spending time telling you my personal needs and why I enjoy riding a bus, I would want to point out to you that I think there may be other solutions as prior speakers have enumerated on that we have yet to tap, and it is important that we do that for a couple of reasons.

"I can tell you and I am speaking on behalf of myself, I am not representing the University in any way here, but I could tell you in the short time I have ridden this bus in the three years since I left Lockheed Martin to seek other employment, I have seen that service grow and more and more people become riders on a regular basis with no advertising, no publicity virtually, and basically by word of mouth. This is important for you to understand because while the employment level here in Tioga County has remained steady and we would like it to be lower, Ithaca I can tell you as a Human Resources Director for a large employer there is struggling to find employees, many of which they continue to draw from this County, employees who come to work there every day, who earn a paycheck and come back and spend it here in Tioga County, who pay taxes here in Tioga County, and this bus is a key service that enables them to be able to take advantage of the jobs that are being filled there.

"I just would ask that before any hasty decisions and I recognize again from Ms. Sullivan's explanation there are some significant budget deficits realized right now, but if we have any ability to go back to the State, to try to find a way to get the taxi service turned into something that Tioga Transit could take over, I strongly encourage you to do that. We have an opportunity to help many many more citizens in this community. Thank you."

Susan Chambers had privilege of the floor. "I am not a public speaker. I have been riding the bus for about five years, but I live in Tioga County, I have lived there about 30 years, and worked in Ithaca for about 30 years. Since the State has revoked the Medicaid, I do not want to disparage any Medicaid patients, but I have a hard time believing 100% of them need taxi service door to door. Most of New York State consists of rural communities and I have to believe this action has affected all those counties as well.

"I have been in touch with a gentleman from Tompkins County and he said that the Governor can make administration changes on how Medicaid transportation is managed. He said the operating rules have changed so Medicaid trips are booked with local transit systems before using taxis and have fares to cover the cost of providing the service. He also says they have taken several ideas to the Legislature including giving counties the right to broker their own Medicaid trips, thus opting out for the State brokerage and requiring Medicaid trips to be booked first on local transit systems, that seems like a reasonable alternative.

"Also a lady wrote to me and said another point to bring out is those of us who ride tend to keep our business local in Tioga County as we are parked there as opposed to driving to Tompkins County and parking there. She says I know for me I buy my gas in Tioga County and intend to stop at the local stores, and this is where my car is parked. If I were driving to Ithaca each day, Tompkins County would be getting more of my business. As a matter of convenience I would be more likely to stop at Tops in the East Hill Plaza and get gas there, and use the restaurants there as opposed to stopping here and grabbing something to take home for dinner. She also said she probably would stop at Rite Aid for her prescriptions as opposed to coming back here to get her prescriptions filled. It is just a matter of convenience. She would rather stay here, I would rather stay here and spend the money in Tioga County as opposed to spending it all in Tompkins County as if we were to drive that is where we would stay."

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		509.69
A1165	District Attorney		2,243.99
A1170	Public Defender		6,363.14
A1172	Assigned Counsel		2,000.00
A1325	Treasurer		843.48
A1355	Assessments		232.00
A1362	Tax Advertising and Expense		8,520.00
A1410	County Clerk		1,594.76
A1411	Department of Motor Vehicles		178.09
A1420	Law		3,545.00
A1430	Personnel		1,772.50
A1450	Elections	1,300.47	144.22
A1460	Records Management		268.40
A1490	Public Works Administration		100.00
A1620	Buildings	25.98	37,743.75

A1621	Buildings		18,479.42
A1680	Information Technology		18,988.91
A2490	Community College Tuition		40,719.53
A2960	Education Handicapped Children		178,297.37
A3020	Public Safety Comm E911 System		1,993.67
A3110	Sheriff	2,985.52	18,112.10
A3140	Probation		98.00
A3146	Sex Offender Program		9,240.00
A3150	Jail	78.50	49,707.64
A3315	Special Traffic Programs		600.00
A3410	Fire		4,012.65
A3640	Emergency Mgmt Office		482.44
A3641	Emergency Mgmt Grant Program		1,264.90
A4010	Public Health Nursing		4,462.66
A4011	Public Health Administration		8,961.63
A4012	Public Health Education		475.00
A4042	Rabies Control		322.02
A4044	Early Intervention		6,550.00
A4053	Preventive/Primary Health Services		44.00
A4054	Preventive Dental Services		1,758.95
A4064	Managed Care-Dental Services		7,623.49
A4070	Disease Control		2,355.60
A4090	Environmental Health		187.29
A4210	Alcohol and Drug Services		12,231.07
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene Co Admin		7,723.42
A4310	Mental Health Clinic		106,840.01
A4320	Crisis Intervention Services		24,379.67
A4321	Intensive Case Management		1,438.90
A4333	Psycho Social Club		26,854.00
A6010	Social Services Administration	2,500.00	57,195.78
A6422	Economic Development		2,333.00
A6510	Veterans' Service		398.00
A6610	Sealer Weights and Measures		25.00
A9060	Health Insurance		4,907.40
SOLID WASTE FUND			89,603.93
SPECIAL GRANT FUND			1,396.96
LIABILITY INSURANCE FUND			1,756.88
COUNTY ROAD FUND			70,293.27
CAPITAL FUND			940,817.52
CONSOLIDATED HEALTH FUND			1,179.43
SELF-INSURANCE FUND			<u>4,975.00</u>

GRAND TOTAL \$ 1,813,026.33

Legislator Hollenbeck made a motion to approve the minutes of February 11 and 20, 2014, seconded by Legislator Monell, and carried.

Chair Sauerbrey made the following appointments to the Financial Management/Accounting System Committee:

County Attorney	Probation Director or Designee
Commissioner of Public Works or Designee	Information Technology Director
Legislative Clerk	Legislator Hollenbeck
Chair Sauerbrey	Accounting Supervisor DSS
Undersheriff	Confidential Secretary to Sheriff
Director of Admin Svcs Mental Hygiene	Deputy County Clerk
Director of Admin Svcs Public Health	Treasurer
Deputy Treasurer	Budget Officer
Personnel Officer or Designee	

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 53-14 *RESOLUTION OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS*

WHEREAS: The Governor and State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS: The Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS: The proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS: County government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works"; and

WHEREAS: Recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS: County elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state; and

WHEREAS: The levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs; and

WHEREAS: County officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth); and

WHEREAS: Recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS: The cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS: The benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS: New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program; now therefore be it

RESOLVED: That counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction; and be it further

RESOLVED: That the state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs; and be it further

RESOLVED: That copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Thomas Libous, Assemblyman Chris Friend, Congressman Tom Reed, Towns and Villages, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 54-14 APPOINT MEMBERS TO TRAFFIC SAFETY BOARD

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
James DeVita	4/1/14-3/31/17
Tioga County STOP DWI Coord or Designee	4/1/14-3/31/17
Tioga County Fire Coord or designee	4/1/14-3/31/17

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 55-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Debra Twigg, will expire as of March 31, 2014; and

WHEREAS: Debra Twigg has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Debra Twigg for another three-year term of 4/1/14 – 3/31/17.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 56-14

*APPOINT MEMBER TO THE TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION
(TCLDC)*

WHEREAS: Eric Krenner's term on the Tioga County Local Development Corporation has expired as of March 31, 2014; and

WHEREAS: Lisa Engelbert has expressed a desire to replace Eric Krenner on the Tioga County Local Development Corporation; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Lisa Engelbert to the Tioga County Local Development Corporation to replace Eric Krenner and serve a three year term of 4/1/14 – 03/31/17.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 57-14 *APPOINT MEMBER TO THE TIOGA COUNTY
PLANNING BOARD*

WHEREAS: Arrah Richards has resigned as of February 20, 2014, as Town of Barton representative on the Tioga County Planning Board; and

WHEREAS: The Town of Barton has nominated David Mumbulo to serve as their representative; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint David Mumbulo to the Tioga County Planning Board to fill Arrah Richards unexpired term effective 3/12/14 – 12/31/16.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 58-14 *APPOINT MEMBERS AND
EXTEND MEMBER TERM TO YOUTH BOARD
YOUTH BUREAU*

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared the required report listing these requests, which are located within the Spencer, Owego/Nichols and North Tioga Agricultural Districts, and just over 410 acres; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the district and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature approve the 2014 requests for inclusion of land listed in said report into the Spencer, Owego/Nichols and North Tioga Agricultural Districts, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRING TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 60-14 *JAIL SECURITY SYSTEM UPGRADE –
PROCUREMENT EXEMPTION*

WHEREAS: The Jail Security System electronically controls all security functions at the Jail and Public Safety Building; and

WHEREAS: The majority of the original Jail Security system was replaced and retrofitted in 2006 by Black Creek Inc., with hardware and software specific to Black Creek's security system design; and

WHEREAS: It has been determined that the remaining equipment, original to the buildings' construction be replaced and upgraded to avoid a potential catastrophic failure; and

WHEREAS: The estimated cost of the system upgrade will exceed \$20,000, thus requiring that the upgrade be put out for public bidding, or that an exemption by act of the County Legislature be granted; and

WHEREAS: This system upgrade will require that the contractor possess an intimate knowledge of the Security System, and interoperability with Black Creek hardware and software so as to warranty successful completion of the upgrade and successful operation of the security system; and

WHEREAS: Black Creek, Inc. has served as the sole contractor for troubleshooting and maintenance of the security system at the Jail since 2006 and the majority of the existing system is Black Creek equipment and/or specific to Black Creek operating design, and that it is financially and practically in the best interest of the Jail to continue with this relationship; and

WHEREAS: The County has consulted with an independent Engineering firm to review the feasibility of obtaining the software and hardware through the competitive bidding process, and has been advised that Black Creek has specific equipment required to drive its operating system, making it the sole source for the equipment, since no other software and hardware would provide substantially equivalent or similar benefits to the County and that the cost of the

software and hardware is reasonable in comparison to other software and hardware; therefore be it

RESOLVED: That a "sole source" procurement exception is hereby found for the reasons set forth above and that it is in the public interest of the County to contract with Black Creek, Inc. to complete this work; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be authorized to sign any and all documents to effectuate this contract with Black Creek, Inc. upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Weston, Case, and Hollenbeck

No – Legislators Standinger and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 61-14 *TRANSFER OF FUNDS FROM
CAPITAL HARDWARE RESERVE FUND
CAPITAL SOFTWARE RESERVE FUND
BUILDINGS CAPITAL EQUIPMENT (JAIL
RENOVATION) EQUIPMENT ACCOUNT*

WHEREAS: Resolution No. 119-13 and 120-13 established a Capital Hardware Reserve Fund and a Capital Software Reserve Fund; and

WHEREAS: Black Creek Inc., has presented a proposal to acquire and install both hardware and software upgrades to the existing Black Creek jail security system; and

WHEREAS: Funds for said purchase need to be transferred from the Capital Hardware Reserve Fund, Capital Software Reserve Fund, and the Buildings Capital Equipment (Jail Renovation) Account; therefore be it

RESOLVED: That sums be transferred as follows:

From: H878.05-Capital Hardware Reserve Fund	\$ 50,000
From: H878.04-Capital Software Reserve Fund	\$193,266
From: H1620.21-913-Buildings Capital Equipment (Jail renovations)	\$ 21,133
To: H3150.21-Jail Capital Equipment Account	\$264,399

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Weston, Case, and Hollenbeck

No – Legislators Standinger and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 62-14 *FUND SHERIFF'S GRANT – NYS
PSAP GRANT*

WHEREAS: The Sheriff's Office has been awarded a 2012 NYS PSAP (Public Service Answering Point) Grant in the amount of \$28,711; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the 2012 NYS PSAP Grant be appropriated as follows:

From: State Aid-Sheriff (2012 PSAP Grant) A3388.00	\$28,711
To: Sheriff (2012 PSAP Grant)-Equipment A3122.20.130	\$28,711

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 64-14 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: New York State Highway Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A3401.12 State Aid – Health Education \$ 3,000

To: A4012.40-640 Health Education: Supplies \$ 3,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 65-14 *TRANSFER OF FUNDS*
TROPICAL STORM LEE DISASTER

WHEREAS: There are mitigation repairs that have been approved by FEMA to the three County buildings in the Village of Owego caused by the Tropical Storm Lee Disaster; and

WHEREAS: Funds need to be spent before we can get reimbursed from FEMA and/or the State; and

WHEREAS: Department of Public Works is in the process of securing contracts to complete the projects; and

WHEREAS: Funds need to be allocated to the flood accounts from monies we will receive from FEMA and the State Homeland Security to cover these expenses; therefore be it

RESOLVED: That the following sums be transferred:

From:	H3510.00 State Aid-FEMA	\$200,000
	H4510.00 Federal Aid-FEMA	\$600,000
To:	H1624.20-400 Tropical Storm Lee Disaster (Mitigation 56 Main Street)	\$300,000
To:	H1624.20-401 Tropical Storm Lee Disaster (Mitigation Court House)	\$200,000
To:	H1624.20-402 Tropical Storm Lee Disaster (Mitigation County Clerk)	\$300,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 66-14 AUTHORIZATION TO APPLY FOR GRANT
TIOGA COUNTY MENTAL HYGIENE

WHEREAS: Mental Health Association of New York State (MHANYS) has released grant opportunities to communities titled "New York State Suicide Prevention Initiative MHANYS Local Mini-grants 2014"; and

WHEREAS: The Tioga County Department of Mental Hygiene desires to pursue this grant opportunity to assist in the Coalition Building efforts in Tioga County; and

WHEREAS: The maximum amount of the grant funding is 10,000, as it will be based upon projects directly related to suicide prevention; and

WHEREAS: The grant does not require matching expenditures; and

WHEREAS: The Tioga County Department of Mental Hygiene is the lead agency of the Tioga County Suicide Prevention Coalition on this potential grant opportunity; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require the signature of the Chief Elected Official; therefore be it

RESOLVED: That the Tioga County Department of Mental Hygiene is authorized to submit a grant application for the "New York State Suicide Prevention Initiative MHANYS Local Mini-grants 2014" grant.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 67-14 *INCREASE MONTHLY BUS PASS FARES FOR PUBLIC TRANSPORTATION*

WHEREAS: The Tioga County public transportation system, Ride Tioga, faces a serious shortfall in revenue due to the loss of Medicaid funding; and

WHEREAS: The monthly bus pass rates have not been increased in over ten years; now therefore be it

RESOLVED: That the monthly rate for an in county pass be increased from \$30 to \$45 and the rate for an out of county pass be increased from \$60 to \$90 effective April 27, 2014.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. 68-14 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's Office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$102,882.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$102,882.00 for the period of April 2014 – April 2015; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$8,573.50 at a total annum amount of \$102,882.00.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

RESOLVED: That the Chair of the Legislature of Tioga County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of Tioga County 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-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: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 70-14 *INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last fourteen years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the year 2014; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the year 2014.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 71-14 *AUTHORIZE TIOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO HAVE COLES & ASSOCIATES TO COMPLETE AN APPRAISAL OF COUNTY'S OLD GRAVEL PIT ON CORPORATE DRIVE, OWEGO, NEW YORK*

WHEREAS: The Material Recovery Manager received verbal quotes to conduct an appraisal on the County's old gravel pit on Corporate Drive from the following:

Armstrong, \$1,900.00 with a 3 week turn-around

Coles & Associates \$1,500.00 with a 2-3 week turn-around

therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Department of Public Works to have Coles & Associates conduct an appraisal on the County's old gravel pit not to exceed \$1,500.00 and to be paid for out of the Public Works Account.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Abstain – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 72-14

*RESOLUTION IN SUPPORT OF STATEWIDE
INDIGENT DEFENSE LEGAL SYSTEM AND
SETTLEMENT OF HURRELL-HARRING ET AL. V.
STATE OF NEW YORK*

WHEREAS: In 1963 the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with crime is fundamental and that states need to supply lawyers for those unable to afford them; and

WHEREAS: In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS: The decision to entrench responsibility at the county level in the State of New York has resulted in the inefficient patchwork of services provided at the county level which are deficient; and

WHEREAS: Implementation of the Constitutional right to counsel under *Gideon* is a state, not county, obligation; and

WHEREAS: Public defense services are inadequately financed by the State of New York; and

WHEREAS: In 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a state-funded, statewide defender system; and

WHEREAS: The State of New York is now a defendant in Hurrell-Harring, et. al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system into a statewide defender system; and

WHEREAS: Governor Cuomo is in a position to be a powerful, persuasive, and moving voice for the creation of a statewide defender system; and

WHEREAS: Governor Cuomo can fix the public defense system, incrementally develop a state funded model for the nation, design a cost-effective way to finance that system over time, and relieve counties of a responsibility originally delegated to them in 1965; now therefore be it

RESOLVED: That the Tioga County Legislature supports the transformation of the current County provided indigent defense system into a New York statewide defender system and calls upon the State of New York and Governor Cuomo settle the pending litigation of Hurrell-Harring, et. al. v. State of New York; and be it further

RESOLVED: That this resolution be forwarded to Governor Andrew Cuomo, Senator Thomas Libous, Assembly Chris Friend, Congressman Tom Reed, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties, and all counties in New York State.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 73-14 ABOLISH VACANT CASEWORKER POSITION
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Resolution 160-13 authorized that a vacant full-time Social Welfare Examiner position be reclassified to the title of full-time Caseworker; and

WHEREAS: Said resolution required the Commissioner of Social Services to abolish, upon the next occurrence, a full-time Caseworker vacancy in an effort to maintain his headcount budget figures; and

WHEREAS: A full-time vacant Caseworker position presently exists; now therefore be it

RESOLVED: That the Commissioner of Social Services is hereby authorized to abolish one (1) full-time Caseworker position (CSEA Salary Grade XI) effective March 12, 2014.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 74-14 CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION; WAIVE 90-DAY
HIRING DELAY – PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2014; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; and

WHEREAS: A delay in filling the Highway Worker (Seasonal) position beyond April will hinder the Public Works Department's ability to complete various projects during the 2014 season; therefore be it

RESOLVED: That the Commissioner is hereby authorized to create one (1) temporary full-time Highway Worker (Seasonal) position effective April 7, 2014 through November 26, 2014 at an hourly rate of \$9.40, however no more than 1248 hours may be worked April 7 - October 14, 2014; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Commissioner of Public Works a waiver from the 90-day hiring delay upon the creation of the Highway Worker (Seasonal) position.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case made a motion to have the following late-filed resolution considered, seconded by Legislator Monell and carried.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 75-14

*INSURANCE FUND TRANSFER-REPLACE
SHERIFF'S PATROL CAR*

WHEREAS: A Sheriff's patrol car was involved in a motor vehicle accident and the damage was estimated to be beyond repair; and

WHEREAS: The county's insurance carrier has agreed to fund the replacement of the vehicle; and

WHEREAS: A new 2014 Ford Police Utility Interceptor Vehicle under NYS Contract must be ordered prior to March 14, 2014; now therefore be it

RESOLVED: That the following funds be transferred and appropriated as follows:

From:	H2680	Insurance Recoveries	\$26,000.00
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To:	H3110.21.60	Sheriff Capital Car	\$26,000.00
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ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 7:21 P.M.

Fourth Regular Meeting
April 15, 2014

The Fourth Regular Meeting of 2014 was held on April 15, 2014 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for the honor and privilege that is ours to represent the people of this County. In these meetings, we pray Lord that you would be with us as we make decisions and we do so with the thought of the people of this County in our hearts and in our minds. We pray that you will continue to bless in all that we do this day."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There was no privilege of the floor.

Legislator Sauerbrey read and presented the following recognition resolution to Stella Reschke, Tourism Director.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 76-14 *RESOLUTION RECOGNIZING
STELLA S. RESCHKE'S 18 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY TOURISM*

WHEREAS: Stella S. Reschke first moved to Tioga County in 1977 and began her career as Administrative Assistant at Tioga County Tourism in June 1996. She was appointed Director of Tourism in 2002; and

WHEREAS: Stella has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 18 years. She has earned the respect of those individuals she professionally interacts with throughout Tioga County; and

WHEREAS: Stella was very instrumental as Director of Tourism in bringing new events and attractions to Tioga County. She initiated such events including Bike Tioga, Lights on the River, Strawberry Festival 5K Run, Snowzilla 8K Run, Strawberry Festival Friday Night Block Party and Tioga Journeys Bus and Walking Tours. She originated and/or assisted on such projects including the Riverwalk Interpretive Signage, the Owego Self-guided Cell Phone Walking Tour, the Badass Bike Tours of Southern Finger Lakes, Trails of Tioga brochure, Leaf Peeping Guide, and Historic Owego Marketplace brochure, creating and promoting tourism attractions for Tioga County. Stella worked closely with the LDC and provided support to all tourism entities; and

WHEREAS: Stella received many awards such as the "Best County Travel Guide" in 2004, "Preserve America" designation to Owego in 2008, "The Coolest Small Town" in 2009, and an Exceptional Merit award for "Prettiest Painted Places in America" in 2012; and

WHEREAS: Stella will be retiring on April 25, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens and tourism businesses of Tioga County, express sincere gratitude to Stella Reschke for her 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Stella S. Reschke.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

LeeAnn Tinney spoke. "Here is what I have learned. Working with Stella Reschke is a lot like winding up a Jack in the Box. You crank it along, the music plays, everything seems perfectly normal, and then pop out comes the next big idea. I have worked alongside Stella for 16 years and she has never stopped amazing me with the great new ideas that continue to come popping out. As Marte mentioned, Stella and her high school sweetheart husband Don came to Tioga County as Chicago transplants in 1977. What they expected would be a short-term adventure, fully intending to return to the Chicago area, became a lifelong commitment to Tioga County.

"Stella has told me several times about how much she loves this area and how she could not imagine raising their family anywhere else. This is particularly evident in the outstanding work she exhibited, first as an Administrative Assistant and ultimately as Director of the Tioga County Tourism Office. As you might imagine, thinking outside of the Jack in the Box, is a critical job requirement. Stella has shown this unique ability time and time again and she has done so with precision, perception, and pride. It is very clear that Stella Reschke is proud of what Tioga County has to offer and so she should also be proud of her contribution presenting Tioga County to our visitors from inside and outside the area.

"The list of projects that she has either implemented or played a key role in are too numerous to count. When I asked Stella what she felt her greatest accomplishments were, she talked specifically about the 2004 award winning travel guide named best in New York State, initiating the Coolest Small Town in America campaign, and her involvement in the Riverwalk project to name a few. Ultimately however she states she finds her greatest joy in getting people to experience Tioga and to enjoy the many opportunities available here. Now Stella will be able to enjoy her two grown daughters, Gretchen and Jen, as well as her grandson and the newest arrival her granddaughter who was born just last week.

"Husband Don will retire from Lockheed Martin on the very same day as Stella will retire from Tourism. Together they will start a new chapter in their lives as they have purchased a home in the Town of Ontario where Lake Ontario serves as their backyard and I am sure where they will spend many hours sailing. In closing, I would simply like to say thank you. Please accept our sincere gratitude for your 18 years of dedicated service on behalf of the residents of Tioga County."

Stella Reschke spoke. "I am honored and just humbled by the recognition today, so I thank you very much for the support that you have given me and our office over the years, and I just pray that you will continue to support and value the tourism industry of Tioga County. It has been a joy and a blessing from God. I cannot even express my words of the privilege of working for the people of Tioga County. Thank you very much."

Chair Sauerbrey introduced the new Tourism Director who is here with us today, Rebecca Maffei.

Legislator Standinger read the following Proclamation on American Stroke Month.

Legislator Standinger spoke. "This has been my passion since I came on the Legislature because I found out five years ago what it is like to have a stroke."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, killing over 134,000 people nationwide and more than 30 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 24.9% between 2010 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 238% from \$28.3 billion in 2010 to \$95.6 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and;

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of May 2014 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "I can tell you personally I had no idea I was having a stroke when I was, but I was fortunate enough to be able to call somebody on the phone who recognized that I was having a problem and got treatment, and that is why I am here today instead of on the other side of the grass. I appreciate all the efforts the Health Department has done on my behalf."

Margaret Shuler spoke. "My first job before the Health Department was on a neurosurgical/neurological floor and I saw firsthand the effects of stroke on relatively young adults and they seem younger the older I get. I was up close and personal, and I really admire the struggle of what people went through. This is a really wonderful issue to hi-light. Thank you."

The Chair noted the following four Proclamations.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The nurses who live and who work in Tioga County while serving in many roles are all members of one profession, and as such have shown strength, commitment, professional skill and compassion directed at improving the health of the residents of Tioga County; and

WHEREAS: The nursing profession is rapidly changing, requiring nurses to expand their role through critical thinking, and holistic analysis of patient care, to meet the new challenges; and

WHEREAS: Tioga County nurses serve in many capacities within Tioga County; e.g., immunization clinics, control of communicable disease, homecare, mental health, Department of Social Services, doctor's offices, prenatal care programs, nursing homes, and more; and

WHEREAS: The week of May 6 through 12, 2014 is "NATIONAL NURSES WEEK" and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 6 – 12, 2014 as:

NATIONAL NURSES WEEK IN TIOGA COUNTY

and encourage businesses, government agencies, community-based organizations, service groups and our fellow citizens to recognize the many nurses who work and live in Tioga County as being nurses with strength, commitment and compassion.

*County of Tioga
EXECUTIVE PROCLAMATION*

WHEREAS: Giving babies the recommended immunizations by age two is the best way to protect them from 14 serious childhood diseases; and

WHEREAS: Vaccine-preventable diseases still circulate in the United States and around the world, so continued vaccination is necessary to protect everyone from potential outbreaks. Even when diseases are rare in the U.S., they can be brought into the country, putting unvaccinated children at risk; and

WHEREAS: Most parents vaccinate their children, resulting in high vaccine coverage rates in the U.S.; and

WHEREAS: It is important to vaccinate children on time, according to the childhood immunization schedule, to provide the best protection early in life, when babies are vulnerable and before they are likely to be exposed to diseases; and

WHEREAS: For 20 years, National Infant Immunization Week has encouraged parents, caregivers, and health care professionals to participate in educational, recognition, and media events to increase the awareness of the importance of immunizing children before their second birthday; and

WHEREAS: This year, National Infant Immunization Week will be celebrated as part of World immunization Week, an initiative of the World Health Organization (WHO) where all six WHO regions, including more than 180 Member States, territories, and areas will simultaneously promote immunization, advance equity in the use of vaccines and universal access to vaccination services, and enable cooperation on cross-border immunization activities in April 2014; and

WHEREAS: The week of April 26-May 3, 2014, has been declared National Infant Immunization Week to help ensure that children should be protected against 14 vaccine-preventable diseases by the age of two; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 26-May 3, 2014 as:

INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY

and encourages parents to make vaccinating their children a priority and to talk to family and friends about protecting their children with vaccines. We also encourage businesses, government agencies, community-based organizations, and service groups to spread the immunization message throughout their communities.

2014 PROCLAMATION

Mental Health Awareness Month & Children's Mental Health Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness, and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2014 as *Mental Health Awareness Month* and May 4th – 10th, 2014 as *Children’s Mental Health Week* in Tioga County.

Child Abuse Prevention Month Proclamation

WHEREAS: The Tioga County Department of Social Services received 965 reports of alleged abuse/neglect involving 2,119 children in 2013; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: The Family Resource Centers of Tioga County will host open houses in the month of April to increase awareness of Child Abuse Prevention Month; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2014 as

Child Abuse Prevention Month

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		404.00
A1165	District Attorney		812.50
A1170	Public Defender		2,436.73

A1172	Assigned Counsel		6,359.44
A1355	Assessments		5,255.98
A1362	Tax Advertising and Expenses		1,136.80
A1410	County Clerk		171.04
A1420	Law		3,485.00
A1430	Personnel		3,739.86
A1450	Elections	41,963.00	278.50
A1460	Records Management		100.00
A1490	Public Works Administration		150.00
A1620	Buildings		37,626.21
A1621	Buildings		14,081.71
A1680	Information Technology		9,957.12
A2490	Community College Tuition		41,036.60
A2960	Education Handicapped Children		102,530.89
A3020	Public Safety Comm E911 System		3,291.25
A3110	Sheriff	1,449.68	20,522.20
A3140	Probation		6,890.61
A3146	Sex offender Program		9,240.00
A3150	Jail		53,504.10
A3315	Special Traffic Programs		7,157.70
A3410	Fire		4,939.34
A3415	State Interoperable Comm Grant		3,070.00
A3640	Emergency Mgmt Office		734.42
A4010	Public Health Nursing		359.80
A4011	Public Health Administration		1,584.45
A4042	Rabies Control		144.53
A4044	Early Intervention		534.80
A4053	Preventive/Primary Health Services		7.19
A4054	Preventive Dental Services		2,944.34
A4064	Managed Care-Dental Services		11,803.72
A4070	Disease Control		1,761.99
A4090	Environmental Health	74.16	103.95
A4210	Alcohol and Drug Services		13,008.45
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene County Administration		5,813.51
A4310	Mental Health Clinic		75,687.17
A4311	Rehabilitation Support Services		3,708.00
A4320	Crisis Intervention Services		10,136.67
A4321	Intensive Case Management		14,872.79
A4333	Psycho Social Club		23,146.00
A4390	Criminal Psychiatric Expenditures		4,073.27
A5630	Bus Operations		222,837.46

A6010	Social Services Administration		41,137.74
A6422	Economic Development	87.00	457.00
A6610	Sealer Weights and Measures		165.14
A8020	Planning		432.80
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			176,330.93
SPECIAL GRANT FUND			10,514.35
LIABILITY INSURANCE			291.60
COUNTY ROAD FUND			57,338.53
CAPITAL FUND			92,448.30
CONSOLIDATED HEALTH INSURANCE FUND			1,179.43
SELF-INSURANCE FUND			<u>2,650.00</u>
GRAND TOTAL			\$ 1,171,403.78

Legislator Hollenbeck made a motion to approve the minutes of March 6 and 11, 2014, seconded by Legislator Monell, and carried.

Chair Sauerbrey made the following appointment to the Broome-Tioga Workforce Development Board:

Theresa Nugent – 4/16/14 – 6/31/17

Chair Sauerbrey made the following appointments to the Information Technology Steering Committee effective 4/16/14:

Representative from Soil & Water
 Representative from Department of Social Services
 Representative from Mental Hygiene

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 77-14	<i>ERRONEOUS TAX PAYMENT TOWN OF RICHFORD</i>

WHEREAS: The Town of Richford returned the 2013 tax Bill #403, Acct #690, assessed to John F & Barbara Keener, Jr to the County Treasurer as unpaid and the taxes were entered into the county system for collection, and on 3/31/14 Barbara Keener paid \$2,625.04 for the outstanding 2013 taxes and interest to the County Treasurer's Office even though she thought they had been paid; and

WHEREAS: Barbara Keener provided sufficient proof to the County Treasurer's Office that the 2013 taxes had been paid to the Town of Richford in 2013, in the form of her cancelled check and a paid receipt received from the Town of Richford; be it therefore

RESOLVED: That a refund of \$2,625.04 be issued to Barbara and John Keener for the duplicate payment of the 2013 taxes; and be it further

RESOLVED: That the Town of Richford tax collector be requested to forward payment in the amount of \$2,163.77 to the County Treasurer at their earliest convenience for the erroneously returned 2013 taxes and second notice fee for which they received credit at settlement between Town of Richford and the Tioga County Treasurer's Office.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 78-14 REAPPOINT MEMBERS
BOARD OF ETHICS

WHEREAS: The terms of F. John Waite and John Hitchings on the Board of Ethics are due to expire March 31, 2014; and

WHEREAS: F. John Waite and John Hitchings have both agreed to serve another term; therefore be it

RESOLVED: That F. John Waite, Minority nomination, and John Hitchings, Chair nomination, are hereby reappointed to the Board of Ethics for a term of April 1, 2014 through March 31, 2017.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 79-14 *APPOINT MEMBER
BOARD OF ETHICS*

WHEREAS: There is a vacancy on the Board of Ethics; and

WHEREAS: Craig Jochum has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Craig Jochum, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2014 through March 31, 2015.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 80-14 *APPOINT MEMBER
BOARD OF ETHICS*

WHEREAS: There is a vacancy on the Board of Ethics due to the resignation of Charles DiGiacomo; and

WHEREAS: Gwen Kania has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Gwen Kania, Chair nomination, is hereby appointed to the Board of Ethics to fill the unexpired term of Charles DiGiacomo from April 16, 2014 through March 31, 2016.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 81-14 *RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Vicki Comstock's appointment to the Community Services Board will expire on March 31, 2014; and

WHEREAS: The Community Services Board has recommended Vicki's reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Vickie Comstock be reappointed to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 82-14 *RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Christine Schweitzer's appointment to the Community Services Board will expire on March 31, 2014; and

WHEREAS: The Community Services Board has recommended Christine's reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Christine Schweitzer be reappointed to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 83-14 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Denise Brown has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Denise's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Denise Brown be appointed a new member to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 84-14 *AUTHORIZE UPDATED BROOME-TIOGA
STORMWATER COALITION INTERMUNICIPAL
AGREEMENT OF 2014*

WHEREAS: Per resolution 268-03, the Tioga County Legislature authorized Tioga County's participation in an intermunicipal agreement with 16 other municipalities in Broome and Tioga Counties for the purpose of cooperatively implementing mandated stormwater activities in a manner that is compliant with NYS DEC's Phase II Stormwater regulations; and

WHEREAS: The Broome-Tioga Stormwater Coalition (BTSC) has updated this Intermunicipal Agreement to reflect changes in the Phase II Stormwater regulations since the initial agreement was approved, continual municipal stormwater audits conducted by NYS DEC and EPA, and results of audits conducted to date; and

WHEREAS: The updated BTSC Intermunicipal agreement now requires each participating municipality to designate an official representative that will participate in the Coalition's activities and meetings; and

WHEREAS: The updated BTSC Intermunicipal agreement also now requires each participating municipality to pay dues each year in the amount of \$1,000 to cover the costs of administration such as preparing the annual reports due to NYS DEC every year, and coordination and execution of various BTSC mandated activities; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize continued participation in the Broome-Tioga Stormwater Coalition, and designates the County Planning Director to be Tioga County's official BTSC Representative, and be it further

RESOLVED: That the Tioga County Legislature authorizes the payment of annual dues to the Broome-Tioga Stormwater Coalition in the amount of \$1,000 from Planning Appropriation account A8020.40-180, and authorizes the Tioga County Legislative Chair to sign all related BTSC intermunicipal agreement paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 85-14 *APPROVE PUBLIC TRANSPORTATION
BUS ROUTE CHANGES
SOCIAL SERVICES*

WHEREAS: Revenue to support the Tioga County public transportation system, Ride Tioga, has been reduced; and

WHEREAS: Increases in fares and reductions in fixed route and demand response service need to be considered in order to minimize the local share of public transportation; and

WHEREAS: The Department of Social Services, in consultation with the Tioga County Legislature, has been working with First Transit on a revised schedule of fare increases and service reductions; therefore be it

RESOLVED: That the Department of Social Services be authorized to make appropriate fare increases and service reductions necessary to minimize the impact of the local share of public transportation until December 31, 2014.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
JOB TRAINING COMMITTEE

RESOLUTION NO. 86-14 AMEND TIOGA EMPLOYMENT
CENTER BUDGET

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is fully funded under the federal Workforce Investment Act; and

WHEREAS: NYS Department of Labor has allocated administrative funds to administer the NEG-OJT contracts; and

WHEREAS: The funding is in the amount of \$1,354.08; and

WHEREAS: This funding can only be expended for personnel salaries; therefore be it

RESOLVED: That the Tioga Employment Center allocates the funds as follows:

From: CD4791 – Federal Aid-Federal Employment Program \$ 1,354.08

To: CD6293.10-10 –Federal Employment Program \$ 1,354.08

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 87-14 *AUTHORIZE CANCELLATION OF AGREEMENT
WITH XENOS GROUP, INC.*

WHEREAS: In 2005, Tioga County entered into a License, Services and Support Agreement with Xenos Group Inc. for software licenses and support for the County's Infoweb; and

WHEREAS: Said license and support agreement has been renewed on an annual basis since 2005 and is set to expire May 14, 2014; and

WHEREAS: The annual maintenance fee being requested by the parent company of Xenos, namely Acuate Corporation, has greatly increased the cost of staying with this solution; and

WHEREAS: The IT Department has found another solution that exceeds the capabilities of the Xenos software at less cost to the County; and

WHEREAS: Tioga County wishes to cancel the current Agreement with Xenos; therefore, be it

RESOLVED: That the Chair of the Legislature is authorized, retroactive to April 8, 2014, to sign a letter providing the requisite 30 days' notice of cancellation to Xenos Group Inc, thereby cancelling the Agreement and subsequent renewals entered into with Xenos Group Inc.; and be it further

RESOLVED: That the County Attorney is authorized to engage the services of a process server in Ontario Canada to serve the notice of cancellation upon Xenos Group Inc.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 88-14 AMEND POLICY 23
PROCUREMENT POLICY

WHEREAS: The Tioga County Legislature wishes to amend Policy 23; therefore be it

RESOLVED: That Policy 23 Procurement Policy be amended to provide as follows:

Section I. Procurement Procedures (second paragraph) states:

“and up to \$25,000 for larger departments”.

Should be changed to read:

“and up to \$50,000 for larger departments”.

Section IV. Determining the Necessity for Competitive Bidding – The chart is amended to provide as follows: “#16 should read Section 162; #17. Goods purchased from agencies for the blind or severely handicapped (Section 175-b) has been deleted; and #18 is now numbered #17 as reflected in the following chart.

	SUBJECT TO COMPETITIVE BIDDING (SECTION 103)	LOCAL POLICIES (SECTION 104-b)
Purchase and Contracts for Public Works		
1. Purchase Contract - Above \$20,000	X	
2. Purchase Contract - \$20,000 or less		X
3. Contract for Public Works - Above \$35,000	X	
4. Contract for Public Works - \$35,000 or less		X
Procurements Exempt from Both Section 103 and 104-b		
5. Preferred Source (State Finance Law, Section 162; Correction Law, Sections 184, 186)		X(a)
6. State Contract (GML, Section 104)		X(a)
7. County Contract (GML, Section 103[3])		X(a)
Procurements Exempt from Section 103		
8. Emergency (GML, Section 103[4])		X
9. Sole Source		X

10. Professional Service		X
11. True Leases	X(b)	
12. Insurance		X
13. Surplus/Second-hand Materials, Supplies, Equipment from certain Other Governments (GML, Section 103[9][10])		X
14. Certain Food, Milk Purchases (GML, Section 103[9][10])		X(c)
15. The contract is for standardized equipment, materials or supplies previously awarded by the County of Tioga to a supplier pursuant to General Municipal Law Section 103(5);		
16. The procurement is to be made pursuant to Correction Law Section 186 or State Finance Law Section 162		
17. Certain Municipal Hospital or Nutrition Program Purchases (GML, Section 103[8])		X

Section V. Methods of Procurement Not Covered by Bidding - The Purchasing Processing chart is amended to provide as follows: "Professional Services GML 104-b "x" removed from RFP column and "a" placed in other column as reflected in the following chart.

Procurements	Verbal Quotes		Written Quotes		RFP	Formal Bid	Other
	0	3	3	≥3*			
Commodities (Equipment, Materials & Supplies)							
\$500	X						
\$500 - \$1,499		X					
\$1,500 - \$4,999			X				
\$5,000 - \$19,999				X			
\$20,000 & over						X	
Public Works and Contracted Services							
\$10,000	X						
\$10,000 - \$19,999		X					
\$20,000 - \$34,999			X				
\$35,000 & over						X	
Over \$35,000 - sealed bids in conformance with GML, Section 103.						X	
Emergencies GML 103(4)							a.
Insurance							a.
Professional Services GML 104-b							a.
True Leases (other than school districts)				X			
Second-Hand Equipment from Other Governments							a.
Sole Source (i.e., patented or monopoly item)							a.

Section VI. Procedure to Be Used When Competitive Bidding Not Required, paragraphs C & D are amended to provide as follows:

Paragraph C shall have added a #4 as follows:

4. For Professional Services; or

Paragraph C – what is currently labeled D is now labeled #5 with section of Law changes to b. and c. as follows:

5. Made pursuant to any one of the following:

- a. General Municipal Law Section 103(3) or Section 104; or
- b. State Finance Law Section 162; or
- c. Correction Law Section 186; or
- d. The policies and procedures adopted by the Legislature pursuant to General Municipal Law Section 104-B (2) (f) and Paragraph 3 of the Bidding Policy.

Paragraph C – what is currently labeled E is now labeled “D” as follows:

D. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Section VII. Exemption by Act of the County Legislature, paragraph C.2. is deleted “When the contract is for professional services or involves professional skills and knowledge”, and the numbers are renumbered 1 through 4;

And be it further

RESOLVED: That the remainder of Policy 23 Procurement Policy shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 89-14 AMEND COUNTY POLICY 44:
NON-UNION BENEFITS

WHEREAS: County Policy 44 indicates, amongst other things, how much Non-Union employees contribute toward the health insurance; and

WHEREAS: For the past several years, the County has been consistently increasing health insurance contributions from all employee groups; and

WHEREAS: A desire to establish a multi-year plan for Legislator’s contributions has been expressed by some of the Legislators; therefore be it

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 be amended so that the Contributions Chart appears as follows:

	Contributions (% of Premium)				
	2013	2014	2015	2016	2017
Legislators	7%	8½ %	10½%	12½%	15%
Full-time hired prior to 1/1/09	10%	12½%			
Full-time hired after 1/1/09	15%	15%			
4 day/week Attorneys	-----	15%			
Part-time Attorneys	20%	20%			

and be it further

RESOLVED: That the remainder of the Policy remain unchanged at this time.

Legislator Sullivan spoke. “I think it is important to clarify what this resolution does and in the third whereas statement it points that out, and that is it is an increase to Legislators health insurance contributions for the next three years. We had already increased our health insurance contributions four of the last five years. In 2009 our health insurance contribution was slightly less than 2%

of our salary. The amount we pay this year is nearly eight times more than what we paid in 2009 and it equates to nearly 14% of our current salary. With the increases called for in this resolution, by the year 2017 the Legislators who participate in the health insurance program will be paying almost 17 times the amount than we paid in 2009."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRING TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 90-14 RECLASSIFY VACANT POSITION; AUTHORIZE
WAIVER OF 90-DAY HIRING DELAY
MENTAL HYGIENE

WHEREAS: Legislative approval is required for all position reclassifications; and waivers of 90-day hiring delay; and

WHEREAS: One Senior Clinical Social Worker position (CSEA Salary Grade XVII) will become vacant on May 1, 2014 due to the retirement of an incumbent; and

WHEREAS: Director of Community Services has reviewed the staffing needs within the Mental Hygiene Department and has determined that said vacancy would be better utilized in the service of clients if the position was classified as a Clinical Social Worker; and

WHEREAS: Due to program needs, there is an immediate need to fill the vacancy as a Clinical Social Worker; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant, full-time Senior Clinical Social Worker position (CSEA Salary Grade XVII) to a full-time Clinical Social Worker (CSEA Salary Grade XVI); and be it further

RESOLVED: That the Director of Community Services is authorized a waiver from the 90-day delay in filling the full-time Clinical Social Worker position effective May 1, 2014 on a provisional basis, pending the outcome of the civil service examination.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:21 P.M.

Second Special Meeting
April 24, 2014

The Second Special Meeting of 2014 was called to order by the Chair at 10:00 A.M. Eight Legislative members were present, Legislator Monell being absent.

The Chair asked for a moment of prayer. "Heavenly Father we praise you and thank you for the gift of life, for the sunshine. We ask your blessing on Legislators as we have decisions to make and we pray for your wisdom and knowledge to guide us in our decision making."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were six people in attendance.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 91-14 *AUTHORIZE AGREEMENT WITH
RJS SOFTWARE SOLUTIONS AND
TRANSFER OF FUNDS*

WHEREAS: Tioga County wishes to enter into an agreement with RJS Software Solutions for the purchase of WebDocs, a software electronic document management system for iSeries and for support and maintenance services; and

WHEREAS: The cost to procure the licensing, support and maintenance services is \$26,000.00; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute the agreements with RJS Software Solutions for the purchase of WebDocs software, support and maintenance services; and be it further

RESOLVED: That the following sums be transferred as follows:

From: A1990.40-715-Contingency Account	\$21,000
To: A9950.93-715-Transfer to Capital	\$21,000

From: H5031.00-Interfund Transfers \$21,000
 To: H1680.21-90-Information Technology Cap Equipment \$21,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 92-14 *AWARD CONSTRUCTION CONTRACT
 TO R. DEVINCENTIS CONSTRUCTION
 FOR REHABILITATION OF WEST CREEK
 RD. BRIDGE BIN 3335150*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the construction of the West Creek Rd. Bridge (BIN 3335150) over East Branch Owego Creek; and

WHEREAS: The Commissioner of Public Works received sealed bids on March 16, 2014 and the bids were as followed:

Dycon Construction Northeast,	Pine City, NY	\$919,965.00
Economy Paving	Cortland, NY	\$926,212.00
FAHS Construction	Binghamton, NY	\$1,117,333.77
R. DeVincentis	Binghamton, NY	\$860,000.00
Vector Construction	Cicero, NY	\$943,960.00

and

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Rd. De Vincentis Construction, Binghamton, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to R. DeVincentis Construction, Binghamton, NY not to exceed \$860,000 to be paid out of West Creek Rd. Bridge Account H2013.07.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 93-14

*AWARD CONSTRUCTION CONTRACT
TO VECTOR CONSTRUCTION
FOR REHABILITATION OF CATATONK
HILL RD. BRIDGE BIN 3335130*

WHEREAS: Tioga County is receiving Aid for the rehabilitation of the Catatonk Hill Rd. Bridge over Catatonk Creek BIN 3335130; and

WHEREAS: The project will be funded as follows:

Federal	80%
State	15%
Local	05%

and

WHEREAS: The Commissioner of Public Works received sealed bids on March 15, 2014 and the bids were as followed:

Economy Paving	Cortland, NY	\$746,206.09
FAHS Construction	Binghamton, NY	\$751,660.48
R. DeVincentis	Binghamton, NY	\$842,000.00
Vector Construction	Cicero, NY	\$704,253.85

and

WHEREAS: McFarland Johnson Engineers, Binghamton, NY have completed the review of the bids and finds the low bidder Vector Construction, Cicero, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Vector Construction, Cicero, NY not to exceed \$704,253.85 to be paid out of Catatonk Hill Rd. Bridge Account H2013.05.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRING TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 94-14 *CREATE AND FILL TEMPORARY POSITION
(ECONOMIC DEVELOPMENT & PLANNING)*

WHEREAS: The County Planning Director will be going out on a six month leave of absence as of April 23, 2014; and

WHEREAS: The Economic Development and Planning Department has a variety of projects underway which will be hindered by the loss of manpower; and

WHEREAS: The Southern Tier East Regional Planning and Development Board (STERPDB) has offered to provide some technical support services but administrative tasks will still need to be performed; therefore be it

RESOLVED: That the Legislature hereby authorizes the Director of Economic Development and Planning to create a part-time temporary Administrative Planning Assistant position effective April 28, 2014 – October 24, 2014 at an hourly rate of \$15.48; and be it further

RESOLVED: That said position may be filled as of April 28, 2014.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:02 A.M.

Fifth Regular Meeting
May 13, 2014

The Fifth Regular Meeting of 2014 was held on May 13, 2014 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would ask for a moment of silence for all the men and women serving in the Military Overseas."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

Chad Post of the Employee Recognition Committee spoke. "I would like to thank the Legislature for their continued support of the Employee Recognition Program and in particular the efforts of the Employee Recognition Committee. The current members of the Committee are Arrah Richards, Amy Poff, Teresa Saraceno, Chris Kallin, Kris Madison, Doc Korbar, Chad Post, and Ellen Pratt.

"At this time I would like to ask the honorees in attendance to please come forward. I would like to point out that each of these employees have at least 25 years of service for Tioga County. Each of these individuals will be honored at the Annual Luncheon next week, May 27th at the Owego Treadway Inn. Their biographies will be read followed by comments from their Department Heads or others that they have worked with throughout the years."

Legislator Hollenbeck read and presented the following Proclamation on Employee Recognition and Appreciation Week.

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30, 35, or 40 years since last year's ceremonies:

Name	Department	Years
Richard LeCount	EMO	40
William Ackley	Public Works	35
Margaret Shuler	Public Health	30
Michele Robins	DSS	30
Christine Anthony	County Clerk	25
Rita Hollenbeck	DSS	25
Stephanie Carrigg	Law Department	25
Carol Luther	Mental Hygiene	25
Bernadette Frenz	Mental Hygiene	25
David S. Ayers	Public Works	25
Bradley Talcott	Sheriff's Office	25
Terry Sinsabaugh	Sheriff's Office	25
Kristen Kallin	Probation	25
Joan Kellogg	Public Health	25
Susan Fortier	Sheriff's Office	25
Linda Rought	Sheriff's Office	25
Greg Hall	Sheriff's Office	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 12-16, 2014 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Chair Sauerbrey noted the following three Proclamations.

PROCLAMATION

WHEREAS: The citizens of Tioga County embrace the opportunity to support the goal of Older Americans Month, the annual observance that gives recognition to the immeasurable contributions made by older citizens throughout our County, State and Nation; and

WHEREAS: Today's seniors are living longer, healthier lives, remaining active in their communities, staying employed longer, and often taking an active role in their communities; and

WHEREAS: Senior volunteers are actively involved in a variety of aging services programs, assisting in activities that help their peers maintain their independence; many senior citizens also play key roles in the lives of young people, as well as in a broad spectrum of community endeavors; and

WHEREAS: The more than eleven thousand older Americans residing in Tioga County devote their time, energy, and wisdom to making the communities throughout New York better places to live; their experiences, knowledge, skills, and aspirations are vital to the continued progress of our State and its quality of life; and

WHEREAS: As America grows older, each community must strive to understand and address the evolving challenges and needs of our older citizens and the people who care for them; and

WHEREAS: Our society is dependent upon nurturing, support, and resources shared among generations, and benefits from our mutual efforts to meet the needs of America's older persons and those who love them; and

WHEREAS: It is especially fitting for the citizens of Tioga County to pay special tribute to seniors across this State, Nation, and around the world in support of the special events and activities being held during the month of May; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate May 2014 as

OLDER AMERICANS MONTH

in the County of Tioga, New York, and call upon our citizens to take the time to honor older citizens of Tioga County, especially our senior volunteers, for the contributions they have made and continue to make to our society.

FOSTER CARE RECOGNITION MONTH PROCLAMATION

WHEREAS: The Tioga County foster family serves as a source of love, identity, self-esteem and support for children in Tioga County; and

WHEREAS: There are 31 children in foster care in Tioga County, 21 of these children are in foster homes; and

WHEREAS: We have 21 certified foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2014, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

ELDER ABUSE PREVENTION Month Proclamation

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims the month of May 2014, to be

Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Chair Sauerbrey noted the following Recognition Resolution for Bradley S. Talcott's 26 years of dedicated service to Tioga County.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 95-14

*RESOLUTION RECOGNIZING
BRADLEY S. TALCOTT'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Bradley S. Talcott was appointed as a Guard on 6/1/88; appointed Deputy Sheriff-Jailer on 7/21/88; appointed as Deputy Sheriff on 3/29/89; and promoted to Investigator on 8/15/94; and

WHEREAS: Bradley S. Talcott has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Bradley S. Talcott will retire from the Tioga County Sheriff's Office on May 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bradley S. Talcott for his 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Bradley S. Talcott.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		186.87
A1165	District Attorney		2,092.47
A1170	Public Defender		2,047.62
A1172	Assigned Counsel		9,718.47
A1185	Medical Examiners/Coroners		2,655.36
A1325	Treasurer		25.00
A1355	Assessments		2,461.53
A1362	Tax Advertising and Expense		8,529.85
A1410	County Clerk		124.62
A1411	Department of Motor Vehicles		35.16
A1420	Law		5,823.25
A1430	Personnel		1,885.18
A1450	Elections	950.00	
A1460	Records Management		269.26
A1490	Public Works Administration		92.20
A1620	Buildings	321.48	53,605.90
A1621	Buildings		18,724.95
A1680	Information Technology		28,543.19
A2490	Community College Tuition		905,557.51

A2960	Education of Handicapped Children		118,696.10
A3020	Public Safety Comm E911 System		2,775.99
A3110	Sheriff		26,713.55
A3122	2012 PSAP Grant	28,711.00	
A3140	Probation		865.30
A3146	Sex Offender Program		9,240.00
A3150	Jail	705.00	49,088.09
A3315	Special Traffic Programs	25,000.00	571.40
A3357	FY11 NYS Homeland Security Grant	5,340.41	6,937.00
A3358	State Aid Homeland Security Grant	14,533.26	2,470.00
A3410	Fire		6,913.22
A3640	Emergency Mgmt Office		1,026.56
A3641	Emergency Mgmt Grant Program		10,000.00
A4010	Public Health Nursing		1,590.06
A4011	Public Health Administration		6,430.11
A4053	Preventive/Primary Health Services		81.00
A4062	Lead Poisoning Program		243.58
A4064	Managed Care-Dental Services		166.68
A4070	Disease Control		291.57
A4090	Environmental Health		497.74
A4210	Alcohol and Drug Services		820.24
A4309	Mental Hygiene Co Admin		5,643.31
A4310	Mental Health Clinic		408.44
A4320	Crisis Intervention Services		1,528.42
A4321	Intensive Case Management		913.06
A5630	Bus Operations		108,747.14
A6010	Social Services Administration		129,486.41
A6141	Energy Crisis Assistance Programs		20,455.50
A6422	Economic Development		681.03
A6610	Sealer of Weights and Measures		38.52
A7510	Historian		73.26
A8020	Planning		1,011.85
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			89,080.75
SPECIAL GRANT FUND			1,460.64
COUNTY ROAD FUND			25,349.37
CAPITAL FUND			615,782.95
CONSOLIDATED HEALTH FUND			1,179.43
SELF-INSURANCE FUND			<u>1,300.00</u>
GRAND TOTAL			\$ 2,368,951.51

Legislator Hollenbeck made a motion to approve the minutes of April 15 and 24, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey made the following appointment to the MEGA (Municipal Electric & Gas Alliance) Board:

Economic Development & Planning Director
Term of 5-13-2014 to 11-12-17

Chair Sauerbrey made the following appointments to the CSEA Negotiating Team:

Legislator Hollenbeck	Legislator Standinger
Sheriff Howard or designee	Commissioner of Social Services
Attorney James Roemer	Personnel Officer

Committee meeting reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 96-14 *ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

WHEREAS: An application for corrected tax roll indicates that property no. 118 assessed to John Elliott on the 2014 tax rolls of the Town of Richford is erroneous in that due to clerical error, an AG exemption was calculated incorrectly; and

WHEREAS: The 2014 taxable value for property no. 118 in the Town of Richford should have been reduced from \$56,000 to \$38,000 with the correctly calculated exemption applied, and the 2014 tax bill was paid on 1/31/14 by John Elliott to the Town of Richford tax collector; be it therefore

RESOLVED: That a refund of \$303.40 be issued to John Elliott by the Town of Richford tax collector; and be it further

RESOLVED: That the erroneous town tax of \$154.54 be charged back to the Town of Richford, and the erroneous Fire Tax of \$21.56 be charged back to the Richford Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$6.68 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$120.62 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 97-14 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: A Supreme Court decision and demand for refund on several properties assessed to Marshland Trail Estates LLC on the 2014 and prior year tax rolls of the Town of Owego reduces the 2011-2013, and 2014 assessments for (4) parcels as follows;

Account #13604 reduced from \$29,200 to \$20,200

Account #13605 reduced from \$4,700 to \$200

Account #13607 reduced from \$36,200 to \$25,100

Account #13637 reduced from \$5,000 to \$1,000

and

WHEREAS: The 2012-2014 tax bills relating to the 2011-2013 assessment years for the above properties assessed to Marshland Trail Estates LLC in the Town of Owego have been paid; be it therefore

RESOLVED: That a refund of \$1,453.09 be issued by the Tioga County Treasurer's office to Hinman, Howard & Kattell, LLP as attorneys, for overpayment of 2012-2014 taxes on properties #13604, 13605, 13607, and 13637; and be it further

RESOLVED: That the erroneous town tax of \$296.11 be charged back to the Town of Owego, and the erroneous Fire Tax of \$195.66 be charged back to the Apalachin Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$40.69 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$920.63 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 98-14

*AUTHORIZATION TO SUBMIT APPLICATION
AND ADMINISTER A NEW YORK STATE
HOUSING TRUST FUND CORPORATION –
2014 NEW YORK MAIN STREET PROGRAM
GRANT FOR VILLAGE OF WAVERLY
DOWNTOWN REVITALIZATION PROGRAM*

WHEREAS: The NYS Housing Trust Fund Corporation through their 2014 New York Main Street Program (NYMS) has made available a funding opportunity for rehabilitation of building stock to foster small business development, expand housing, stimulate reinvestment, enable adaptive reuse, address Americans with Disabilities Act (ADA), address code enforcement issues, energy efficiency and to preserve and revitalize mixed-use (commercial, civic and residential) business districts through building rehabilitation, façade improvement and streetscape improvement grants; and

WHEREAS: The NYMS Program criteria allows units of government to be eligible applicants and to act as a Local Program Administrator (LPA); and

WHEREAS: The Tioga County Tourism Study (2004) recommends that our revitalization efforts follow the National Trust's Main Street Center 4-point Approach, one of which is – Design: Enhancing the historic commercial district's physical appearance through building rehabilitation, compatible new construction, public improvements and design management systems; and

WHEREAS: The Village of Waverly has continually envisioned this revitalization of their "main street" downtown area to be kept historically sensitive, as is stated in both their 1981 Comprehensive Development Plan and the more recent 2005 Downtown Action Plan. Subsequently, Village of Waverly officials partnered with residents, the New York Community Action Team, the Community and Rural (Regional) Development Institute at Cornell University and New York Main Street Alliance to bring that Downtown Action Plan to life. This NYMS grant will be the next effort to address these plans regarding downtown revitalization goals; and

WHEREAS: Tioga County approved resolutions for the 2010 AND 2011 NYMS Program and for the Village of Owego and Village of Nichols in which programs were approved and are in process; and

WHEREAS: The Village of Waverly approved a resolution in support of this application to the 2014 NYMS Program by Tioga County and is desirous of the County conducting this activity for them; and

WHEREAS: Several property owners in the Village of Waverly downtown business district target area have expressed an interest in utilizing this funding to make building improvements; and

WHEREAS: This grant source requires applicants to administer and ensure successful completion of all assisted projects by evaluating and assuring compliance with all local, state and federal laws and regulations, and allows up to a 7.5% administrative fee as administrative revenue for providing such services; and

WHEREAS: The NYMS Program grant application will be submitted for a total of up to \$250,000 for building rehabilitation and façade improvements with 25% cash match provided by property owners, plus Tioga County Department of Economic Development & Planning will receive revenue for staff time to provide administrative services; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Housing Trust Fund, NYMS Program in the amount of up to \$250,000 with cash match provided by property owners with up to 7.5% in administrative revenue to be received for providing such services.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 99-14

*AUTHORIZE THE SUBMISSION OF A 2014
SHSP-SLETTP HOMELAND SECURITY
GRANT – SHERIFF'S OFFICE*

WHEREAS: The NYS Office of Homeland Security has announced a 2014 SHSP-SLETTP Grant; and

WHEREAS: Applications for this grant must be received no later than May 7, 2014; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 100-14 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION (SHSP 14)
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security has issued a grant of \$70,000 to the Tioga County Office of Emergency Management. The grant will be used for situational awareness; communications; and training. 25% of the monies will be appropriated to the Sheriff's Office; and

WHEREAS: The Tioga County Emergency Management Office has to submit an application for this funding by May 7th 2014; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be authorized to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 101-14

*AUTHORIZATION TO APPLY FOR FLOYD HOOKER
FOUNDATION CAPITAL GRANT
HEALTH DEPARTMENT*

WHEREAS: The Floyd "Vic" Hooker Foundation has released a competitive grant opportunity for Capital Projects that will benefit the youth of Tioga County; and

WHEREAS: The Tioga County Health Department (TCHD) desires to pursue this grant opportunity to acquire and install two dental chairs within the Health Department clinic to assist in the long-term continuation Dental services for Tioga County youth; and

WHEREAS: The amount of the grant funding is not yet determined, as it will be based upon the competitive award process; and

WHEREAS: This grant does require award recipients to provide at least a 5% contribution to the requested capital project; and

WHEREAS: The County contribution will be a combination of Public Works installing the equipment and TCHD purchasing items related to the installation, all of which will cover the estimated \$2,600 required contribution; and

WHEREAS: If awarded the grant, TCHD will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require either matching/in-kind costs or the signature of the Chief Elected Official; therefore be it

RESOLVED: The Tioga County Department of Health is authorized to submit a grant application to the Floyd "Vic" Hooker Foundation.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 102-14 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2013 to March 31, 2014 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 29,154.75
Village of Waverly	7,393.81
Town of Berkshire	5,483.87
Town of Candor	20,396.78
Village of Candor	940.11
Town of Newark Valley	11,195.80
Village of Newark Valley	1,323.96
Town of Nichols	7,448.15
Village of Nichols	547.20
Town of Owego	94,538.56
Village of Owego	6,757.60
Town of Richford	3,636.55
Town of Spencer	9,639.74
Village of Spencer	1,162.10
Town of Tioga	<u>10,590.33</u>
	\$ 210,209.31

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 103-14 APPROVE FUNDING
2014 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2014 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2014 be approved by the Tioga County Legislature in the amounts indicated:

Cooperative Extension Family Resource Centers	\$10,578
Tioga Central School District Summer Recreation	\$ 8,000
Spencer-Van Etten Schools After School Program	\$ 7,011
Big Brothers Big Sisters	\$ 5,000
Tioga County Council on Alcohol & Substance Abuse	\$ 2,000
Newark Valley Joint Summer recreation	\$ 1,200
Town of Richford Summer Recreation	\$ 1,000
Village of Spencer Summer recreation	<u>\$ 1,000</u>
TOTAL	\$35,789

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 105-14 *APPROPRIATION OF FUNDS*
HEALTH DEPARTMENT

WHEREAS: The Tioga County Health Department (TCHD) received Legislative approval to apply for a competitive grant opportunity titled "Healthy Neighborhoods Preventive Health Cornerstones" via Resolution 330-13; and

WHEREAS: New York State Department of Health has awarded TCHD the grant; and

WHEREAS: This grant program does not require matching County expenditures; and

WHEREAS: The funding requires appropriation into the TCHD budget; and

WHEREAS: Appropriations of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A 3464.00 State Aid: Environmental Health \$75,000

To: A 4090.40-640 Environmental Health Supplies \$75,000

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 106-14 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION*

WHEREAS: Scott McDonald has resigned from the Tioga County Local Development Corporation as of April 30, 2014; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Abbey Hendrickson willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Abbey Hendrickson to fill said vacancy and serve the remainder of Scott McDonald's unexpired term of 5/13/14 - 3/31/15.

ROLL CALL VOTE

Yes – Legislators Roberts, Standing, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 107-14 *AUTHORIZE DISBURSEMENT OF HUD CDBG REVOLVING LOAN FUNDS TO TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA) FOR DOUBLE AUGHT LUMBER*

WHEREAS: Tioga County and the Tioga County Industrial Development Agency (TCIDA) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Legislature needs to authorize the Treasurer to disburse funds from the settlement account to the TCIDA prior to each and every disbursing of loan proceeds; and

WHEREAS: The TCIDA has certified to Tioga County that the loan applicant, Double Aught Lumber, has satisfied all of the requirements, which are conditions precedent to the execution of loan documents and the disbursement of loan proceeds in the sum of \$175,000; and

WHEREAS: The Department of Economic Development and Planning has reviewed and approved the certification and the required checklist of conditions precedent to execution of loan documents and disbursement of funds in the sum of \$175,000; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Treasurer to disburse the sum of \$175,000 from the HUD CDBG account number CE8668.40 to the TCIDA to be loaned to Double Aught Lumber and utilized according to the Small Cities Community Development Block Grant Program Subrecipient Agreement.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 108-14 *AWARD CONSTRUCTION INSPECTION TO
DELTA ENGINEERS FOR WEST CREEK RD.
BRIDGE PROJECT BIN: 3335150*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the inspection of these bridges as part of the Bond Issue; and

WHEREAS: The West Creek Rd. Bridge over E. Branch Owego Creek (BIN: 3335150) is one of the bridges in the program; and

WHEREAS: Delta Engineers did the design phase for this bridge; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the West Creek Rd. Bridge Project (BIN: 3335150) in the amount of \$84,370; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Delta Engineers, Endwell, NY not to exceed \$84,370 to be paid out of the West Creek Rd. Bridge Project H2013.07.

ROLL CALL VOTE

Yes – Legislators Roberts, Standing, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 109-14 *AWARD CONSTRUCTION INSPECTION TO
MCFARLAND JOHNSON ENGINEERS FOR
CATATONK CREEK RD.
BRIDGE PROJECT BIN: 3335130*

WHEREAS: The Catatonk Hill Rd. Bridge (BIN: 3335130) has been placed on the FHWA program; and

WHEREAS: McFarland Johnson did the design phase for this bridge; and

WHEREAS: This project will be funded as follows:

Federal:	80%
State:	15%
Local:	5%

and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the Catatonk Hill Rd. Bridge Project BIN: 3335130 in the amount of \$140,716.08; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to McFarland Johnson Engineers, Binghamton, NY not to exceed \$140,716.08 to be paid out of the Catatonk Hill Rd. Bridge Project H2013.05.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 110-14

*AMEND POLICY 11: TRAVEL POLICY
AND PROCEDURES*

WHEREAS: Policy 11 Travel Policy and Procedures Section VII. Meal Allowances needs clarification; therefore be it

RESOLVED: That Policy 11 Travel Policy and Procedure Section VII. Meal Allowances be amended as follows:

Section VII. Meal Allowances

- A. has added “ (Exhibit A attached)”
- B. 1. Meals will be allowed as follows at time of overnight travel:

Exhibit A has been attached to the policy

And be it further

RESOLVED: That the remainder of Policy 11 Travel Policy and Procedures shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 111-14 *AMEND COUNTY POLICY 14:
SMOKING*

WHEREAS: County Policy 14 provides restrictions on smoking in County buildings and on County property; and

WHEREAS: The citation of the Public Health Law Section currently in the Policy is incorrect; and

WHEREAS: The recent emergence and popularity of “e-cigarettes” or “personal vaporizers” has prompted the need to include said devices in the definition of “smoking” within the Policy; therefore be it

RESOLVED: That the reference to Public Health Law, “Article 13-E Section 1399(0)(6)” be changed to “Article 13-E Section 1399-o (1)”; and be it further

RESOLVED: That County Policy 14, Section III A is hereby amended to read as follows:

“smoking” means the burning of a lighted cigar, cigarette, pipe or other matter or substance which contains tobacco and also use of such devices as e-cigarettes and personal vaporizers.

and be it further

RESOLVED: That the remainder of the Policy remain unchanged at this time.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

HHS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 112-14

*AUTHORIZE CONTRACT
SUPERIOR GROUP
TIOGA EMPLOYMENT CENTER*

WHEREAS: Broome & Tioga Counties, in partnership through the Broome/Tioga Workforce Development Board, provides for the delivery of employment and training services under the Workforce Investment Act of 1998; and

WHEREAS: The Tioga Employment Center continues to have a need for a Resource Room Aide to assist individuals in the Employment Center’s Resource Room with operation of computers and various computer programs, to instruct clients on how to use NYS Dept of Labor job site, and to assist clients in accessing employment opportunities; and

WHEREAS: Superior Group is able to provide such services for the Tioga Employment Center, from July 1, 2014 to June 30, 2015, and said contract is to be funded entirely by the Workforce Investment Act; and

WHEREAS: The funds necessary for said contract were included in the WIA PY 2014 Budget under the WIA Grant; and

WHEREAS: The Supervisor of the Tioga Employment Center is authorized to enter into such contract as indicated; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$10.24 per hour at a maximum of 27 hours per week from 7/1/14-12/31/14; and at the bill rate of \$11.20 per hour from 1/1/15 to 6/30/15 to adjust for changes in the NYS minimum wage rate; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Employment Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the bill rate of \$10.24 per hour for six months, and bill rate of \$11.20 per hour for six months at a maximum of 27 hours per week, effective July 1, 2014 through June 30, 2015.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 113-14 *BACKFILL PART TIME
VETERANS' SERVICE OFFICER;
AUTHORIZE HIRING WAIVER
VETERANS' SERVICE AGENCY*

WHEREAS: The Tioga County Legislature established a 90-day delay in backfilling vacant positions for the purpose of cost savings; and

WHEREAS: The Tioga County Veterans' Service Agency has a need to backfill the part-time, Veterans' Service Officer position due to the resignation of the incumbent effective April 24, 2014; and

WHEREAS: The Director of the Veterans' Service Agency would like to backfill the vacancy as soon as possible in order to avoid further delays to client services; and

WHEREAS: The Director of the Veterans' Service Agency received verbal authorization to waive the 90-day hiring delay at the April 24, 2014, Legislative Worksession; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a waiver in the 90-day hiring delay by allowing the Director of the Veterans' Service Agency to backfill the part-time, Veterans' Service Officer position effective May 14, 2014, at an hourly rate of \$15.48 per hour; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of the civil service exam for Veterans' Service Officer.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 114-14 RECLASSIFY VACANT INVESTIGATOR
POSITION TO SERGEANT SHERIFF'S
OFFICE

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: The Sheriff's Office will experience a vacancy in the position of Investigator effective May 31, 2014 due to the retirement of an incumbent; and

WHEREAS: The Sheriff would like to reclassify the upcoming vacant Investigator position to that of a Sergeant in order to appropriately reflect the functional needs of his divisions; and

WHEREAS: Both the title of Investigator and Sergeant are located within the same salary schedule of the TCLEU contract; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one (1) vacant, full-time Investigator position to a full-time Sergeant effective May 31, 2014.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 115-14 *CREATE AND FILL TEMPORARY CASEWORKER
POSITION FOR
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Foster Care Unit within the Children Services Division of the Department of Social Services has two maternity leaves, one of which will extend through July of 2014 and one of which will extend through January of 2015; and

WHEREAS: The New York State Office of Children's and Families Services recommendation for Foster Care caseloads is 11 to 12 children per worker; and

WHEREAS: The current leaves creates an average caseload for the remaining three workers of 21 children; and

WHEREAS: The estimated salary and fringe savings from the leaves will be \$52,603; and

WHEREAS: The estimated cost of a temporary caseworker for approximately 7 months will be \$20,112; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill a temporary position of Caseworker at the rate of \$18.84/hr. effective June 2, 2014, through December 31, 2014.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 116-14 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
District Attorney	Kirk Martin	7	1/1/14-12/31/17	N	20
1 st Assistant District Attorney	Eric Gartenman	7	1/1/14-12/31/17	N	20
2 nd Assistant District Attorney	Cheryl Mancini	7	1/1/14-12/31/17	N	20
3 rd Assistant District Attorney	Palmer Pelella	7	1/1/14-12/31/17	N	10.52
Secretary to District Attorney	Carola Kovalovsky	7	1/1/14-12/31/17	Y	N/A
Coroner	Neil Lewis	6	1/1/14-12/31/17	N	0.3
County Treasurer	James McFadden	7	1/1/14-12/31/17	N	20
Deputy County Treasurer	Margareta Olin	7	1/1/14-12/31/17	Y	N/A
Secretary to Economic	Linda Sampson	7	7/8/13-12/31/15	Y	N/A

Development & Planning Director					
Secretary to Commissioner of Social Services	Judith Westmiller	7	12/3/13-1/20/18	Y	N/A
Assistant Public Defender	Mari Townsend	7	1/2/14-12/31/15	Y	N/A
Secretary to Public Defender	Michelle Delaney	7	1/2/14-12/31/15	Y	N/A

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 117-14 *AUTHORIZE HIRING WAIVER; BACKFILL CHIEF ACCOUNTANT/BUDGET OFFICER POSITIONS (TREASURER'S & LEGISLATIVE OFFICES)*

WHEREAS: The Tioga County Legislature established a 90-day hiring delay in backfilling vacant positions; and

WHEREAS: The Chief Accountant and Budget Officer positions shall become vacant as of May 30, 2014, due to the resignation of the incumbent; and

WHEREAS: The County Treasurer received verbal authorization to waive the 90-day hiring delay at the May 8, 2014 Legislative Worksession; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes a waiver of the 90-day hiring delay, allowing the Chief Accountant and Budget Officer positions to be backfilled on or after June 2, 2014; and be it further

RESOLVED: That the annual salary range for Chief Accountant is \$51,850 - \$61,850 and an additional \$15,000 is available for the Budget Officer duties.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, and Sauerbrey.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:19 A.M.

Third Special Meeting
 May 22, 2014

The Third Special Meeting of 2014 was called to order by the Chair at 9:31 A.M. Seven Legislative members were present, Legislators Monell and Standingier being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would ask for a moment of silence for all the men and women serving in the Military Overseas."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There was one person in attendance.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:	PUBLIC WORKS
RESOLUTION NO. 118-14	AWARD CONSTRUCTION CONTRACT TO ZMK CONSTRUCTION FOR REHABILITATION OF HAMILTON VALLEY RD. BRIDGE BIN 3334950

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the construction of the Hamilton Valley Rd. Bridge (BIN 3334950) over Catatonk Creek; and

WHEREAS: The Commissioner of Public Works received sealed bids on May 13, 2014 and the bids were as followed:

Bothar Construction	Binghamton, NY	\$496,744.30
Dycon Construction Northeast	Pine City, NY	\$493,441.00
Economy Paving	Cortland, NY	\$522,965.00
G. DeVincentis Construction	Binghamton, NY	\$496,000.00
Procon Construction	Vestal, NY	\$626,000.00
R. DeVincentis	Binghamton, NY	\$497,000.00

Vector Construction	Cicero, NY	\$471,432.00
ZMK Construction	Apalachin, NY	\$454,000.00

and

WHEREAS: Labella Associates, Rochester, NY have completed the review of the bids and finds the low bidder ZMK Construction, Apalachin, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to ZMK Construction, Apalachin, NY not to exceed \$454,000 to be paid out of Hamilton Valley Rd. Bridge Account H2013.09.

ROLL CALL VOTE

Yes – Legislators Roberts, Sullivan, Weston, Case, Hollenbeck, Huttleston, and Sauerbrey.

No – None.

Absent – Legislators Monell and Standing.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:32 A.M.

Sixth Regular Meeting
June 10, 2014

The Sixth Regular Meeting of 2014 was held on June 10, 2014 and was called to order by the Chair at 6:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked to have a moment of prayer. "Heavenly Father we ask you to guide us as we make decisions for the County and guide all Government Leaders to make good decisions for the Nation, for the States, for the Counties, for the Villages, for the Towns, that we might be responsible and do the best we can for the people that we represent."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

Legislator Weston read and presented the following posthumous resolution to the family of Howard Chrisfield.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 119-14 *RECOGNITION RESOLUTION*
RECOGNIZING HOWARD M. CHRISFIELD
POSTHUMOUSLY

WHEREAS: Howard Chrisfield passed away on May 6, 2014; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Chrisfield for his many years of dedicated service as a Tioga County Legislator; and

WHEREAS: Howard was elected to the position of Tioga County Legislator on January 1, 1982 and served for 14 years until leaving office on December 31, 1995; and

WHEREAS: Howard was instrumental in many projects during his tenure as Tioga County Legislator and was extremely dedicated and loyal in the performance of his duties and responsibilities as a Legislator; and

WHEREAS: Howard is survived by his wife Connie, a son Thomas, a daughter Cynthia, three grandchildren, and eight great grandchildren; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Howard Chrisfield posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Howard Chrisfield.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Cynthia Parcell, Howard Chrisfield’s daughter, spoke. “What an honor it is for our family to receive this recognition for Dad. His 14 years with the Legislature was a serious commitment to the people of Tioga County. He gave his best to spend the taxpayers money well and to keep them informed of his decisions and the decisions of the Legislature. I remember that mom was his secretary, took all his messages, and he returned every single phone call. All the things he learned from his mentors here in the Legislature made him a better person and a better Legislator.

“Dad made friendships that have lasted a lifetime and those gentlemen, I have heard their names many many times, and each one of them was associated with a story. Those of you that knew daddy, he loved a good story. I hope that when you think of Dad, of Howard Chrisfield, that you will have a smile on your face knowing that some of his best days were spent down here working with the Legislature and serving Tioga County and his community. Thank you very much from our family.”

Chair Sauerbrey noted the following two recognition resolutions.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 120-14 *RESOLUTION RECOGNIZING
VINCENT VERTULI'S
18 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Vincent Vertuli started his employment with Tioga County as a Maintenance Mechanic III on June 03, 1996 and has remained in this position for the remainder of his career; and

WHEREAS: Vincent Vertuli has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 18 years to the Department of Public Works. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Vertuli will retire on June 28, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Vincent Vertuli for his 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Vincent Vertuli.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 121-14

*RESOLUTION RECOGNIZING
MICHAEL MCDONALD'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Michael McDonald was appointed as part-time Deputy Director of Disaster Preparedness on 2/8/88; part-time Deputy Director of Civil Defense on 1/1/94; and appointed part-time Deputy Director of Emergency Preparedness on 5/16/07.

WHEREAS: Michael McDonald has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Michael McDonald will retire from the Tioga County Emergency Management Office on June 13, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Michael McDonald for his more than 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Michael McDonald.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Arrah Richards from the Employee Recognition Committee, presented the Employee of the 2nd Quarter 2014 to Donald Marsh of the Department of Social Services. "First of all, I want to thank you the Legislature on behalf of the Employee Recognition Committee for your continued support with this and for those of you who do and do not know, Don Marsh was nominated and had received the Tioga County Employee of the 2nd Quarter.

"After 20 years of active duty Don retired as a gunnery sergeant in the US Marine Corps in 1997. The following year he was employed by Ontario County Department of Social Services and in 2005 relocated to Tioga County DSS. In less than two years of working as a Caseworker and Senior Caseworker Don was promoted to a Supervisory position. Don is responsible for Adult Protective Service, Long Term Care Service, Person in Need of Supervision, also known as PINS, and had previously worked as a Child Protective Services Supervisor in Tioga County. If when the Unit workload is high in Don's Unit, Don pitches in and assigns himself referral cases and makes field visits, and does the work of a Caseworker without being asked to and without ever complaining or drawing attention to himself. Don's position is not that of a working Supervisor, meaning he is not expected to carry a caseload in addition to his Supervisory duties, but he does it anyway when needed.

"In the past six months Don voluntarily assumed responsibility for three very challenging physically and/or mentally ill adult protective clients. Within a span of the past several months each of these three clients have passed away. Don spent many hours advocating for these people and refused to give up on them when others did. One of his clients suffered from severe alcoholism and had confined himself to bed even though he was only middle-aged. Don worked with him and was able to convince him to seek medical treatment and one of the other clients was uncooperative with in-home services and difficult to work with. Due to repeated noncompliance, other service providers closed their cases and left. Don continued to try and assist this individual and to get him the services he needed, and convinced him to go to medical appointments, often driving him.

Don is all about teamwork and doing whatever it takes to get the job done. Don concerns himself more with the overall mission of his Unit rather than focusing on who did or did not do. Don views it as his responsibility to help the Team succeed. On a personal note, Don is a devoted father to his daughters, ages 34 and 29, and a grandfather to his grandchildren. His mother, two brothers, and sister live in Waverly while his other brothers live in Pennsylvania and Texas, and outside of work Don spends his time running his used furniture stores in Elmira and Owego here on McMaster Street. Don is a quiet and

unassuming individual. You may not know who he is because Don goes about his work and just gets it done. Don is a tremendous asset to the Tioga County Department of Social Services and to Tioga County. Congratulations Don."

Legislator Standinger spoke. "I would just like to congratulate Don. I know that the fact that he is being recognized here is evidence of his work ethic. I do recall working a couple of cases with him prior to leaving the State Police, and I do not remember anything bad about it. It is a good thing. It is a difficult job and I just want to say I appreciate what you do. At some point all of us in this room might know somebody that uses services that he is going to work on. I would like to think that everybody else appreciates it too."

Gail Barton, Deputy Commissioner of Social Services, spoke. "The job of Supervisor in the Services Division for which I am responsible for is an extremely difficult and challenging job. You have to be responsible for the safety and well-being of vulnerable children and vulnerable adults, and you also have to be support and a coach, and a mentor, and someone that holds your staff accountable. I think the job of being a frontline Supervisor is one that is extremely challenging and probably does not get the recognition that it should.

"Typical of Don when he was told that he had been selected as the Tioga County Employee of the Quarter Award responded surprise and said he did not know why he was being given this award because he just does his job. Don also said that he was probably the only nomination and that was why he got the award, but that could not be further from the truth. I have been Don's direct Supervisor for almost eight years. It is a pleasure to work with Don. He is very conscientious and hard working. He never complains about the workload or the amount of work, and he does not really have a lot of patience for employees who do complain about the workload and the amount of work.

When Don began in Adult Adolescent Services after having been a Supervisor in Child Protective Services, Don established and conveyed his expectations and monitored the work performance. Don supports and coaches his staff to do good work. People like to work with Don and for Don. Don also pitches in, as has been mentioned, and assigns himself cases and is regularly out in the field spending time with people who need help. In this quarter Don assisted some very challenging clients and made frequent contact to assure their safety and well-being, and most of the time Don went about doing this without bringing it to my attention. If someone is homeless or someone needs assistance, Don is out there picking them up, driving them to the bank, driving them to look at apartments, taking them out to eat lunch, and doing all of that without bringing any attention or recognition to himself.

"Don is a very quiet and unassuming person. He will express alternate opinions, but always says he will do what is asked of him by his Supervisor and does it without complaint. He is also a person that will do research. If we need to know a regulation or a law that something comes from, Don will leave my office and within a half hour you can count on him to be back with a book open and a place that he is pointing to or some memo that I have written and forgotten about, and said well look it says that you said this right here that we were going to do it this way. He is really good at keeping track of information and knowing where to find information. Don is a good family person and helps his family when they need it. Don is a pleasure to work with and is very deserving of this recognition, and I wholeheartedly congratulate you."

Don Marsh spoke. "I am not much of a talker. I just want to say thanks for the award and thank you all for coming."

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		369.24
A1165	District Attorney		1,687.28
A1170	Public Defender		2,075.35
A1172	Assigned Counsel		10,354.91
A1185	Medical Examiners/Coroners		7,325.89
A1325	Treasurer		7,990.54
A1355	Assessments		3,054.80
A1410	County Clerk		208.01
A1420	Law		6,842.20
A1430	Personnel		1,942.80
A1450	Elections		81.83
A1460	Records Management		30.00
A1490	Public Works Administration		25.00
A1620	Buildings	26.99	38,329.67
A1621	Buildings		16,974.25
A1680	Information Technology		18,237.18
A2490	Community College Tuition		203,446.42
A2960	Education of Handicapped Children		308,254.56
A3020	Public Safety Comm E911 System		5,103.65
A3110	Sheriff	1,133.00	24,886.89
A3140	Probation		1,497.00
A3146	Sex Offender Program		9,240.00

A3150	Jail		73,026.75
A3315	Special Traffic Programs		1,500.00
A3410	Fire	740.64	11,542.00
A3415	State Interoperable Comm Grant		600.00
A3640	Emergency Mgmt Office		621.51
A3641	Emergency Mgmt Grant	159.59	
A4010	Public Health Nursing		1,588.76
A4011	Public Health Administration		9,242.97
A4012	Public Health Education		3,300.25
A4042	Rabies Control		320.91
A4044	Early Intervention		1,031.10
A4053	Preventive/Primary Health Services		748.36
A4054	Preventive Dental Services	172.58	492.66
A4064	Managed Care-Dental Services		1,071.07
A4070	Disease Control		4,747.05
A4090	Environmental Health		772.18
A4210	Alcohol and Drug Services		15,315.08
A4211	Council on Alcoholism		21,980.66
A4309	Mental Hygiene Co Admin		10,507.35
A4310	Mental Health Clinic		113,708.23
A4320	Crisis Intervention Services		25,246.00
A4321	Intensive Case Management		1,734.83
A5630	Bus Operations		109,964.92
A6010	Social Services Administration		105,320.62
A6422	Economic Development		600.00
A6610	Sealer Weights and Measures		217.12
A8752	NYS AG Market Grant		3,840.00
A9060	Health Insurance		4,907.40
SOLID WASTE FUND			103,866.39
SPECIAL GRANT FUND			8,049.91
COUNTY ROAD FUND			43,611.48
CAPITAL FUND			670,757.82
CONSOLIDATED HEALTH INSURANCE FUND			1,171.31
SELF-INSURANCE FUND			<u>2,600.00</u>
GRAND TOTAL			\$ 2,024,194.96

Legislator Case made a motion to approve the minutes of May 13 and 22, 2014, seconded by Legislator Hollenbeck, and carried.

RESOLVED: That Tioga County believes the State must work diligently to enact a no new unfunded mandates law and constitutional protections against future unfunded mandates; and be it further

RESOLVED: That Tioga County shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 123-14 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: A Supreme Court decision and demand for refund on two properties assessed to BCT 17, LLC, Biagia Cataldo & Kathy Cataldo-Medionte on the 2014 and prior year tax rolls of the Town of Owego reduces the 2011-2013, and 2014 assessments for the (2) parcels as follows;

Account #11767 reduced from \$601,200 to \$400,000 for 2011/2012
Account #11767 reduced from \$446,900 to \$290,000 for 2012/2013
Account #11767 reduced from \$446,900 to \$343,200 for 2013/2014
Account #10707 reduced from \$129,600 to \$104,500 for 2011-2013
Account #10707 reduced from \$129,600 to \$85,000 for 2013/2014
and

WHEREAS: The 2012-2014 tax bills relating to the 2011-2013 assessment years for the above properties assessed to BCT 17, LLC, Biagia Cataldo & Kathy Cataldo-Medionte in the Town of Owego have been paid; be it therefore

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-14

TRANSFER OF FUNDS
WORKERS' COMPENSATION

WHEREAS: The Tioga County Self-Insurance Plan has received notification from Safety National that an audit of the payroll figures for the period of January 1, 2013 through January 1, 2014 submitted for our Workers' Compensation Specific Excess Insurance has resulted in additional premium due in the amount of \$863.00; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1710.40 (450) \$863.00

To: Workers' Compensation Account S1722.40 (270) \$863.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 127-14 *APPROPRIATION OF FUNDS*
HEALTH DEPARTMENT

WHEREAS: The Tioga County Health Department (TCHD) was awarded a competitive grant from the Floyd "Vic" Hooker Foundation for a Dental Fluoride Varnish Program; and

WHEREAS: The grant funds were awarded for the purpose of 'start-up' or 'seed' money to create and implement the Dental Fluoride Varnish Program; and

WHEREAS: This grant program does not require matching County expenditures; and

WHEREAS: The funding requires appropriation into the TCHD budget; and

WHEREAS: Appropriations of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A 2280.00	Local Grants: Dental Varnish	\$38,060
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To: A 4054.40-595	Dental: Services Rendered	\$38,060
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ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 128-14 APPROPRIATION OF FUNDS
SUMMER YOUTH EMPLOYMENT PROGRAMS

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4610.00 Federal Aid: Administration	\$70,771
To: A6010.40.140 Contractual	\$70,771

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 129-14 *APPROPRIATION OF FUNDS
YOUTH BUREAU*

WHEREAS: Additional funding has been awarded to the Youth Bureau; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From:	A3820.00 State Aid: Youth Programs	\$ 3,850
To:	A7310.41.540 Reimbursements	\$ 3,850

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 130-14 *AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY
MANAGER TO APPLY FOR A REGIONAL
ECONOMIC DEVELOPMENT COUNCIL GRANT FOR
A CONSTRUCTION AND DEMOLITION (C&D)
RECYCLING FACILITY*

WHEREAS: The Regional Economic Development Council has announced the availability of up to \$25 million through the Cleaner Greener Communities Program, Strategy 3: Sustainability Projects; and

WHEREAS: There are no Construction and Demolition (C&D) Recycling Facilities within the Southern Tier; and

WHEREAS: Taylor Garbage, Inc. would like to have a C&D Recycling Facility designed and installed at their site in Apalachin; and

WHEREAS: A C&D Recycling Facility would:

- increase diversion of C&D waste from 25% to 75%
- divert 2,876 tons of solid waste from landfills
- reduce greenhouse gases (GHG) by 3,089 metric tons per year
- create spin-off opportunities such as a biomass brick/wood pellets processor and a compost facility
- creation of up to 20 new jobs with benefits
- increase in tax base;

and

WHEREAS: Taylor Garbage would own, operate and pay all local shared costs related to receiving said grant; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer the said grant.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 131-14 *AWARD INSPECTION SERVICES
CONTRACT TO LABELLA ASSOCIATES
FOR INSPECTION SERVICES OF THE
HAMILTON VALLEY RD BRIDGE
PROJECT BIN: 3334950*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the Inspection of these bridges as part of the Bond Issue; and

WHEREAS: The Hamilton Valley Rd. Bridge over South Branch of Catatonk Creek (BIN: 3334950) is one of the bridges in the program; and

WHEREAS: LaBella Associates, Rochester, NY did the design phase for this bridge; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the Hamilton Valley Rd. Bridge Project BIN: 3334950 in the amount of \$58,478; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Labella Associates, Rochester, NY 14614 not to exceed \$58,478 to be paid out of the Hamilton Valley Rd. Bridge Project Account H2013.09.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 132-14 *TIOGA COUNTY OPPOSES CLEAN WATER ACT
REGULATION PROPOSED BY THE
ENVIRONMENTAL PROTECTION AGENCY AND
ARMY CORPS OF ENGINEERS*

WHEREAS: Tioga County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA); and

WHEREAS: The CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS: The Environmental Protection Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on Definition of "Waters of the United States" Under the Clean Water Act to clarify the EPA and Corps' understanding and definition of the CWA that will inform all of EPA's regulatory programs and policy actions; and

WHEREAS: This proposed regulation creates greater uncertainty rather than clarity and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS: The proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Tioga County with little, if any, substantive environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits; and

WHEREAS: The financial impact of the proposed regulation to Tioga County will create significant ongoing maintenance costs and delays to Tioga County citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the Corps; and

WHEREAS: Tioga County believes that the standards for making jurisdictional determinations under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court; now therefore be it

RESOLVED: That Tioga County urges EPA and the Corps to withdraw the proposed CWA regulation immediately, work collaboratively with states and local governments to clarify federal jurisdiction under the CWA that is reasonable, environmentally responsible and respects the authority of state and local governments in ensuring the protection of our water resources; and be it further

RESOLVED: That Tioga County supports any federal legislation consistent with the above recommendations and urges its Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and be it further

RESOLVED: That a copy of this Resolution, suitably engrossed, should be transmitted to U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. House Representatives Tom Reed and Richard Hanna, EPA Administrator Gina McCarthy, New York Governor Andrew Cuomo, New York State Senator Tom Libous, New York Assembly Representative Christopher Friend, and EPA Region 2 Administrator Judith Enck.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 133-14 *AUTHORIZE TIOGA COUNTY
TO HIRE MANASSE AUCTIONEERS
TO AUCTION REAL PROPERTY ACQUIRED
BY COUNTY FORECLOSURE*

WHEREAS: James P. McFadden, Tioga County Treasurer is in charge of implementing the foreclosure of taxes under Article Eleven of the Real Property Tax Law; and

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: Manasse Auctioneers has been contacted to perform the services of a public auction and Manasse Auctioneers has agreed to compensation of a uniform seven percent (7%) buyers premium, Tioga County will pay no expenses; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to contract the services of Manasse Auctioneers for the public auction of tax foreclosure properties, pending approval by the County Attorney as to form.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 134-14

AUTHORIZATION TO EXECUTE
ENGAGEMENT LETTER FROM
COUGHLIN & GERHART, LLP
TO PROVIDE SERVICES FOR
ROUND 2 STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT

WHEREAS: The Tioga County Fire Coordinator has received a Round 2 Statewide Interoperable Communications Grant from NYS Office of Homeland Security; and

WHEREAS: Various legal issues have arisen regarding land acquisition and permit approvals; and

WHEREAS: Tioga County wishes to retain the services of Coughlin and Gerhart LLP to provide their expertise in resolving these issues; and

WHEREAS: Coughlin and Gerhart LLP has set forth the services they will provide in an engagement letter; and

WHEREAS: Payment for said services will come from the State Interoperable Communications Grant - Contracting Services Account No. 3415.40-140; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign said engagement letter from Coughlin and Gerhart LLP for said services.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 135-14 *AUTHORIZE WAIVER OF 90-DAY
HIRING DELAY; BACKFILL FULL TIME
PROBATION OFFICER
PROBATION DEPARTMENT*

WHEREAS: The Tioga County Legislature established a 90-day delay in backfilling vacant positions for the purpose of cost savings; and

WHEREAS: The Probation Director has a need to backfill a full-time Probation Officer due to an unanticipated resignation effective May 23, 2014; and

WHEREAS: The Probation Department staff was reduced in 2012 and has been working to keep up with caseloads resulting from increased "Interim Probation" sentences associated with Drug Treatment Court, the Director would like to backfill the vacancy without delay; and

WHEREAS: The Probation Director received verbal authorization to waive the 90-day hiring delay at the May 22, 2014, Legislative Work session; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a waiver in the 90-day hiring delay by allowing the Probation Director to backfill one vacant, full-time Probation Officer position from the civil service eligible list effective on or after June 11, 2014, at the annual salary of \$39,015 (CSEA Salary Grade XI).

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 136-14

*BACKFILL PART-TIME
DEPUTY DIRECTOR OF EMERGENCY
PREPAREDNESS; INCREASE HOURS;
AUTHORIZE HIRING WAIVER
EMERGENCY MANAGEMENT OFFICE*

WHEREAS: The Tioga County Legislature established a 90-day delay in backfilling vacant positions for the purpose of cost savings; and

WHEREAS: The Tioga County Emergency Management Office has a need to backfill the part-time, Deputy Director of Emergency Preparedness position due to the retirement of the incumbent effective June 13, 2014; and

WHEREAS: The Director of Emergency Preparedness plans to increase the responsibilities of the Deputy position, adding involvement with grant writing and administration, attendance of meetings with Towns and villages as well as greater involvement in the day-to-day operations of the office which will increase the hours worked from an average of 6 – 8 per week to 15 – 17 per week; and

WHEREAS: The Director of Emergency Preparedness would like to backfill the vacancy without delay due to an upcoming Emergency Managers certification session offered by New York State which will be held in June 2014; and

WHEREAS: The Director of Emergency Preparedness received verbal authorization to waive the 90-day hiring delay at the April 10, 2014, Legislative Work session; and

WHEREAS: The Director of Emergency Preparedness has identified qualified candidates who have been found to meet the minimum qualifications of the Deputy's title; therefore be it

RESOLVED: That the hours of the Deputy Director of Emergency Preparedness position shall be increased from any average of 6 – 8 per week to 15 – 17 per week, resulting in an increase in the annual salary range from \$4,179 - \$4,284 to \$9,551 - \$9,784; and be it further

RESOLVED: That said increase in hours shall result in a change in the Civil Service class of the Deputy Director position from Non-Competitive to Competitive, thereby requiring the new appointment to be provisional pending an examination for said title; and be it further

RESOLVED: That the Tioga County Legislature authorizes a waiver of the 90-day hiring delay and allows the Director of Emergency Preparedness to backfill the part-time Deputy Director of Emergency Preparedness position effective June 14, 2014, at an annual salary between \$9,551 - \$9,784, which is within the new, non-union salary range for said part-time position at 15 – 17 hours per week.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standing, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 137-14 *AUTHORIZE WAIVER 90-DAY
HIRING DELAY; APPROVE SALARY
ABOVE HIRING BASE FOR
DEPUTY SHERIFF
SHERIFF'S OFFICE*

WHEREAS: The Tioga County Sheriff's Office has a need to backfill a full-time Deputy Sheriff position due to an internal promotion which became effective June 2, 2014; and

WHEREAS: Legislative approval is required for waivers of 90-day hiring delay; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: John Cornwell, a transfer candidate with over 10 years of law enforcement experience, has applied and has been found both eligible and willing to accept a transfer from the Village of Walton Police Department to the Deputy Sheriff vacancy in Tioga County; and

WHEREAS: Tioga County Resolution 211-99 requires Legislative approval for any appointments made above an established base salary amount, and the Sheriff has approval from the Tioga County Law Enforcement; and

WHEREAS: The Sheriff has received approval from the Tioga County Law Enforcement Union to hire a new Deputy Sheriff who has successfully completed the basic Police Academy training at an annual salary reflecting 2 years of experience per the current union contract, or \$49,531; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position with the appointment of John Cornwell at an annual salary of \$49,531, effective July 1, 2014.

RESOLVED: That TCHD be authorized to abolish one (1) full-time Administrative Accounting Supervisor position and create and fill one (1) temporary part-time Administrative Accounting Supervisor position, effective on or before September 8, 2014 through no later than April 1, 2015; and be it further

RESOLVED: That funding be appropriated as follows:

From:	A1610.40	Revenue: Long Term Home Care	\$ 8,000
	A4011.10-10	Administration Personnel Salary	\$10,000
	A4011.40-120	Administration: Contracts	\$ 6,400
	A4053.10-20	Primary & Preventive: Part-time	\$17,620
To:	A4010.10-10	Nursing: Personnel Salary	\$16,000
	A4010.10-20	Nursing: Part-time	\$ 7,500
	A4010.40-640	Nursing: Supplies (Not office)	\$ 8,520
	A4011.10-20	Administration: Part-time	\$10,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 139-14

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS: A project for the rehabilitation of the Catatonk Hill Road Bridge (BIN: 3335130) over Catatonk Creek, PIN 9753.80 (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 Tioga desires to advance the Project by making a commitment of 100% of the Federal and Non-Federal share of the costs of the Construction and Construction Supervision and Inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and be it further

RESOLVED: That the sum of \$824,000 is hereby appropriated from H2013.05 Catatonk Hill Rd. Bridge Account and made available to cover the cost of participation in the above phase of the Project or portions thereof; 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 Tioga 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 Chair of the Legislature for the County of Tioga 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 Tioga 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 the 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: That this resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, Hollenbeck, and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:24 P.M.

Seventh Regular Meeting
July 15, 2014

The Seventh Regular Meeting of 2014 was held on July 15, 2014 and was called to order by the Chair at 12:06 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for our many blessings and the fact that we live in a free country, the United States of America. Please guide us as we conduct government for the citizens of the County."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

Legislator Standinger read and presented the following Proclamation to William Chandler.

Legislator Standinger spoke. "In the interest of full disclosure I will say that I am a Veteran of the Army. I first met Mr. Chandler when he was responsible for getting the Vietnam Memorial here. It is called the Moving Wall and I will tell you I was moved by it. I have a lot of respect for Mr. Chandler. He put a lot of work and dedication into honoring the Veterans of this County and the United States. On behalf of the Legislature, I am reading this Proclamation."

PROCLAMATION

William Chandler

WHEREAS: William (Bill) Chandler approached the Tioga County Legislature in late 2013 to ask for a contribution for the Tioga County Veterans Monuments located at the County Courthouse; and

WHEREAS: Mr. Chandler wanted to have an additional monument located to list all the names of the County's fallen World War II veterans. He also wanted to have a monument for the fallen veterans of the wars in Iraq and Afghanistan and a recognition for the four Civil War veterans from Tioga County; and

WHEREAS: Mr. Chandler, a member of the Vietnam Veterans of America 480 and VFW Post 1371 in Owego, launched a fundraising initiative in hopes of raising around \$30,000 to upgrade the park; and

WHEREAS: Mr. Chandler was successful in raising more than \$31,000 from various municipalities, veterans organizations, individuals and businesses of Tioga County; and

WHEREAS: Mr. Chandler spent approximately three weeks with a small group of workers erecting the new monuments and they were unveiled on Memorial Day; and

WHEREAS: Mr. Chandler had obtained this idea for the new monuments after he was approached by someone from the County Veterans Association about the Medal of Honor recipients; now therefore

THE TIOGA COUNTY LEGISLATURE hereby recognizes, honors, proclaims, and designates on behalf of our County and citizens to take this day to honor

William Chandler

and asks all county residents and community agencies to join in recognizing William Chandler and his dedication to all Veterans of Tioga County.

Legislator Standinger spoke. "I just want to give you my sincere thanks. I appreciate it. As far as I am concerned, you have done a lot more than anybody else I have ever met on the issue of Veterans and I am grateful for that."

Bill Chandler spoke. "Thank you all very much for everything. When I first approached you and everything, I got to thinking afterwards what the heck did I get myself into this time and everything. The money in January when I first started going door to door to everybody was coming in very slow and I am thinking oh my gosh if I get the Medal of Honor done by Memorial Day I will be very lucky. It was not until the Owego Pennysaver put an article out and everything that the ball started rolling. I was on my way down that day when the article came out in the paper to Maryland. I got a call from Neil Lewis stating that Steve May had stepped up to the plate and paid for the World War II monument in full, and it was like from that day forward the money just started rolling in.

"Then I was asked by the news people, what are you going to do if you go over the designated amount needed? I have always supported the Angels Over Iraq and Afghanistan. The girls have always done a good job and for the last six years since I started the Route 38 ride and everything, I have always made sure they have gotten money and everything from it. That was one of the people that I thought about. So come time towards the end there and construction and stuff, I had my brother Johnnie, him and I were there just about every day doing the demolition and getting everything prepped. Then Justin Hulslander stepped in and helped do all the concrete work. He made the Medal of Honor stamp in front of the Medal of Honor monument. It is stamped into concrete. C&C and Barney and Dickinson donated all the concrete for the project. I was very blessed with what I had for help and everything.

"Then the Wednesday we set the monuments of course it poured like crazy, but we stayed right out there and got the monuments placed and everything, and that Saturday before Memorial Day we were there, the small group of us, getting everything scrubbed down and seeded and mulched, and then of course Memorial Day came and we had the unveiling. I presented the Angels Over Iraq and Afghanistan a check for \$5,000 at that point. That will help with care packages for our troops. I gave the Master Gardeners a check for \$1,000 because I never knew nothing about them until this project, that everything they do is strictly volunteer and donations, so this will help assist in buying new plants and everything for the Village parks and stuff. That will be a help for them.

"I also donated \$1,500 to the VFW's kids picnic that will be coming up over in Marvin Park here. Our bounce gym was getting bad and we needed a new bounce gym. I gave them a check for \$1,500 to buy a new bounce gym for that. I have been trying for a long time to get the VFW to get on board for younger Veterans, to bring younger Veterans into the Club, and I finally got their blessing to create a cyber-lounge in the VFW. I am getting the Internet hooked up downstairs. We have no internet access downstairs, so I am putting a router downstairs. I purchased a leather couch, two leather reclining chairs, two end tables and a coffee table, a 60 inch flat screen TV that they can hook the computer up to if they need to for presentations or whatever. I also bought a computer desk and chair, and a stationary computer that has got adult sites blocked out of it and everything. This way if a young person or anybody wants to go down that is a member of the VFW, wants to go down and just sit and relax and you do not have to do the bar scene and stuff, you can just sit and relax in a nice comfortable space, and use your computer or use our computer.

"Fortunately with all the fund raising and all the great response of all the people in Tioga County, I have been able to do this and everything. I thank you all for helping out with the project and everything. A week from Saturday is the Vietnam Veterans Memorial Highway ride and that will be our sixth year doing it. That has turned into a good thing. We have installed over 40 signs along Route 38 since the five of us guys started it. It costs no money to the taxpayers. We put the signs up ourselves. I guess we will see what happens next. Thank you again very much, I appreciate it."

Chair Sauerbrey spoke. "When I called Bill and I told him, I really tried to guilt him into coming because I said you are a really good example of what a volunteer is for our community and we need to recognize and appreciate our volunteers so that they will continue on and take care of the needs that are not met. Thank you."

Chair Sauerbrey noted the following recognition resolution for Anne Austin of the Public Health Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 140-14 *RECOGNITION OF
ANNE AUSTIN'S 12 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF HEALTH*

WHEREAS: Anne M. Austin was appointed to the position of Home Health Aide on April 29, 2002, in the Tioga County Department of Health; the position she still holds; and

WHEREAS: Anne M. Austin has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 12 years to the Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Austin will retire on June 29, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Anne M. Austin for her over 12 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Anne M. Austin.

ROLL CALL VOTE

Unanimously Yes – Legislators Standing, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		235.11
A1165	District Attorney		1,791.35
A1170	Public Defender		2,035.80
A1172	Assigned Counsel		27,401.45
A1173	ILS Grant		3,283.24
A1185	Medical Examiners/Coroners		3,883.48
A1325	Treasurer		17,232.50
A1355	Assessments		2,913.76
A1362	Tax Advertising and Expense		652.40
A1410	County Clerk		644.44
A1411	Department of Motor Vehicles		176.25
A1420	Law		1,097.00
A1430	Personnel		1,606.45
A1450	Elections		8,373.89
A1460	Records Management		219.00
A1490	Public Works Administration		64.80
A1620	Buildings		29,491.62
A1621	Buildings		11,874.85
A1680	Information Technology		4,253.07
A2490	Community College Tuition		34,335.34
A2960	Education of Handicapped Children		180,622.20
A3020	Public Safety Comm E911 System		4,894.31
A3110	Sheriff		13,659.78
A3140	Probation		336.00
A3146	Sex Offender Program		9,240.00
A3150	Jail		21,892.33
A3315	Special Traffic Programs		62.25
A3410	Fire	190.00	2,146.12
A3412	NYS Tech Rescue Grant	7,332.00	
A3640	Emergency Mgmt Office		434.79
A3641	Emergency Mgmt Grant Prog		132.55
A4010	Public Health Nursing		2,881.34
A4011	Public Health Administration		2,250.07
A4042	Rabies Control		1,450.08
A4044	Early Intervention		592.40
A4054	Preventive Dental Services		43.76
A4064	Managed Care-Dental Services		1,233.97
A4070	Disease Control		3,532.39
A4090	Environmental Health		709.94
A4210	Alcohol and Drug Services		7,825.38
A4211	Council on Alcoholism		10,990.33

A4309	Mental Hygiene Co Admin	249.99	6,282.70
A4310	Mental Health Clinic		52,154.38
A4311	Rehabilitation Support Services		1,854.00
A4320	Crisis Intervention Services		5,693.34
A4321	Intensive Case Management		7,992.79
A4333	Psycho Social Club		25,000.00
A4390	Criminal Psychiatric Expenditures		53,725.85
A5630	Bus Operations		109,876.69
A6010	Social Services Administration		46,004.06
A6510	Veterans' Service		124.00
A6610	Sealer Weights & Measures		229.84
A8020	Planning		4,227.50
SOLID WASTE FUND			91,100.98
SPECIAL GRANT FUND			4,508.52
LIABILITY INSURANCE FUND			99.30
COUNTY ROAD FUND			13,606.37
CAPITAL FUND			474,347.15
HEALTH INSURANCE FUND			1,167.25
SELF-INSURANCE FUND			<u>2,163.00</u>
GRAND TOTAL			\$ 1,324,425.50

Legislator Hollenbeck made a motion to approve the minutes of June 10, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey made the following appointments:

Information Technology Steering Committee
 Representative from Probation
 Representation from Real Property

Non Union Salary Committee
 Secretary to the Sheriff who replaces Secretary to the Commissioner of Social Services

Chair Sauerbrey stated that standing committees and special committees are on file with the exception of the Information Technology Committee meeting, which has not yet been filed, but will be soon.

Chair Sauerbrey spoke. "This is an opportunity when I get a chance to share some of the activities of the Chair of the Legislature and so I will share that I was fortunate to attend a Lockheed Martin event celebrating the rescue helicopter and more jobs for Tioga County. During the last month we also had a Department Head meeting where we discussed various issues for the County

and the Department Heads contributed to the manner of that meeting. Also, I would like to report that we are moving forward with our Financial Management Accounting Software. Demonstrations are being held today of different vendors and we will get an opportunity to look at those and chose and make a decision for the future."

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 141-14

RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE SENATE TO RELEASE INDIVIDUAL SCHOOL DISTRICTS FROM MANDATING VETERANS REAL PROPERTY SCHOOL TAX EXEMPTIONS, AND ENSURING THAT NEW YORK STATE WILL IMMEDIATELY AND FOREVER REIMBURSE ALL SCHOOL DISTRICTS, ANNUALLY, FOR VETERANS REAL PROPERTY SCHOOL TAX EXEMPTIONS

WHEREAS: On December 18, 2013, Governor Andrew Cuomo signed into law, Bill S01199, an act to amend the real property tax law, in relation to authorizing certain exemptions from school district real property tax for veterans; and

WHEREAS: This amendment to the real property tax law allows for School Districts to extend a real property tax exemption for School Taxes to Veterans in their respective districts; and

WHEREAS: This amendment places the responsibility for enacting any Veterans real property tax exemption for School Taxes onto the respective districts' school boards; and

WHEREAS: This amendment does not specify an entity fiscally liable for the potential tax burden created upon any School District's enactment of such resolution allowable by this amendment; and

WHEREAS: Tioga County School Districts have presumed from the language of this amendment that any additional tax burden must be absorbed by the School Districts, or shifted to the non-Veteran real property owners of the respective School Districts; and

WHEREAS: Governor Andrew Cuomo and the numerous New York State Senatorial sponsor and co-sponsors of Bill S01199 publicly stated their desire and intent in enacting this bill for the benefit of New York State Military Veterans; and

WHEREAS: RPTL Section 458, enacted before the year 1896, and subsequent amendments until now, includes General Municipal Taxes unless disallowed by local option; now therefore be it

RESOLVED: That the Tioga County Legislature hereby calls upon Governor Andrew Cuomo and the New York State Senate to enact further legislation removing the burden of mandating this exemption from the individual School Districts, and release the School Districts including the non-Veteran real property owners, from any tax burden imposed, when School Districts provide this benefit to Veterans as per the New York State Real Property Tax Law Veterans Tax Exemption; and be it further

RESOLVED: That the Tioga County Legislature hereby calls upon Governor Cuomo and the New York State Senate to enact legislation ensuring that New York State will immediately and forever reimburse each School District the definitive total of the Veterans Real Property Tax Exemption each fiscal budget year.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 142-14 EMERGENCY MEDICAID TRANSPORTATION

WHEREAS: Medicaid funding for transportation for people to get to medical appointments has constituted a substantial portion of the funding stream of the public bus systems of many rural upstate New York counties; and

WHEREAS: New York State changed its method of managing and funding Medicaid transportation trips in 2013 for New York counties; and

WHEREAS: This change has already resulted in drastic decreases in revenue for many counties including Tioga, Schuyler, Cortland, Chemung, Otsego, Chenango, and Ontario Counties; and

WHEREAS: The loss of revenue has already resulted in service reductions, fare increases, and cessation of public transportation in some rural counties, thereby creating hardship for people who need public transportation to live full, decent lives; and

WHEREAS: New York State will realize savings due to Medicaid redesign; now therefore be it

RESOLVED: That the Tioga County Legislature asks the New York State Department of Health to recognize the considerable public benefits of rural public transit services to Medicaid clients, people with disabilities, seniors, and the general public to have basic access to health care, shopping, commuting to work or school, and other travel sustaining community livability; and be it further

RESOLVED: That Tioga County urges the New York State Department of Health to expend State aid, as allocated in this year's New York State budget, to assist rural public transit providers as expeditiously as possible to forestall immediate, severe reductions in rural public transit services; and be it further

RESOLVED: That Tioga County asks New York State to pay rates for Medicaid patients' use of rural public transit services that represent the full cost of providing such services; and be it further

RESOLVED: That Tioga County encourages the Governor and Legislature to restart the state interagency coordinating committee on rural public transportation to enable new public policies be implemented to increase public benefits and avoid collateral damage to rural public transportation services; and be it further

RESOLVED: That copies of this resolution shall be sent to Governor Cuomo; the Commissioner of the New York State Department of Health; the Commissioner of the New York State Department of Transportation; Senator Dean Skelos and Senator Jeffrey Klein, Senate Republican Conference Majority Leaders; Senator Andrea Stewart-Cousins, Senate Democratic Conference Leader; Assemblyman

Sheldon Silver, Majority Leader; Assemblyman Brian Kolb, Assembly Minority Leader; Senator Thomas Libous and Assemblyman Christopher Friend.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 143-14 *NOTIFICATION OF GRANT APPLICATION*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to Electronic Voting systems and just recently all counties complied; and

WHEREAS: The County Boards of Elections must apply for reimbursement and part of the application process is notifying the County Legislature that grants are being applied for; therefore be it

RESOLVED: That the Tioga County Legislature accepts the GOVERNING BODY GRANT APPLICATION NOTIFICATION from the Tioga County Board of Elections dated June 20th, 2014 in the amount up to \$16,240.00.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 144-14 *AUTHORIZATION TO APPLY FOR ADVANCING
TOBACCO FREE COMMUNITIES GRANT
HEALTH DEPARTMENT*

WHEREAS: The Broome County Health Department received a multi-county grant for Advancing Tobacco Free Communities from New York State, and has released a competitive grant opportunity for the Tioga County portion; and

WHEREAS: The Tioga County Department of Health (TCDOH) desires to pursue this grant opportunity as it falls within their Vision, Mission and Values to ensure a healthier community for residents; and

WHEREAS: The amount of the grant funding is not yet determined, yet could be as much as \$70,000 per year for five years; and

WHEREAS: If awarded the grant, TCDOH will submit a resolution to appropriate the funds at that time; and

WHEREAS: Although this grant does not require matching funds, it will require the signature of the Chief Elected Official if awarded; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require either matching/in-kind costs or the signature of the Chief Elected Official; therefore be it

RESOLVED: That the Tioga County Department of Health is authorized to submit a grant application to the Broome County Health Department.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Case introduced Local Law Introductory No. B of 2014-A Local Law providing for the collection of a hotel and motel tax in Tioga County.

County of Tioga

Local Law No. of the Year 2014.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This Local Law shall be known as the "Hotel/Motel Tax Law".

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

SECTION 4: TAX

(A) A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

(B) Said tax shall be paid by the person occupying the room who shall be liable therefore to the owner of the hotel or motel room occupied or to the person entitled to be paid the rent or charge for the hotel or motel room occupied. Said tax shall be paid for and on account of the County of Tioga.

(C) Such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax. Such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel or motel room, or in respect to non-payment of the tax by the person occupying the hotel or motel room, as if the tax were a part of the rent or charge; provided, however, that the Tioga County Treasurer shall be joined as a part in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.

(D) The filing of returns and the payment of the tax shall be paid to the Tioga County Treasurer on a quarterly basis by such means and in such manner as may be directed by the Tioga County Treasurer.

SECTION 5: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Tioga County Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 6: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 7: JUDICIAL REVIEW

Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

(A) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(C) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Tioga County Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 8: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 9: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 10: EFFECTIVE DATE

This local law shall become effective December 1, 2014 and shall remain in effect until November 30, 2017.

SECTION 11: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 145-14 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. B OF 2014*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2014 A Local Law providing for the collection of a hotel and motel tax in Tioga County in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, August 7, 2014 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 146-14 *TRANSFER OF FUNDS*
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has two major trials for 2014; and

WHEREAS: The District Attorney's budget does not have the funding available to accommodate these two trials and funds need to be transferred out of Contingency to the District Attorney's budget; therefore be it

RESOLVED: Resolved that the following sums be transferred into the District Attorney's budget to cover trial costs:

From: A1990.40-715-Contingency Account	\$50,000
To: A1165.40-720-District Attorney	\$50,000

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 147-14 TRANSFER OF FUNDS
DISTRICT ATTORNEY

WHEREAS: The District Attorney’s Office has a need to purchase file cabinets; and

WHEREAS: The District Attorney’s budget does not have an equipment account to purchase file cabinets; therefore be it

RESOLVED: Resolved that the following sums be transferred within the District Attorney’s budget to cover the purchase of file cabinets:

From: A1165.40-40-District Attorney \$400.00

To: A1165.20-150-District Attorney \$400.00

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 148-14 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: A Supreme Court decision and demand for refund on two properties assessed to West Bay Star, LLC on the 2014 and prior year tax rolls of the Town of Owego reduces the 2010-2013 assessments for the two parcels as follows;

Account #12324 reduced from \$50,900 to \$32,000
Account #12325 reduced from \$518,100 to \$144,300

and

WHEREAS: The 2011-2014 tax bills relating to the 2011-2013 assessment years for the above properties assessed to West Bay Star LLC in the Town of Owego have been paid; be it therefore

RESOLVED: That a refund of \$58,701.26 be issued by the Tioga County Treasurer's Office to Levene Gouldin & Thompson, LLP as attorneys for West Bay Star LLC, for overpayment of 2011-2014 taxes on properties #12324, and 12325; and be it further

RESOLVED: That the erroneous town tax of \$5,271.35 be charged back to the Town of Owego, and the erroneous Fire Tax of \$2737.61 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$735.53 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$30,915.26 be charged back to the Owego-Apalachin School District; and be it further

RESOLVED: That the erroneous county tax and school penalties of \$19,041.51 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standing, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 149-14 *AUTHORIZE SALE OF COUNTY
OWNED PROPERTIES ACQUIRED
FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the following properties be sold at public auction to be held in the Edward D. Hubbard Auditorium in the Tioga County Office Building, 56 Main Street, Owego, New York on July 31, 2014 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

146.00-1-9, Lucas A Chaffee
112.00-2-1, Edith & Letha A Gregor
144.00-1-11.21, Loco Holdings, LLC
122.18-1-14, Loco Holdings, LLC
134.00-1-56.20, Alfred Madigan

Town of Berkshire

23.00-3-4.131, Loco Holdings, LLC

Town of Candor:

61.09-1-28, Kristen Baker

Town of Newark Valley:

64.15-1-10, Gordon Cressman

Town of Nichols:

158.00-3-22, Roy L Williams

Town of Owego:

118.17-1-21.2, Eileen A Bundy, Etal
118.17-3-1.2, Eileen A Bundy, Etal
128.08-1-43, William E Foster
85.00-1-35, Thomas J Harris

117.19-2-5, Eleanor B Howard
117.19-2-10, Polly Jane Jones
131.16-1-18, Steven Kitchin
128.08-2-19, L Margaret, LLC
128.08-1-8, Kenneth & Stacey Nixon
117.19-2-37, Oak Mountain Properties, LLC
153.05-1-22, Sheri Pabon
142.07-1-7, Roger Philpott
130.00-2-74, Franklin B Resseguie
130.00-2-75, Franklin B Resseguie
118.18-1-1.1, Karen Schumacher
129.05-1-10, Ronda K Steigler
128.08-1-1.125, Mark & Febb Traver
128.07-1-8, Daniel R & Janet Truesdail
110.00-1-17.4, Dominica J Vojtisek
164.00-3-32.1, Lisa Weaver
129.06-2-6, Karen & Vern Woodburn

Town of Richford:

12.00-1-15.12, Edward D & Lynda J Hart
14.00-1-8, Gail & David E Klinger
5.00-1-36.21, Raymond L Predmore

Town of Tioga

125.00-1-15.22, Federal Home Mortgage Corp

ROLL CALL VOTE

Yes – Legislators Standing, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 150-14 *ACCEPTANCE OF THE APPLICATION FOR
FIREFIGHTER CURTIS DANIEL TO THE
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Haz-Mat team member David Martinichio is no longer an active member of the Team; and

WHEREAS: Campville Firefighter Curtis Daniel has applied for membership to the County Haz-Mat Team; and

WHEREAS: Firefighter Daniel currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; and

WHEREAS: Firefighter Daniel would replace Waverly Firefighter Martinichio as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Campville Firefighter Curtis Daniel be added to the Tioga County Haz-Mat Team roster to replace Firefighter David Martinichio effective July 16, 2014s.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS
 RESOLUTION NO. 151-14 AWARD BID FOR RECONSTRUCTION OF CORPORATE DRIVE

WHEREAS: The Commissioner of Public Works appropriated funds in the 2014 budget for this project; and

WHEREAS: On June 10, 2014 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products Vestal, NY	\$184,000
Dycon Construction Northeast Pine City, NY	\$264,540
Economy Paving Co., Inc. Cortland, NY	\$226,810
DeNinis Construction Binghamton, NY	\$221,440
Procon Construction Vestal, NY	\$216,000

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder Broome Bituminous Products, Vestal, NY not to exceed \$184,000 to be paid out of Corporate Drive Pave account H2014.05.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 152-14 *AWARD RECONSTRUCTION CONTRACT
FOR ALLYN RD. BRIDGE
BIN: 2218960*

WHEREAS: The County bonded for a program for rehabilitation of various bridges within the county; and

WHEREAS: Funding is available for the construction of the Allyn Rd. Bridge (BIN: 2218960) over Pipe Creek; and

WHEREAS: On June 30, 2014 the Department of Public Works received sealed bids from the following contractors:

Silverline Construction Burdett, NY	\$395,448.00
Dycon Construction Northeast Pine City, NY	\$414,248.00
Economy Paving Co., Inc. Cortland, NY	\$373,865.47
R. DeVincentis Construction Binghamton, NY	\$476,000.00
Procon Construction Vestal, NY	\$366,000.00
Vector Construction Cicero, NY	\$442,610.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder Procon Construction, Vestal, NY not to exceed \$366,000.00, to be paid out of Allyn Rd. Bridge account H2014.03.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 153-14

*AWARD CONSTRUCTION CONTRACT FOR
PENN. AVE. BRIDGE OVER DEERLICK CREEK
BIN: 3335490*

WHEREAS: The County bonded for a program for rehabilitation of various bridges within the county; and

WHEREAS: Funding is available for the construction of the Penn. Ave., Bridge (BIN: 3335490) over Deerlick Creek; and

WHEREAS: On July 3, 2014 the Department of Public Works received sealed bids from the following contractors:

R. DeVincentis Construction Binghamton, NY	\$574,000.00
New Century Construction Watervliet, NY	\$612,000.00
Vector Construction Cicero, NY	\$587,489.50

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder R. DeVincentis Construction, Binghamton, NY not to exceed \$574,000.00, to be paid out of Penn. Ave. Bridge account H2014.02.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 154-14 *AWARD CONSTRUCTION
INSPECTION TO C & S ENGINEERS
FOR PENN. AVE. BRIDGE OVER
DEERLICK CREEK BIN: 3335490*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the inspection of these bridges as part of the Bond Issue; and

WHEREAS: The Penn. Ave. Bridge over Deerlick Creek (BIN: 3335490) is one of the bridges in the program; and

WHEREAS: C & S Engineers, Syracuse, NY did the design phase for this project; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspection services for the Penn. Ave. Bridge over Deerlick Creek Project (BIN: 3335490) in the amount of \$90,000; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to C & S Engineers, Syracuse, NY not to exceed \$90,000, to be paid out of the Penn. Ave. Bridge Project Account H2014.02.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 155-14 *AUTHORIZE AGREEMENT WITH
KEYSTONE ENVIRONMENTAL SERVICES*

WHEREAS: Tioga County is in the process of bidding the project to Restore Flood Damaged Records; and

WHEREAS: It appears necessary to have the records tested to determine if any level of protection is needed in handling the records; and

WHEREAS: Keystone Environmental Services has provided a proposal to test the records; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed, retroactive to July 2, 2014, to execute an agreement with Keystone Environmental Services to perform environmental sampling services at a cost not to exceed \$7,240.00; and be it further

RESOLVED: That payment therefore shall be made for such services from the Records Mitigation Account H1624.20-403.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 156-14 *SETTLEMENT AGREEMENT WITH
ACTUATE CORPORATION*

WHEREAS: Tioga County and Actuate Corporation have been in a dispute regarding a software licensing agreement that had been entered into between Xenos Group Inc. (as predecessor in interest to Actuate Corporation) and Tioga County on April 19, 2005; and

WHEREAS: Tioga County and Actuate Corporation have resolved the dispute; and

WHEREAS: A Settlement Agreement and Release has been drafted setting forth the terms and conditions of the resolution; and

WHEREAS: The Settlement Agreement and Release calls for Tioga County paying to Actuate Corporation a settlement amount of \$35,000.00; therefore, be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized and directed, retroactive to June 23, 2014, to sign the Settlement Agreement and Release between Tioga County and Actuate Corporation; and it is further

RESOLVED: That upon execution by both parties of the Settlement Agreement and Release by authorized representatives of Tioga County and Actuate Corporation, the Treasurer is authorized, retroactive to June 23, 2014, to make payment to Actuate Corporation in the amount of \$35,000.00 to fully and final resolve the dispute, and to come out of Judgment & Claims Account A1930.40-270.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 157-14 AMEND POLICY 26 – ETHICS LAW

WHEREAS: The Tioga County Board of Ethics revised its Regulation for Public Inspection of Annual Statements of Financial Disclosure, Inspection and Notice of Subjects of Request for Public Inspection under the Tioga County Ethics Law (Policy 26 pages 26.32 and 26.33); and

WHEREAS: Policy 26 Ethics Law needs to be amended to reflect those changes; therefore be it

RESOLVED: That Policy 26 be amended as follows:

Section V-Requests for Public Inspection and Section VI-Inspection have been combined into Section V as follows:

Section V – Requests for Inspection or Copy of Annual Statement

- A. Members of the public shall be permitted to inspect or obtain a copy of an Annual Statement by submitting in writing a request on a form provided by the Board for such purposes.
- B. The request shall be filed with the Statements Access officer at 56 Main Street, Suite 204, Owego, New York 13827 or such other address as the Board shall designate.
- C. (1) The Statements Access Officer shall respond to a request as soon as possible, but no later than five (5) business days after the day of the receipt of the request.

(2) If more than five (5) business days are required to fulfill a request, the Statements Access Officer shall issue an acknowledgment of the receipt of the request within five (5) business days after the request is received. The acknowledgement shall include an estimate of the date that the Annual Statement shall be available.
- D. A request shall contain the name of the individual whose Statement is sought; and

- (1) The local agency/department by which the officer or employee is employed or with which he or she is affiliated; or
- (2) The local elected office held; or
- (3) The local political party office held; or
- (4) The local elected office for which the individual is a candidate.

E. The Statements Access Officer shall delete from public inspection the categories of value or amount contained in the Annual Statement and any other item of information required to be deleted from the Statement in accordance with state, federal, and local laws.

F. No original Annual Statement shall be removed from the custody of the Board or the Statements Access Officer.

Section VII – Notice of Subjects of Request for Public Inspection has been changed to Section VI as follows:

VI. – Notice of Subjects of Request for Public Inspection

Any person who wishes to know if he or she has been the subject of a request for inspection or copy may request from the Board notification of whether such a request has been filed; and be it further

RESOLVED: That the remainder of Policy 26 – Tioga County Ethics Law shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 158-14 *AMEND RESOLUTION 147-09;
HIRING DELAY*

WHEREAS: Resolution No. 147-09 established a Hiring Delay of 60 days; and

WHEREAS: Resolution No. 224-10 as amended by Resolution No. 269-10 amended Resolution No. 147-09 to reflect a 90-day hiring delay through December 31, 2011; and

WHEREAS: Resolution No. 93-11 amended Resolution No. 147-09 to expand on the list of exceptions to include vacancies resulting from termination during probationary period; and

WHEREAS: The County Legislature would like to further expand on said list of exceptions to include those instances when a provisional appointee must be terminated in accordance with Tioga County Civil Service Rules; therefore be it

RESOLVED: That Resolution No. 147-09 be amended to include "vacancies resulting from termination either during probation or during provisional appointment" in the first Resolved.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Monell, Sauerbrey, and Roberts.

No – Legislator Huttleston.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 159-14 *AUTHORIZE SALARY: DIRECTOR OF
EMPLOYMENT AND TRANSITIONAL SUPPORT
(SOCIAL SERVICES)*

WHEREAS: The position of Director of Employment and Transitional Support became vacant as of April 25, 2014; and

WHEREAS: The Commissioner of Social Services had interviewed candidates and selected an internal candidate for promotion; and

WHEREAS: The calculation typically applied to determine the salary when a promotion occurs cannot be used in this instance because Non-Union salary ranges have not been adjusted since 2009; and

WHEREAS: Based upon what the additional duties and responsibilities will mean for the new Director of Employment and Transitional Support appointee, a salary increase of \$5,000 has been determined to be appropriate; therefore be it

RESOLVED: That effective July 21, 2014 Darlene Weidman shall be promoted to the title of Director of Employment and Transitional Support with an annual salary of \$64,093.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 160-14 REALLOCATE VACANT POSITION (SOCIAL SERVICES)

WHEREAS: As the result of a promotion, the position of Coordinator of Child Support Enforcement will become vacant as of July 21, 2014; and

WHEREAS: Over the past few years, the number of staff supervised by this position has been reduced from 12 to 7; and

WHEREAS: The Coordinator position also has less responsibility due to the recent transfer of responsibility for collecting and distributing support payments to the State; therefore be it

RESOLVED: That effective July 21, 2014 the title of Coordinator of Child Support Enforcement shall be reallocated from CSEA salary grade 15 to salary grade 14.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 161-14 RECLASSIFY VACANT POSITION
(SOCIAL SERVICES)

WHEREAS: As a result of a series of promotions, the position of Child Support Enforcement Supervisor will become vacant; and

WHEREAS: The Commissioner of Social Services has reviewed the organization of the Support Collection unit and determined that reclassifying the Supervisor position to a Support Investigator better meets the needs of the unit; and

WHEREAS: The Personnel Department has confirmed the planned changes in duties assigned to the position are appropriate to the Support Investigator title; therefore be it

RESOLVED: That effective July 21, 2014 the vacant position of Child Support Enforcement Supervisor (CSEA salary grade 9) shall be reclassified to Support Investigator (CSEA salary grade 7).

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 163-14 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-
BUREAU OF FIRE*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective August 7, 2014, a part-time Account Clerk Typist position will become vacant due to the incumbent's resignation; and

WHEREAS: The County's Fall Fire and EMS programs, which begin August 20th and end in early December, and the revenues that these programs generate depend on the Account Clerk Typist being present to initiate, maintain, and report on these important programs; now therefore be it

RESOLVED: That the County Fire Coordinator is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the part-time Account Clerk Typist position at an hourly rate of \$11.98 effective August 7, 2014.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 164-14 RECLASSIFY VACANT POSITION
BUILDINGS & GROUNDS

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Maintenance Mechanic III position became vacant on June 28, 2014, due to the retirement of an incumbent; and

WHEREAS: Tioga County desires to decrease budgetary costs; and

WHEREAS: The Commissioner of Public Works has advised the Personnel Department that his current Maintenance Mechanic II and III staffing is adequate to accommodate reclassification to an entry level; now therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant full-time Maintenance Mechanic III position (CSEA Grade 3) to a full-time Maintenance Mechanic I position (CSEA Grade 5) effective July 16, 2014.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 165-14 *AUTHORIZE RETROACTIVE CREATION AND FILL OF
TEMPORARY, PART TIME RECORDS MANAGEMENT
OFFICER INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS*

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County; and

WHEREAS: Due to the Federal Emergency Management Administration (FEMA) Document Recovery program, there is a need for Tioga County to create a temporary, part-time position to complete tasks associated with this project; and

WHEREAS: Said temporary position will be utilized until such time all related documents have been collected by the document representative vendor, which is expected not to last beyond September 30, 2014; now therefore be it

RESOLVED: That the Director of Information Technology & Communication Services is hereby authorized to create and fill one (1) temporary, part-time Records Management Officer at an hourly rate of \$14.79 with the appointment of Lila Hall retroactive to July 7, 2014; and be it further

RESOLVED: That said temporary appointment shall conclude upon such time that the document representative vendor has retrieved all necessary items, but no later than September 30, 2014.

ROLL CALL VOTE

Yes – Legislators Standing, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 166-14

*AUTHORIZE SALARY FOR CHIEF
ACCOUNTANT AND AUTHORIZE
APPOINTMENT OF BUDGET OFFICER
(TREASURER'S OFFICE AND LEGISLATIVE
OFFICE)*

WHEREAS: The full-time position of Chief Accountant and the part-time position of Budget Officer became vacant on May 30, 2014; and

WHEREAS: Both positions were duly posted and advertised, then an Interview Committee appointed by the Legislature conducted interviews of select candidates; and

WHEREAS: The County Treasurer and Legislature worked collaboratively in hopes of finding a candidate capable of performing the full spectrum of duties; and

WHEREAS: The County Treasurer has selected Rita Hollenbeck for the Chief Accountant position, and the Interview Committee recommends the same individual for the Budget Officer position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to offer the annual salary of \$60,000 to the Chief Accountant to begin working on July 28, 2014; and be it further

RESOLVED: That Rita Hollenbeck is hereby appointed by the Legislature to the part-time position of Budget Officer effective July 28, 2014 at an annual salary of \$15,000; and be it further

RESOLVED: That the appointment to the Chief Accountant position is provisional pending the outcome of the upcoming civil service examination.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolution considered, seconded by Legislator Monell, Legislator Sullivan being absent, and the motion was carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 167-14 *EXECUTE PROFESSIONAL SERVICES
AGREEMENT WITH INFO ADVANTAGE*

WHEREAS: The Tioga County Information Technology Department has need of professional services to secure external access to the SharePoint System and to set up the App Store; and

WHEREAS: The Tioga County Information Technology Department has selected Info Advantage as the vendor to provide said services at a cost of \$140 per hour for an estimated 8 to 12 hours of work; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized and directed to execute a Professional Services Agreement with Info Advantage to provide the services outlined in the Agreement at the cost set forth therein and to be paid for out of Information Technology Account A1680.40-140.

ROLL CALL VOTE

Yes – Legislators Standinger, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, and Roberts.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:31 p.m.

Public Hearing
Local Law Introductory No. B of 2014
August 7, 2014

The Public Hearing on Local Introductory No. B of 2014 A Local Law providing for the collection of a hotel and motel tax in Tioga County was called to order by the Chair at 1:03 P.M. Seven Legislative members were present, Legislators Monell and Roberts being absent.

There were four people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:04 P.M.

Eighth Regular Meeting
August 12, 2014

The Eighth Regular Meeting of 2014 was held on August 12, 2014 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Dear Lord, we pray that you guide us today and every day during which we conduct County business. We offer up gratitude for the employees of the County and ask that you bless them as they continue their work for the residents of the County and we also ask that you keep us mindful of who it is that we serve."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

Legislative Weston read and presented the following recognition resolution to Terry Sinsabaugh of the Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 168-14

*RESOLUTION RECOGNIZING
TERRY SINSABAUGH'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Terry Sinsabaugh was appointed as a Deputy Sheriff-Jailer on 11/19/88; reclassified to Corrections Officer on 1/1/90; appointed to Corrections Sergeant on 9/1/91; reinstated as Corrections Officer on 11/4/91; and was promoted to Corrections Sergeant on 7/18/09; and

WHEREAS: Terry Sinsabaugh has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Terry Sinsabaugh will retire from the Tioga County Sheriff's Office on August 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Terry Sinsabaugh for his 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Terry Sinsabaugh.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Howard spoke. "I do not know what I can say about a guy who thinks the Washington Redskins is the best team in the league, but I will try. Terry is going to be missed, 26 years with the Sheriff's Office. He is very important to us. He is the go to guy down in the jail. When we needed something or the Lieutenant needed something, somebody would always say give it to Terry, he will take care of it, and that is what we are going to miss, is Terry taking care of it. He is a spoon. He likes to mix things up down there. He will certainly be missed for the work he has done. He took care of our accreditation files over the years and the jail has become an outstanding place as far as the State and what the State Sheriff's Association considers. I think Terry has even gotten recognition from the State Sheriff's Association for his work he has done with the accreditation program, which is huge. On behalf of the men and women of the Sheriff's Office, believe it or not we are going to miss you Terry."

The following recognition resolution for Janice Yuricek of the Public Health Department was noted.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 169-14 *RECOGNITION OF
JANICE YURICEK'S 11 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF HEALTH*

WHEREAS: Janice M. Yuricek, was appointed to the position of Payroll Clerk on December 26, 2002, in the Tioga County Treasurer's Office; reclassified to Senior Payroll Clerk on October 14, 2005; and appointed as Administrative Accounting Supervisor in Public Health, the position she still holds; and

WHEREAS: Janice M. Yuricek has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 11 years to Tioga County. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Yuricek will retire on August 27, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Janice M. Yuricek for her over 11 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Janice M. Yuricek.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, and Standinger

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Denis McCann of the Public Health Department spoke. “As the resolution stated, Bonnie started in 2000, however it was in Social Services. She came to the Health Department in 2004 as Administrative Secretary and we have not been the same since. Right from the start we realized Bonnie was special. She brought an energy and passion to all things that she does. Work related, Bonnie was always on top of things. She kept track of the little things that would have been big things if they were not taken care of. Bonnie takes ownership of everything she works on or anything the Department is responsible for.

“As mentioned, Bonnie received the Public Health Team Member of the quarter in 2010. She also served on both the County and the Health Department Employee Recognition Committees. On a personal note, Bonnie’s last five years outside of work could be summed up with the personnel video slips, trips, and falls. Bonnie cares about people. She cares about the residents that call with questions or problems, going out of her way to help them. If they call by accident looking for another business, she has been known to get out the phone book and get them the number they needed.

“There is a handful of comments here that people in the Department sent that wanted to be shared. “Bonnie is a good, honest and straightforward person.” “Bonnie certainly has no problem telling you how you are doing something if you are doing it wrong, but when you do it right she does not hesitate in rewarding you or recognizing you for a job well done.” “Bonnie is a caring and nurturing person. Even after her own house was damaged during the flood, she did not hesitate to go out of her way to help others in need.” This is one she is not going to be happy that I will share and I am glad Bethany is on vacation this week. Bonnie once asked a new employee that happened to be a young muscular handsome man if he would be willing to come to a friend’s birthday party dressed as a cabana boy. That is a true story and they are still friends to this day.

"Bonnie loves helping people and making them feel special. This could be by surprise parties, bringing in breakfast foods or helping people in their jobs, coordinating cards or gifts to an ill colleague or even to the family members of the colleague. A personal experience to share regarding Bonnie coordinating a care package for sick employees was my family. My youngest child was home sick and on the way home from work I stopped and picked up, not sure if it was balloons or flowers for her, and in the morning when I said goodbye to her, she said make sure I say thank you to Bonnie for the flowers or the balloons. She had just assumed it was Bonnie because Bonnie had done it for her another time. Bonnie will certainly be missed. She is moving to Florida to be closer to her grandchildren, which is just like her. We wish her and her husband Jack a happy retirement, knowing that you are going to have to get the 3:00 o'clock early bird dinner special now. Everyone in the Health Department and the County are all better for having known Bonnie."

Bonnie Beuter spoke. "I want to thank everybody for coming here and supporting me today through the monsoon and your checks are in the mail. Like Dennis said, I am moving and I was told after I wrote this up that I would not detour from it, but guess what I already am. Working for the County has been a great experience. Ray Case, the first time I met him, I about ran him over in the hallway. I notice he is over there sleeping right now. He did give me my first employee of the quarter award and I had to help him read it a little bit, that is why I was asking Bill if he needed some help.

"I started work for DSS in Foster Care. I worked under Gail Barton and Ray Case, and it was a great experience. These people are such hard workers and they are very dedicated to the people of Tioga County. I would not have missed it, but I am certainly glad I went to Environmental Health because Environmental Health, that was my nitch, I just loved it, especially the rabies calls and the rat and sewage, and any kind of call that I can get my hands into, but I liked helping people. They are worried about getting rabies. I got some really interesting calls, but I cannot really go into that here. I have worked in Environmental Health since 2004 right after I moved my youngest son to Florida.

"I was sitting here, everybody keeps asking me what jobs I have had in my lifetime, but I know that you guys are wanting to get back to work, but I am going to just kind of list them a little bit. I was a babysitter, car hop, Clerk at Sears Toy Department at Christmas, stenographer at South Western Bell, Iowa Beef Packing Plant payroll and billing, Dennis and Hide where they cure hides to send them out for cows at tanneries. I was Administrative Secretary there. I did maintenance and parts in another place. I worked at a radiator company making radiators. I did accounting. I worked at IBM as data entry, mail carrier

for Binghamton, you do not want to do that. That is where I found out what a clumsy person I really was. I worked at a farmer's coop. I was a grocery store clerk, stocking shelves, deli, cashier at Thompson's grocery store. I was a payroll clerk at Scott, Smith & Son. Foster care I was a typist, DMV I was account clerk typist, and that was not my nitch there. I have been in Environmental Health for the last 10 years.

"Hans hired me because Toni begged him to do it and I am really glad that he did. The people at Tioga County are wonderful people and I would have missed a lot by not working there, and I want to thank all of you. I am going to Florida. I have a new pet, it is an alligator, it lives in the backyard. My neighbor told me that so we are not going to take our dog. We are going to give it back to its original owner. I hope that the people in Tioga County realize how hard the Tioga County workers work for them and I appreciate and thank you very much for this opportunity."

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		168.40
A1165	District Attorney		2,126.15
A1170	Public Defender		2,037.12
A1172	Assigned Counsel		13,320.81
A1173	ILS Grant		1,735.00
A1185	Medical Examiners/Coroners		404.12
A1325	Treasurer		33.10
A1355	Assessments		2,727.77
A1410	County Clerk		226.53
A1420	Law		3,438.63
A1430	Personnel		1,593.10
A1450	Elections		23,411.40
A1490	Public Works Administration		30.00
A1620	Buildings		30,872.30
A1621	Buildings		9,708.46
A1680	Information Technology		3,990.54
A2490	Community College Tuition		77,237.41
A2960	Education of Handicapped Children		211,414.72
A3020	Public Safety Comm E911 System		6,200.72
A3110	Sheriff		22,606.85
A3121	Sheriff LE11-1038-EOO Grant	15,272.44	

A3146	Sex Offender Program	9,240.00
A3150	Jail	77,458.43
A3315	Special Traffic Programs	312.00
A3410	Fire	893.08
A3640	Emergency Mgmt Office	474.89
A4010	Public Health Nursing	16,147.70
A4011	Public Health Administration	7,622.33
A4012	Public Health Education	96.00
A4042	Rabies Control	685.70
A4044	Early Intervention	1,148.10
A4053	Preventive/Primary Health Services	193.35
A4054	Preventive Dental Services	557.41
A4064	Managed Care-Dental Services	20,523.13
A4070	Disease Control	895.00
A4090	Environmental Health	1,590.40
A4210	Alcohol and Drug Services	6,856.29
A4211	Council on Alcoholism	10,990.33
A4309	Mental Hygiene Co Admin	6,644.03
A4310	Mental Health Clinic	44,745.77
A4320	Crisis Intervention Services	19,519.67
A4321	Intensive Case Management	2,267.95
A5630	Bus Operations	108,794.33
A6010	Social Services Administration	35,580.59
A6510	Veterans' Service	35.00
A8020	Planning	313.08
A9060	Health Insurance	3,059.70
	SOLID WASTE FUND	89,817.53
	SPECIAL GRANT FUND	4,087.16
	LIABILITY INSURANCE FUND	3,591.25
	COUNTY ROAD FUND	40,797.60
	CAPITAL FUND	1,017,427.10
	CONSOLIDATED HEALTH FUND	<u>1,167.25</u>
	GRAND TOTAL	\$ 1,962,087.72

Legislator Monell made a motion to approve the minutes of July 15, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey stated that standing committees and special committees are on file.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 171-14 ADOPT LOCAL LAW NO. 1 OF 2014

WHEREAS: A public hearing was held on August 7, 2014, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2014 A Local Law providing for the collection of a hotel and motel tax in Tioga County; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2014; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2014

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This Local Law shall be known as the "Hotel/Motel Tax Law".

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

SECTION 4: TAX

(A) A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

(B) Said tax shall be paid by the person occupying the room who shall be liable therefore to the owner of the hotel or motel room occupied or to the person entitled to be paid the rent or charge for the hotel or motel room occupied. Said tax shall be paid for and on account of the County of Tioga.

(C) Such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax. Such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel or motel room, or in respect to non-payment of the tax by the person occupying the hotel or motel room, as if the tax were a part of the rent or charge; provided, however, that the Tioga County Treasurer shall be joined as a part in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.

(D) The filing of returns and the payment of the tax shall be paid to the Tioga County Treasurer on a quarterly basis by such means and in such manner as may be directed by the Tioga County Treasurer.

SECTION 5: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Tioga County Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 6: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 7: JUDICIAL REVIEW

Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

(A) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(C) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Tioga County Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 8: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 9: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 10: EFFECTIVE DATE

This local law shall become effective December 1, 2014 and shall remain in effect until November 30, 2017.

SECTION 11: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 172-14 *ACCEPTANCE OF APPLICATION FOR
FIREFIGHTER SHAUN HANZALIK TO THE TIOGA
COUNTY FIRE INVESTIGATION TEAM*

WHEREAS: The Bureau of Fire provides high quality Fire Investigation Team support to the Fire Service in Tioga County; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Fire Investigation team member Brett Welch is no longer an active member of the Fire Investigation Team; and

WHEREAS: Campville Firefighter Shaun Hanzalik has applied for re-admission to the County Fire Investigation Team; and

WHEREAS: Firefighter Hanzalik is a NYS Certified Level I Fire Investigator and currently possesses the training and skills needed by the Tioga County Fire Investigation Team; and

WHEREAS: Firefighter Hanzalik would replace Brett Welch as an active member of the Fire Investigation Team; therefore be it

RESOLVED: That Campville Firefighter Shaun Hanzalik be added to the Tioga County Fire Investigation Team roster to replace Brett Welch.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
COMMITTEE

RESOLUTION NO. 173-14 *SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2014-2015 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes to C5 B for the Tioga Ridge Riders and C5 B and S 57 B for the Tioga Ridge Runners along with GPS updates for all trails for Tioga Ridge Riders, Tioga Ridge Runners, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 174-14 *DESIGNATED EMERGENCY ROUTES*
NYSERTA GRANTS
EMERGENCY MANAGEMENT

WHEREAS: NYSERTA is funding grants for generators and transfer switches for gas stations and distributors of fuel on emergency routes; and

WHEREAS: Tioga County has several gas stations that would be qualified for these grants if the County had designated emergency routes; and

WHEREAS: The Emergency Management Director and the Public Works Commissioner have met and would like to designate the following routes as Tioga County emergency routes:

State Route 17C
State Route 34
State Route 38
State Route 38B
State Route 86
State Route 96
State Route 96B
State Route 434
State Route 79
County Route 7

Therefore be it

RESOLVED: That the Tioga County Legislature designates the above mentioned routes as Tioga County emergency routes.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. -14 ESTABLISH CAPITAL RESERVE FUND FOR TELEPHONE SYSTEM

WHEREAS: The telephone system currently being used by Tioga County is in need of replacement due to its age, cost to maintain and lack of availability of replacement parts; and

WHEREAS: Tioga County wishes to establish a Capital Reserve Fund pursuant to General Municipal Law Section 6(c) to accumulate moneys to finance the cost of the expenses incurred for the acquisition and installation of a new telephone system, including hardware and the computer software incidental to its acquisition and installation; now therefore be it

RESOLVED: That pursuant to Section 6(c) of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Telephone System Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of the expenses incurred for the acquisition and installation of a new telephone system, including hardware and the computer software incidental to its acquisition and installation. The estimated maximum cost of the system is \$250,000.00; and be it further

RESOLVED: That the Tioga County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Tioga County Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of Tioga County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Tioga County Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Legislature a detailed report of the operation and condition of the Reserve Fund; and be it further

RESOLVED: That except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this Legislature and such additional actions or proceedings as may be required by Section 6(c) of the General Municipal Law or any other law.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 176-14 PURCHASE OF AS400
 TRANSFER OF FUNDS
 INFORMATION TECHNOLOGY

WHEREAS: The Director of Information Technology & Communication Services Director has determined a need to purchase an AS400 from Sirius Computer Services due to the advanced age and increasing maintenance expense of maintaining the existing AS400 computer system; and

WHEREAS: The cost of maintaining the existing AS400 system over the next three years is approximately \$60,000 and purchasing a new system with equivalent maintenance for the same period of time is \$24,000, creating a significant savings opportunity for the County; and

WHEREAS: There are insufficient funds in the Information Technology’s budget to cover the total cost of said AS400; therefore be it

RESOLVED: That the Director of Information Technology & Communication Services Director be authorized to purchase said AS400 from Sirius Computer Services at a cost not to exceed \$24,000; and be it further

RESOLVED: That the following sums be transferred to cover the purchase of said AS400:

From: A1990.40-715 Contingency Account	\$ 1,000
A1680.40-620 Information Technology	\$12,000

To: A9950.93-715 Transfer to Capital Fund	\$13,000
From: H5031.00 Interfund Transfer	\$13,000
H878.04 Computer Software Reserve Fund	\$10,000
H878.05 Computer Hardware Reserve Fund	\$ 1,000
To: H1680.21 Information Technology Capital Equipment	\$24,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 177-14 *TRANSFER FUNDS/FUND SELF-
INSURANCE PLAN RESERVE*

WHEREAS: Tioga County Local Law No. 3 of 1990 established a Contributed Reserve cap of \$1,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: The December 31, 2013 Tioga County Self Insurance Plan Fund Balance is \$1,314,462.06; and

WHEREAS: The December 31, 2013 Tioga County Self Insurance Contributed Reserve Fund is \$797,846.92; and

WHEREAS: The Council of Governments approved at their June 2014 meeting the transfer of money from the Fund Balance to the Contributed Reserve to reach the established cap; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S909.00 \$202,153.08

To: Self-Insurance Contributed Reserve Fund S753.00 \$202,153.08

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. -14 FUND FINANCIAL MANAGEMENT
SYSTEM RESERVE FUND

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds it will be receiving from the dissolution of the Consolidated Health Insurance Plan as of December 31, 2013; therefore be it

RESOLVED: That the Tioga County Treasurer funds the “Financial Management System Reserve Fund” with \$500,000 as follows:

FROM: A5031.00 Interfund Transfers all Others \$500,000.00

TO: A9950.93-715 Transfer to Capital Fund \$500,000.00

From: H5031.00 Interfund Transfer \$500,000.00

TO: H878.08 Financial Management System Reserve Fund \$500,000.00

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

MOTION TO WITHDRAW APPROVED.

Legislator Hollenbeck moved to withdraw the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE/LEGAL

RESOLUTION NO. -14 FUND TELEPHONE SYSTEM
CAPITAL RESERVE FUND

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds it will be receiving from the Consolidated Health Fund due to the dissolution of the Consolidated Health Plan as of December 31, 2013, therefore be it

RESOLVED: That the Tioga County Treasurer funds the "Telephone System Reserve Fund" with \$250,000 as follows:

FROM: A5031.00 Interfund Transfers all Others	\$250,000.00
TO: A9950.93-715 Transfer to Capital Fund	\$250,000.00
From: H5031.00 Interfund Transfer	\$250,000.00
TO: H878.09 Telephone System Capital Reserve Fund	\$250,000.00

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

MOTION TO WITHDRAW APPROVED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 178-14 TRANSFER FUNDS
BOND ENERGY PROJECT

WHEREAS: Tioga County entered into an energy performance contract with Johnson Controls; and

WHEREAS: The amount of \$2,000,000 was authorized in a bond issue; and

WHEREAS: The actual amount of the contract was \$2,037,283; and

WHEREAS: The amount of \$35,000 in account H1620.21 use code 929 (Capital Equipment – Boiler) is no longer needed because of the Energy Project and the amount of \$3,000 in account H1620.20 use code 914 (Capital Construction - Renovations 56 Main St.) has funds available; therefore be it

RESOLVED: That the Tioga County Legislature authorize the transfer of the following funds:

FROM: H1620.21 use code 929	Capital Equipt. Boiler	\$35,000
TO: H1626.20	Bond Issue Project	\$35,000

FROM: H1620.20 use code 914	Capital Construction	\$ 3,000
	Renovations 56 Main St.	
TO: H1626.20	Bond Issue Project	\$ 3,000

In order to fund the full amount of the contract.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 179-14 *AUTHORIZE TO HOLD JOINT
AUCTION WITH BROOME COUNTY*

WHEREAS: Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

WHEREAS: Broome County has contracted Mel Manassee & Son Auctioneers for Saturday September 27, 2014 @ 10:00 AM; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 27, 2014 @ 10:00 AM; and be it further

RESOLVED: That Tioga County's auction for surplus properties will be held at Broome County Highway Dept., 47 Thomas St., Chenango Bridge, NY 13745 and 0% Commission of the proceeds will be charged to the seller.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 180-14 *ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Newark Valley, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted Thursday, July 31, 2014, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

Prior Owner-Tax Map#	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Barton:</u>		
146.00-1-9, Lucas A Chaffee	Donald Ingham	\$ 8,000.00
112.00-2-1, Edith & Letha A Gregor	Christine Pelto	3,500.00
144.00-1-11.21, Loco Holdings	Michael Garvey	1,000.00
122.18-1-14, Loco Holdings, LLC	Brandon Jacobson	1,000.00
134.00-1-56.20, Alfred Madigan	Claude Palmer	8,000.00

Town of Berkshire:

23.00-3-4.131, Loco Holdings, LLC	Broome Oil & Gas	1,500.00
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Town of Candor:

61.09-1-28, Kristen Baker	Steven Truesdail	20,000.00
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Town of Newark Valley:

64.15-1-10, Gordon Cressman	Christopher Pozzi	14,500.00
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Town of Nichols:

158.00-3-22, Roy L Williams	Eric Slate	6,000.00
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Town of Owego:

118.17-1-21.2, Eileen A Bundy, Etal	Alan Bishop	50.00
118.17-3-1.2, Eileen A Bundy, Etal	Alan Bishop	250.00
128.08-1-43, William E Foster	Marianne Crispell	7,000.00
85.00-1-35, Thomas J Harris	Gloria Price	23,000.00
117.19-2-5, Eleanor B Howard	Damone Properties	15,000.00
117.19-2-10, Polly Jane Jones	Brandon Jacobson	5,500.00
131.16-1-18, Steven Kitchin	Amy Walley	88,000.00
128.08-2-19, L Margaret, LLC	Phillip Petrusky	7,000.00
128.08-1-8, Kenneth & Stacey Nixon	Alexis Heath	500.00
117.19-2-37, Oak Mt Properties, LLC	Ian F Walley	7,500.00
153.05-1-22, Sheri Pabon	Lisa Conklin	30,500.00
142.07-1-7, Roger Philpott	Eric Slate	23,000.00
130.00-2-74, Franklin B Ressequeie	Arlene Stuccio	11,000.00
130.00-2-75, Franklin B Ressequeie	Kevin Watkins	50.00
118.18-1-1.1, Karen Schumacher	Plain English Apts	4,500.00
129.05-1-10, Ronda K Steigler	Gerald Wade	500.00
128.08-1-1.125, Mark & Febb Traver	Kevin Miller	10.00
128.07-1-8, Daniel & Janet Truesdail	Laura Houseknect	600.00
110.00-1-17.4, Dominica J Vojtisek	Douglas Karst	14,500.00
164.00-3-32.1, Lisa Weaver	James Scheffer	20,000.00
129.06-2-6, Karen & Vern Woodburn	Dennis Rose	600.00
39.12, Edward Browne	Joseph Catalano	31,000.00
(Not sold at 2013 Auction)		

Town of Richford:

12.00-1-15.12, Edward & Lynda Hart	Michelle Gehm	1,200.00
14.00-1-8, Gail & David E Kingle	Randy Klock	900.00
5.00-1-36.21, Raymond L Predmore	Carol McCarthy	1,700.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 181-14

AUTHORIZE THE SALE OF FEDERAL HOME MORTGAGE CORP PROPERTY LOCATED IN THE TOWN OF TIOGA TO FLAGSTAR BANK, NA, OR ASSIGNS

WHEREAS: Property located in the Town of Tioga, assessed to Federal Home Mortgage Corp, identified as Tax Map number 125.00-1-15.22, parcel number 2268 owes 2012, 2013 and 2014 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Flagstar Bank, NA , who has made an offer to purchase the property for \$4,500.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$4,500.00, including recording costs of \$185.00, a Quit Claim Deed conveying the property assessed to Federal Home Mortgage Corp, located in the, Town of Tioga, identified on the Town of Tioga Tax Map as number 125.00-1-15.22 parcel number 2268, to Flagstar Bank, NA or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 182-14 *AMEND POLICY 23*
PROCUREMENT POLICY

WHEREAS: Policy 23 needs to be amended in whole, which also necessitates a change in the title of the policy; therefore be it

RESOLVED: That Policy 23 be amended to change the title of Policy 23 to "Purchasing and Payment Policy"; and be it further

RESOLVED: That Policy 23 be amended in its entirety as follows:

PURCHASING AND PAYMENT POLICY

Sections:

- I.** Mission Statement
- II.** Introduction
- III.** Purchasing Cards
- IV.** Purchasing
- V.** Required Approvals
- VI.** Accounts Payable
- VII.** Accounts Receivable
- VIII.** Petty Cash
- IX.** Bidding Procedures
- X.** Determining the Necessity for Competitive Bidding
- XI.** Methods of Procurement Not Covered by Bidding
- XII.** Procedure to be used when Competitive Bidding Not Required

- XIII.** Exemption by Act of the County Legislature
- XIV.** Annual Review
- XV.** Unintentional Failure to Comply
- XVI.** Prohibited Contracts with Suspended or Debarred Parties

I: MISSION STATEMENT

The Tioga County Legislature dedicates itself to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies. The Legislature will facilitate the acquisition of goods and services at the lowest possible cost and at the same time guard against favoritism, extravagance and fraud.

II: INTRODUCTION

It is, therefore, essential that the purchasing policies and procedures of Tioga County be clearly established and understood by all concerned.

The Purchasing Card/Purchasing/Accounts Payable policy has been prepared at the direction of the Tioga County Legislature and Financial Management Committee as a statement of the policy upon which our purchasing practices and procedures are based.

The County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended.

III: PURCHASING CARDS

Purchasing Cards are used in Tioga County as a means of providing an efficient and convenient method of purchasing and paying for small-dollar goods and services (\$2,500 or less). The program grants the authority for these commitments to those staff members in Tioga County who have been authorized to utilize a purchasing card. With this granting of authority, a cardholder also assumes complete accountability for the proper use of the card, as detailed in this policy.

The County Legislature grants authority to the Deputy County Treasurer/Program Administrator to issue Purchasing Cards to department heads for an amount to be determined by the County Legislature up to \$2,500.00 upon the recommendation of the Deputy County Treasurer/Program Administrator. Individual cards are limited to \$2,500 a month with a transaction limit of \$1,000. Departmental cards will have a transaction limit of \$2,500 and a varying monthly limit depending on the size of the department, from \$5,000 for smaller departments and up to \$50,000 for larger departments. Velocity controls limit only five purchases per day per card, but may be increased by request from the Deputy County Treasurer/Program Administrator. Departmental requests may be made to the Deputy County Treasurer/Program Administrator for an increase in the departmental card limit to pay for recurring monthly charges. These requests will be granted in concurrence with the County Auditor.

Purchasing cards may only be used for the purchase of those supplies and services that are directly related to the support and execution of the responsibilities of the using department. Improper use of a purchasing card will result in a revocation of card privileges and possible disciplinary action.

Proper Tioga County Purchasing Policies and Procedures should be followed.

The following transactions are specifically identified as those that should not be made with a purchasing card:

- Cash Advances
- Personal Gifts
- Items for Personal Use
- Alcoholic Beverages

Exceptions to this list may be only made by the Deputy County Treasurer/Program Administrator in advance of charge.

Program Administration

The Deputy Treasurer has been designated as the purchasing card “Program Administrator”.

The Program Administrator will provide for the issue of VISA® purchasing cards to department heads and appropriate designees based on the demonstration of need. Those purchasing cards will be retained by the Departments responsible for them. All cards should be kept in a secure place (lock box or locked desk) and signed out when needed.

Individual Responsibilities

- A. The department head, working with the Program Administrator, determines how many employees in the department should be issued purchasing cards. This number should be kept to a reasonable amount of employees. Card applications (Exhibit A) are then completed by employees. Department heads then review and sign completed application forms (Exhibit A) and send them to the Card Administrator. Department heads must notify the Card Administrator immediately if they wish to revoke a card or if a cardholder terminates employment with Tioga County.
- B. The Program Administrator will distribute the cards to the employees after they are received. The employee must review the Purchase Card policies before receiving the card. The employee must sign the card immediately and complete the Purchasing Card Program Employee Agreement (Exhibit C) and the Employee Acknowledgement (Exhibit D). The Employee Acknowledgement is to confirm receipt of the card. The employee must also activate the card from their phone.
- C. If a card is lost, stolen, or misplaced, the cardholder is responsible for immediately notifying VISA® at any hour of any day, and as early as possible on the next business day, the Program Administrator.
- D. The VISA® contact number is 1-800-847-2911. The Program Administrator number is 607-687-8670.
- E. Individual cardholders are charged with using their cards properly. Department Heads are responsible for monitoring proper card usage and reviewing.
- F. The Program Administrator is responsible for maintaining a file of individuals authorized to make purchasing card transactions. The Program Administrator is also the focal point for overall program administration and problem resolution.

- G. The County Auditor audits and approves the consolidated monthly VISA® Purchasing Card statement for payment.

Application Procedure

- A. To request a purchase card for an employee, a Department Head submits an application (Exhibit A). The application must include a department or cost center code that can be used to allocate purchases made by the cardholder.
- B. Both the applicant and the applicant's Department Head must sign and date the form.
- C. The Program Administrator then approves and processes the purchasing card requests. The Program Administrator keeps the applications on file permanently.
- D. Each purchase card is issued to Tioga County and the individual employee named on the card. No one else can use this card-even in an emergency situation.
- E. When cardholders receive their card, they must sign and return an acknowledgement letter (Exhibit B) and, if they have not previously signed one, a Tioga County Purchasing Card Program Agreement (Exhibit C). The acknowledgement letter confirms receipt of the card, while the agreement is the employee's signed pledge to follow the purchasing card policies and accept responsibility for any personal misuse of the card.

Using the Purchasing Card

- A. The purchasing card program is designed to let end-users of goods and services buy these necessary items directly from vendors, thus increasing efficiency, decreasing cycle time and reducing paperwork.
- B. Tioga County's general criteria for using a purchasing card are:
- Eligible orders must total \$2,500 or less (including freight)
 - Goods or services that total more than \$2,500 may not be broken into smaller purchases (parceling) to avoid going over the limit.
 - No cardholder may make more than five (5) purchases per day or ten (10) purchases per month unless approved by the Program Administrator.
 - Each cardholder must use the Internet web-based M&T Bank online system (Centresuite.com) to review and approve all charges or place into dispute charges to their credit card.
 - Eligible orders still must be under use code budgeted amount.
- C. While most merchants will accept the purchasing card, some merchandise and merchants may be excluded from the purchasing card program. If the card is presented to an excluded merchant, the transaction will be declined.

If a cardholder believes a vendor who declines a transaction should fall within an approved category, he/she should contact the VISA® customer service number on the card to determine if the transaction was declined because of the cardholder exceeded a daily or monthly limit on the number of transactions or total value of transactions.

When a cardholder is declined at a point-of-sale terminal, VISA® Commercial Card Customer Service will not authorize the transaction, but will identify the reason for the decline. If a merchant has been improperly excluded, the cardholder can contact the Program Administrator to change the blocking procedure that is in place. If a dollar limit has been exceeded, the cardholder should contact his or her Department Head to determine if the card limit can be increased.

- D. No Tioga County employee shall attempt to purchase an item using a purchasing card issued to another person. Delegation of authority is not permitted in regard to card transactions.
- E. More than one person may be authorized to use a “department card” or “virtual ghost account”. A ghost account is set up to allow multiple individuals within a single department to telephone orders to one or several vendors using the same account number. The account number should be safeguarded as carefully as a physical card and no one but authorized individuals should attempt to use it. The Department Head is responsible for accuracy and charges on accounts.
- F. Each purchasing card is linked to a unique cost center/department code. All purchases made with the card are automatically charged to the corresponding cost center/department code unless another cost or project code is given when a statement of account report is created.
- G. When using the Purchasing card for travel, information pertaining to the conference, seminar, etc. should be included with detailed receipts and statement of account report for reconciliation and submission to the County Auditor. Meals purchased with the card should be in accordance with Tioga County Policy 11, section VII following the GSA per diem rates. If the meal purchased exceeds the per diem, the cardholder will be responsible for reimbursing the exceeding amount to the county. A personal check made payable to the Tioga County Treasurer should be included with the paperwork required for submission to the County Auditor.
- H. Purchasing card transaction receipts should be kept for reconciliation. For telephone orders, the cardholder should request a receipt from the vendor and keep for reconciliation.
- I. If any item purchased with the purchasing card is returned, the merchant must credit the card account. The cardholder should also include any credit receipt with the reconciliation paperwork.
- J. The Program Administrator is responsible for all card maintenance, and must be notified of any updates or changes that are needed, such as a cardholder’s change of name or a change in transaction authorization limits. Department Heads request these changes by completing the appropriate sections of the same application form used to obtain new cards.

Monthly Reconciliation

- A. VISA® will e-mail a monthly activity statement around the 1st of each month to each individual cardholder and also sends a consolidated statement to the Treasurer’s Office which is then copied and forwarded to the County Auditor.
- B. Each employee who has a purchasing card is responsible for verifying the accuracy of charges by performing the following reconciliation steps; on-line at the M&T Bank website: www.centresuite.com.
- C. If an error is discovered on the monthly activity statement, the cardholder should immediately notify the M&T Bank via Internet website. Errors not reported within 60 days cannot be reported on-line. Disputes for charges over 60 days old will need to be reported through the M&T Bank Customer Service 800 number.
- D. The cardholder creates a Statement of Account Report on-line and includes corresponding receipts and/or invoices before sending it to the approving department head for review.

- E. The approving department head is responsible for reviewing, signing and forwarding the Statement of Account to the County Auditor by the 5th of the month. The County Auditor then reviews the information for accuracy and final approval for accounting purposes. By his/her signature, the department head indicates that all charges for the cardholder have been reviewed and approved as expenditures made in compliance with the Tioga County Purchasing policies.
- F. Approved statements with the attached receipts are due to the County Auditor by the 5th of each month. Card billings will be closed on the last day of each month. On the first working day of each month the cardholders should reconcile their account on-line, print the Statement of Account Report, attach all receipts and secure Department Head approval.

Billing and Remittance Procedures

Tioga County's Purchasing Card Payment System is an individual bill/central payment system. Each cardholder receives a monthly activity statement for information and reconciliation purposes only. A summary of all charges with supporting detail is sent to the County Auditor who posts the individual totals to the proper accounts based on the department or cost center code linked to each card number. The actual payment is automatically debited from our General Fund Bank Account on the 10th of the following month.

If required, charges may be re-allocated to other accounts by changing the account coding on the transaction screen on-line.

Reconciling the transactions shown on the monthly activity statement supplied by VISA® with the cardholder's individual charge slips is the primary responsibility of the cardholder. This crosscheck is essential to verify accuracy. If all the charges are correct, the cardholder forwards the Statement of Account Report with receipts to the approving department head, who in turns signs the Statement of Account Report and forwards to the County Auditor for auditing.

Vendors should not charge unless goods have been delivered or services rendered.

Auditing

All card purchases will be audited by the County Auditor to confirm the Purchasing Cards are being utilized responsibly, receipts are being retained, the Cardholder's statements are being reconciled on a timely basis and accounts are being charged.

Records

An example of a monthly Statement of Account Report is attached (Exhibit E).

If the purchasing card is used to purchase anything related to travel, conference information must be included.

A Statement of Account that includes any meal purchased exceeding the per diem rate must have check included for reimbursement to the County made payable to the Tioga County Treasurer.

Any purchase that does not include an accounting code is posted as an operating expense for that department/cost center linked to the cardholder in the purchasing database.

Budget Allocations

General ledger entries related to purchasing card use are posted in the following month.

If a transfer or adjustment of operating expense is required, the Treasurer's Office will make the adjustment in the month the request is received.

Summary

Participating suppliers are paid by VISA® within 24 to 48 hours of each business transaction depending on their relationship with the processing bank.

Tioga County asks its employee cardholders to exercise good judgment and act responsibly when using their VISA® Purchasing Cards.

These cards are issued in the names of individual employees and all activity is assumed to have been incurred by employees named on the cards even though the Treasurer's Office will be responsible for actual payment.

We ask employees to always retain card receipts and safeguard your credit card.

If you have any questions about the purchasing card program or need additional information, please contact the Tioga County Program Administrator.

IV: PURCHASING

Pursuant to General Municipal Law 104-b (2) (f), Douglas Camin is the responsible person for overseeing the administrative details of Tioga County's purchasing program. The Purchasing portion of this policy herein shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics. The purchase procedures employed will comply with all applicable laws and regulations of New York State and shall be subject to the approval of the Legislature.

V: REQUIRED APPROVALS FOR INFORMATION TECHNOLOGY EQUIPMENT

In the interest of maximizing efficiency, cost effectiveness and compatibility with various existing countywide technologies, any request to purchase a device requiring network or phone connectivity, such as computer hardware, printers, software and related services, fax machines, scanners, and copiers, cellular telephones and telephones that connect to our phone system, all departmental purchases and leases of these items must be sent to the Director of Information Technology and Communication Services for approval in a service ticket regardless of cost or funding source (i.e. grant). Information Technology will obtain the quotes and if an item is approved, Information Technology will notify the department in the service ticket and send the quote, the department will then enter a purchase order, order the item and process the approved items. Once the item is received by the Department, the Department will then contact Information Technology for

installation, if applicable. Accessories, including, but not limited to items such as mice, keyboards, and rewriteable media, are exempt from the approval process.

Upon the recommendation of the Information Technology Director, the County Legislature may enter into contracts, which shall disseminate requests for proposals, requests for qualifications, and bids specification over the internet with the purpose of attracting additional qualified respondents.

Upon the recommendation of the Information Technology Director the County Legislature may approve on-line purchasing arrangements, which shall be in accordance with this policy.

VI: ACCOUNTS PAYABLE

There shall be a County Auditor appointed by the Legislature to review and release for payment any and all purchase orders. The County Auditor shall not be associated with the Treasurer's Office.

Purchase orders are used in Tioga County for any and all purchases, other than purchasing cards, by Tioga County Departments. The purpose of the purchase order system is to maintain budgetary control on the spending of all approved budget items, both at a department and legislative level.

A purchase order should be processed for goods and services. It is the individual department head's responsibility to insure that expenditures are within the budgetary appropriations and contract parameters to ensure that the proper department account is charged.

The purchase order provides the authority to purchase goods and services as well as the necessary authority to pay vendor claims and proof of tax-exempt sales. Purchase orders are prepared by each Department. Each department verifies the following before issuing a purchase order:

- Vendor/vendor number
- Contract/resolution/quotation information
- Comments/special instructions
- Description of goods and services being ordered
- Quantity/unit of measure
- Unit price/extension and total cost
- Commodity codes/budget codes

IN ALL INSTANCES PRACTICAL, PURCHASE ORDERS MUST BE COMPLETED BEFORE A PURCHASE IS MADE.

Blanket Purchase Orders (BPO) – A blanket purchase order is created for products or services that are purchased on an “as needed” basis from a vendor throughout the year where the dollar value will vary for each purchase. It also may be used for annual contracts for various departments and any other purchases that are recurring that a department may have. These are issued for a maximum period of twelve (12) months and must be reissued at the beginning of each fiscal year.

The County Auditor must approve any increase in the dollar amount of a BPO from the original issue amount with a written explanation on the BPO from the Department when submitted for payment. The County Auditor will then make a determination to approve said increase or deny.

Should there be insufficient funds available, departments must do a budget transfer and secure all the necessary approvals before the order can be processed.

After a purchase order has been entered and upon receipt of goods and services, the department enters the billing information into the system with the exact quantity received. As standard business practice, all county vendors are entitled to prompt payment; therefore receipts should be processed on a day-to-day basis. The "credit line" of Tioga County suffers inexcusable harm due to late payments to vendors.

Department of Labor – Notice to Withhold Payment – On occasion the New York State Department of Labor, Bureau of Public Works upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold monies due to a vendor. The original notice is forwarded to the Commissioner of Public Works, a copy is kept with the Auditor, and a copy forwarded to the Treasurer's Office. These monies are held until notification is received from the Department of Labor on how they are to be disbursed.

There are certain expenditures for which the processing of a purchase order is not feasible. A manual check is used for these transactions and is done out of the Treasurer's Office in conjunction with the County Auditor. A manual check request form shall be filled out by the Department and signed, sent to the County Auditor for review, approval, and signature, and then forwarded to the Treasurer's Office for signature and check disbursement.

Purchase orders \$10,000 and over shall require an authorization for purchase requiring committee approval which would need to be signed by the Department Head and the Legislative Committee Chair before processing. Resolution No. 121-00 authorizes payments for utility bills, including sewer and water charges, exempt from the approval process. Please refer to the purchase order manual located on the County Intranet for information regarding purchase order processes and approvals.

VII: ACCOUNTS RECEIVABLE

The County shall promote and encourage the timely payment of accounts receivable and pursue delinquent accounts in a prudent and diligent manner. Accounts Receivable is any amount owed to an agency of the County of Tioga including, but not limited to, taxes, loans, and notes, as well as amounts due for goods and services provided, for licenses and fees, from employees, from other agencies, and from the state and federal government for grants and contracts. Receivables also include judgments, fines and costs and penalties imposed.

The County Treasurer is responsible for ensuring that all accounts receivable are recorded, recognized and reported in accordance with generally accepted accounting principles as prescribed for governments by the Governmental Accounting Standards Board (GASB) and by the New York State Comptroller's Office uniform system of account codes.

Each Department head whose department creates an account receivable is responsible for all actions necessary to account for and collect the receivable.

In general:

- All receivables must be billed on a timely basis, whether the receivables are due from private entities, the federal government, localities or state agencies. Accounts should be billed when goods are provided or services rendered, unless contractual requirements specify other billing terms or billing terms used are in accordance with industry standards.
- Maintain an accurate record of receivables transactions.
- Maintain a control record that summarizes and ages the receivables transactions.
- Each Department having an outstanding receivable will be responsible for all collection efforts.
- Each Department having outstanding receivables will be responsible for identifying uncollectible accounts and for sending timely notification to the County Treasurer of the doubtful accounts.
- Provide for the accrual of interest and penalties as allowed or as required by law.
- Agencies shall obtain the following minimum prescribed information on prospective debtors:
 - Full Name
 - Home and Office Address
 - Telephone numbers for home and place of employment
 - Federal Employer Identification Number (FEIN) for businesses
 - Social Security Number (SSN) for individuals or sole proprietorships

The County of Tioga shall employ all collection tools at its disposal in the pursuit of delinquent balances.

The Treasurer's Office is responsible for recording financial transactions of the County and providing timely and acute interim and annual financial reporting. Provides for communication to other County departments and outside parties relating to the financial information, capital projects, and debt financing undertaken by the County and related entities.

The revenue accounting maintains financial information for forecasting of receipts and disbursements to assist in the effective management of County funds. Reconciles bank accounts, investments, and pooled cash on a timely basis. Prepares the annual statement of estimated available resources used by the Budget Office for the annual budget and is involved in various elements of the tax rate adoption process. Prepares and distributes revenue and appropriation reports and reference materials for use by Department Heads.

The Treasurer's Office is also responsible for the accounting and financial reporting of grants as well as billing, monitoring, and the pursuit of past due collections for grants and certain receivables of the County. The Office is also responsible for reporting all County receivables at fiscal year end including receivables related to fines, fees, and court costs. The Office provides for communication to other County departments and outside parties relating to the grant programs and amounts owed the County.

The Treasurer's Office ensures compliance with applicable accounting, contractual, and statutory requirements pertaining to the recording, monitoring, and collecting of amounts owed the County.

All real property in the County is subject to taxation except those properties that are specifically exempt by law. Prior to the tax rate being set, there is a careful review of the County's budgetary needs and public hearings are held. Real Estate taxes receivable are maintained and enforced in the Treasurer's Office. The Treasurer oversees tax enforcement legalities of foreclosure, the annual auction and closings, and all relative accounting entries pertaining as such.

VIII: PETTY CASH

The custodian of the petty cash fund in each department will request replenishment of the fund in advance of its depletion. This will include an itemization of the disbursements made from the petty cash fund and a grand total of the claim will be attached to the purchase order created supporting each petty cash transaction. The County Auditor will review and approve purchase orders claims for replenishment of petty cash funds.

IX: BIDDING PROCEDURES

Please refer to the bidding procedures located on the County Intranet.

X: DETERMINING THE NECESSITY FOR COMPETITIVE BIDDING

Prior to the procurement of any goods or services by any employee or official on behalf of the County of Tioga, a determination shall be made whether such procurement is subject to competitive bidding. This list identifies whether these categories are subject to the competitive bidding requirements of General Municipal Law (GML) Section 103, or the local policies required by Section 104-b, or if the contract falls within some other exemption from the competitive bidding requirement recognized by the laws of the State of New York and where further information can be found:

	SUBJECT TO COMPETITIVE BIDDING (SECTION 103)	LOCAL POLICIES (SECTION 104-b)
Purchase and Contracts for Public Works		
1. Purchase Contract – Above \$20,000	X	
2. Purchase Contract – \$20,000 or less		X
3. Contract for Public Works – Above \$35,000	X	
4. Contract for Public Works – \$35,000 or less		X
Procurements Exempt from Both Section 103 and 104-b		
5. Preferred Source (State Finance Law, Section 162; Correction Law, Sections 184, 186)		X(a)
6. State Contract (GML, Section 104)		X(a)
7. County Contract (GML, Section 103[3])		X(a)
Procurements Exempt from Section 103		
8. Emergency (GML, Section 103[4])		X
9. Sole Source		X

10. Professional Service		X
11. True Leases	X(b)	
12. Insurance		X
13. Surplus/Second-hand Materials, Supplies, Equipment from certain Other Governments (GML, Section 103[9][10])		X
14. Certain Food, Milk Purchases (GML, Section 103[9][10])		X(c)
15. The contract is for standardized equipment, materials or supplies previously awarded by the County of Tioga to a supplier pursuant to General Municipal Law Section 103(5);		
16. The procurement is to be made pursuant to Correction Law Section 186 or State Finance Law Section 162		
17. Certain Municipal Hospital or Nutrition Program Purchases (GML, Section 103[8])		X

- (a) Although Section 104-b exempts these purchases from the requirement of written or verbal quotations or proposals, that procurements from these sources should be in the best interest of the County. This could be accomplished by comparisons of prices to catalogs or other market price comparisons.
- (b) School districts only, Education law, Section 1725. If a lease where the product is owned at end of lease, it must be initially bid.
- (c) School districts only.

XI: METHODS OF PROCUREMENT NOT COVERED BY BIDDING

Telephone Quotes
 Written/Fax/Email Quotes
 RFP's (Requests for Proposals)

Requests for Quotations:

Quotation forms will include three vendors who can provide the item or services desired. These forms should contain a complete description of the item, the quantity desired and the unit on which the price is quoted (per gross, dozen, etc.). After three quotations have been gathered, the department head will purchase order the materials from the vendor at the lowest price.

Most purchases that fall in the stated dollars categories will be quoted pursuant to prescribed methods.

Under no circumstances will a quote that exceeds the bidding limits be awarded. All quotes (written, faxed, emailed or telephone) shall be documented by respective departments and kept on file.

Request For Proposals (RFPs):

A Request for Proposal may be the appropriate method of procurement when:

- (1). Development of a technical specification by the county will restrict competition or create a sole source.
- (2). Technical expertise or experience of the vendor is a critical factor in the purchase.
- (3). Comparative and judgmental evaluations of differing price, quality and contractual factors between proposals are necessary to determine which offer is in the best interest of the county.
- (4). In-house staff is unaware of what the market can produce at a given time (i.e. computer hardware and software is developing and changing almost daily).

The following guidelines shall be followed for purchases and service contracts that fall below the monetary bid limits:

PURCHASING PROCESSING

Procurements	Verbal Quotes		Written Quotes		RFP	Formal Bid	Other
	0	3	3	≥3 *			
Commodities (Equipment, Materials & Supplies)							
\$500	X						
\$500 - \$1,499		X					
\$1,500 - \$4,999			X				
\$5,000 - \$19,999				X			
\$20,000 & over						X	
Public Works and Contracted Services							
\$10,000	X						
\$10,000 – \$19,999		X					
\$20,000 - \$34,999			X				
\$35,000 & over						X	
Over \$35,000 – sealed bids in conformance with GML, Section 103.						X	
Emergencies GML 103(4)							a.
Insurance							a.
Professional Services GML 104-b							a.
True Leases (other than school districts)				X			
Second-Hand Equipment from Other Governments							a.
Sole Source (i.e., patented or monopoly item)							a.

*A minimum of 3 quotes are required but may be greater than 3 quotes as determined by the Information Technology Department.

(a) – Competitive bidding is not required based on Exceptions to the Requirements of GML, §103 and §104.

Verbal Quotes – use form 14.8F or equivalent; Originator Department to obtain quotes and submit with draft order.

Written Quotes – use form 14.9F or equivalent; Originator Department to obtain quotes and submit with draft order.

Formal Bids and RFP's are issued by the Information Technology Department or the Originator Department; specifications are provided by Originator Department.

XII: PROCEDURE TO BE USED WHEN COMPETITIVE BIDDING NOT REQUIRED

- A. Procurement Log reports shall be generated by the Information Technology Department when requested by the Legislature or a Department Head.
- B. In the event procurement is determined to be exempt from competitive bidding and its costs are \$2,500.00 and over, the following procedure shall be followed:
 1. At least two (2) proposals or quotations for goods or services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law Section 104-B.
 2. Upon award of a contract, the following shall be entered into the Procurement Log:
 - a. The date of procurement;
 - b. The goods or services procured and the cost thereof;
 - c. The basis for the determination that the procurement is exempt from competitive bidding;
 - d. All alternative quotations or proposals secured together with the name of the source of each quotation or proposal.
 3. In the event a contract is awarded to other than the lowest dollar offeror, it shall be set forth with justification and reasons such an award furthers the purposes of the County of Tioga's Bidding Policy.
- C. The procedures set forth in Paragraph VI(B) (1) and (2) need not be followed when the procurement is:
 1. For less than \$2,500.00; or
 2. For a standard replacement part; or

3. For standardized equipment, materials or supplies for which the contract has been awarded to a particular vendor by the Legislature, pursuant to General Municipal Law Section 103(5); or
 4. For Professional Services; or
 5. Made pursuant to any one of the following:
 - a. General Municipal Law Section 103(3) or Section 104; or
 - b. State Finance Law Section 162; or
 - c. Correction Law Section 186; or
 - d. The policies and procedures adopted by the Legislature pursuant to General Municipal Law Section 104-B (2) (f) and Paragraph 3 of the Bidding Policy.
- D. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

XIII: EXEMPTION BY ACT OF THE COUNTY LEGISLATURE

- A. It shall be within the sole discretion of the Legislature to grant by resolution an exemption from the requirement that alternative proposals or quotations be obtained, pursuant to Paragraph VI(B).
- B. In exercising its discretion, the Legislature shall consider whether such exemption is in the best interest of the County of Tioga.
- C. An exemption may be granted under any of the following circumstances:
 1. When a public emergency exists, as defined by General Municipal Law Section 103(4);
 2. When the contract is for goods or services for which there is only one source available at the time the contract is entered into;
 3. When the contract is for goods or services for which a desired warranty or service contract is available from only one source at the time the contract is entered into;

4. Under such other and further circumstances determined to be sufficient justification by the Legislature.

XIV: ANNUAL REVIEW

The Tioga County Legislature shall review the policies and procedures set forth herein within the first quarter following the close of the fiscal year.

XV: UNINTENTIONAL FAILURE TO COMPLY

The unintentional failure to comply with the provisions of this Bidding Policy and Procedure shall not be grounds to void action taken or give rise to a cause of action against the Legislature or any officer or employee thereof.

XVI: PROHIBITED CONTRACTS WITH SUSPENDED OR DEBARRED PARTIES

- A. Non-Federal agencies are prohibited from contracting with or making subawards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Contractors receiving individual awards for \$100,000 or more and all subrecipients must certify that the organization and its principals are not suspended or debarred. The non-Federal entities may rely upon the certification unless it knows that the certification is erroneous. Non-Federal entities may, but are not required to, check for suspended or debarred parties which are listed in the "List of Parties Excluded from Federal Procurement or Non-procurement Programs", issued by the General Service Administration.
- B. In order to ensure compliance with the above requirement, before an award for a contract is made the Department Head shall check the web site (<http://epls.arnet.gov/>) which contains the List of Parties Excluded from Federal Procurement or Non-procurement Programs for names of the low bidder. A copy of the list or that portion of the list that would include the low bidders name should be downloaded, printed and made a part of the bid package file.

Exhibit A

Individual Cardholder Application and Instructions
Instructions for Department HeadsCHECK TYPE OF REQUEST BELOW FOLLOW PAIRED INSTRUCTIONS

<input type="checkbox"/> New Account	Complete all sections of form
<input type="checkbox"/> Address Change Only	Fill in card account number and first name, middle initial, and last name. Then fill in new address section only.
<input type="checkbox"/> Change in Department/Division or Accounting Code	Fill in account number, first name, middle initial, and last name. Then fill in accounting code section only.
<input type="checkbox"/> Close Account	Fill in account number, first name, middle initial, and last name.
<input type="checkbox"/> Change Name of Person on Existing Account	Fill in account number, first name, middle initial, and last name. Write new name beneath current name.
<input type="checkbox"/> Change in Cardholder Spending Limit	Fill in account number, first name, middle initial and last name. Explain change request in appropriate section of form.
<input type="checkbox"/> Change in Cardholder Transaction Limit	Fill in account number, first name, middle initial, and last name. Explain change request in appropriate section of form.

New Account Plastic Ghost

First Name Middle Initial Last Name

Social Security Number Accounting Code (Leave Blank)

Department Mailing Address

City State Zip Code Expanded Zip Code

Home Telephone Business Telephone

Birth Date (MM/YY) Mother's Maiden Name

Single Transaction Dollar Limit

Daily Transaction Number Limit Monthly Limit

Employee Signature Date

Approving Department Head Signature Date

Card Administrator Signature Date

Exhibit B

Purchasing Card Program Questions and Answers Brochure

- Q Who can use Tioga County's VISA ® Purchasing Card?
- A Department Heads can request cards for any employees who routinely make small-dollar purchases of goods or services for Tioga County.
- Q What types of purchases can I make with my purchasing card?
- A You may purchase low-cost, necessary expense items on the card.
- Q Should I use my card for travel and entertainment expenses?
- A Yes. You should follow all of the travel and entertainment procedures which are designed to help provide the specific business purpose documentation required for such expenses.
- Q Where can I use the VISA ® Purchasing Card?
- A You may use the card in making purchases from suppliers and merchants who accept VISA ® for payment and are engaged in business categories approved for purchasing card use.
- Q Can I use my card for purchases made over the phone?
- A Yes. You should request a receipt with the order.
- Q Can I use my card immediately upon receipt?
- A No. You must activate your card by calling VISA ®.
- Q Are there any limits on the use of the purchasing card?
- A Yes. Individual cards are limited to \$2,500 a month with a transaction limit of \$1,000. Departmental cards will have a transaction limit of \$2,500 and a varying monthly limit depending on the size of the department, from \$5,000 for smaller departments and up to \$50,000 for larger departments. Velocity controls limit only five purchases per day per card, but may be increased by request from the Deputy County Treasurer/Program Administrator. Departmental requests may be made to the Deputy County Treasurer/Program Administrator for an increase in the departmental card limit to pay for recurring monthly charges. These requests will be granted in concurrence with the County Auditor.
- Q What happens if a vendor indicates that authorization to accept my purchasing card has been declined?

- A A vendor could decline your purchasing card for several reasons, including the following: (1) You may have exceeded your daily or monthly limits on dollar value or number of transactions. (2) You may have tried to charge an item that costs more than the maximum for any single item. (3) You may have attempted to use your purchasing card with a supplier or vendor who is prohibited from accepting the card because his/her business falls within a “blocked” merchant or MCC Code. You can call your (To be Defined) Commercial Card Customer Service Representative (To be Defined) to find out why any transaction has been rejected. If you feel it would be beneficial to use your purchasing card with a vendor that is currently excluded from the program, you may want to discuss the matter with your Department Head. Your Department Head also is the person to contact if you feel transaction limits should be altered to meet your normal monthly purchasing requirements.
- Q Who pays my monthly bill?
- A Neither employees nor their Department/cost centers make any monthly card payments directly. Accounts Payable pays a monthly consolidated bill for all Tioga County units. Accounts Payable later allocates these costs to the appropriate departments or cost centers by debiting the appropriate expense accounts. Employees are responsible for keeping charge tickets or slips for all purchasing card transactions and maintaining a monthly log.
- Q How do I reconcile my purchases with my monthly statements?
- A You need to compare your charge slips with your monthly statement. You will use the CentreSuite site to run your monthly report and send to the County Auditor along with all receipts and invoices no later than the fifth of each month. Your Department Head must sign off on the report.
- Q What if there is a mistake on my statement?
- A If you believe a mistake has been made, first try to resolve the issue directly with your supplier/vendor. If you are unable to resolve the dispute, clearly mark the item as a disputed transaction on your monthly report and work with the Deputy Treasurer/Program Administrator for resolution of the discrepancy.
- Q What if I lose my card?
- A If your card is lost, stolen or misplaced, immediately notify M&T Bank Commercial Card Customer Service at 800-847-2911. Customer Service Representatives are available 24 hours a day, 365 days a year. You also should notify your Tioga County Card Administrator (Deputy County Treasurer) as early as possible on the first business day after you discover the loss.
- Q Whom do I call if I need additional assistance?
- A Contact your Deputy Treasurer/Tioga County Purchasing Card Administrator at (607) 687- 8670.

Exhibit C

Purchasing Card Program Employee Agreement

I, _____ agree to the following regarding my participation in the Tioga County Purchasing Card Program:

1. I understand that I am being entrusted with a VISA ® Purchasing Card and will be making financial commitments on behalf of Tioga County and will strive to obtain the best value for Tioga County.
2. I understand that under no circumstances will I use the purchasing card to make personal purchases, either for myself or for others.
3. I will follow the established procedures for using the purchasing card. Failure to do so may result in either revocation of my use privileges or other disciplinary actions, including termination of employment.
4. I have been given a copy of the Tioga County Purchasing Card Program Policy and understand the requirements for using the purchasing card.
5. I agree that should I willfully violate the terms of this Agreement and use of the purchasing card for personal use or gain, I will reimburse Tioga County for all incurred charges and any fees related to the collection of those charges.

Employee Name (please print) _____

Purchasing Card Account No. _____

(Card Administrator Completes)

Employee Signature _____ Date _____

Card Administrator Signature _____ Date _____

Exhibit D

Employee Acknowledgement Letter

I, _____
hereby acknowledge receipt of my VISA ® Purchasing Card. I have verified the information contained on the card and attest to its accuracy. I agree to use this purchasing card only for actual and necessary business expenses incurred in accordance with the purchasing card agreement that I signed and returned with my card application.

If the card is lost, stolen, or misplaced, I will immediately notify VISA ® by phone. I also will inform the Tioga County Card Administrator and the Accounts Payable Department of this loss. I understand that failure to notify VISA ® of the theft, loss, or misplacement of the card could make me personally responsible for any fraudulent use. I also understand that unauthorized use of this card may result in immediate disciplinary action up to and including termination of my employment.

I agree to surrender the card immediately upon my retirement or termination of employment, or upon the request of any authorized representative of Tioga County. I understand that use of the card after privileges are withdrawn is prohibited.

Employee Name (Please print) _____

Purchasing Card Account No. _____

(Card Administrator completes)

Employee Signature _____ Date _____

Card Administrator Signature _____ Date _____

Exhibit E
Statement of Account Report

Report 1200
Run by:

Run Date:
Time:

Statement of Account

TIOGA COUNTY
56 MAIN ST RM 210
OWEGO, NY 13827 158599
USA

Account #:

Date Range:

Spending Controls

	Amount Limits	Volume Limits
Credit Limit	5,000.00	
Single Purchase	0	
Cycle	0	0
Monthly	0	0
Daily	0	5
Custom	0	0
MCC Groups	CSH3,CPAC3,CPAC1,ALL	

There is no account activity for the given data range.

Transaction Totals	Count: 0	0.00
--------------------	----------	------

Billing Information				
Payments 0.00	Purchase 0.00	Credits 0.00	Finance Charges 0.00	Fees 0.00

Signatures	
_____ Cardholder	_____ Date
_____ Approver	_____ Date

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 183-14 *AMEND POLICY 54
PURCHASE OF FOOD, BEVERAGE,
& SUPPLIES*

WHEREAS: Policy 54 needs to be amended to add a section for purchases of supplies and small electronics for employee and staff comfort, which also necessitates a change in the title of the policy; therefore be it

RESOLVED: That Policy 54 be amended to change the title of Policy 54 to "Purchase of Food, Beverage, Supplies & Small Electronics; and be it further

RESOLVED: That Policy 54 be amended to add a Section III to read as follows:

III. PURCHASE OF SUPPLIES AND SMALL ELECTRONICS FOR EMPLOYEE
AND STAFF USE

Departments shall not purchase supplies or small electronic items from county budgets such as hand sanitizer, paper products, plastic utensils, bottled water, coffee pots, microwaves, etc for specific use of employees and staff with the exception of staff/employee break rooms. If there is a common break room in any building, such break room shall be exempt from said purchases.

And be it further

RESOLVED: That Section III Effective Date, now becomes Section IV Effective Date and shall be effective August 13, 2014; and be it further

RESOLVED: That the remainder of Policy 54 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 184-14 *AUTHORIZE CONTRACT
SUPERIOR TALENT RESOURCES
PUBLIC DEFENDER'S OFFICE*

WHEREAS: The Public Defender's Office received a grant from Indigent Legal Services to implement a case management system, which will require significant data entry of historical cases; and

WHEREAS: The data entry project will be part-time and temporary in nature, so the Public Defender would like to work with an temp agency to find a candidate to perform the required work off-site; and

WHEREAS: There is \$6000 allocated in the grant for the data entry work to be done; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$11.00 per hour for a maximum of 15-17 hours per week until the project is completed or the \$6,000 has been exhausted, whichever occurs first; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Defender to enter into a contract, upon approval by the County Attorney, with Superior Talent Resources at the bill rate of \$11.00 per hour for data entry services until the project is completed or the \$6,000 has been exhausted, whichever occurs first.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 185-14 *APPROVE SALARY ABOVE HIRING
BASE FOR PROBATION OFFICER
PROBATION DEPARTMENT*

WHEREAS: Resolution 135-14 authorized a waiver of the 90-day hiring delay to the Probation Director in order to fill a vacant Probation Officer position; and

WHEREAS: Tioga County Resolution 211-99 requires Legislative approval for any appointments made above an established base salary amount; and

WHEREAS: The Probation Director has identified a well-qualified candidate with over 7 years of counseling and casework experience, which will benefit her Department; therefore be it

RESOLVED: That the Probation Director is hereby authorized to fill the vacant, full-time Probation Officer at an annual salary of \$39,715, effective August 18, 2014; and be it further

RESOLVED: That said salary is the maximum starting rate for CSEA salary grade XI and includes the contractual increments otherwise received for 2 and 5 years of service.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 186-14 WAIVE 90-DAY HIRING DELAY FOR
ASSISTANT ENGINEER
(PUBLIC WORKS)

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Legislative approval is required for all waivers of the 90-day hiring delay; and

WHEREAS: Due to an unanticipated resignation, a vacancy will occur in the title of Assistant Engineer effective August 15, 2014; and

WHEREAS: Said position is crucial to the engineering division; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby granted a waiver from the 90-day hiring and is authorized to fill the full-time Assistant Engineer (CSEA Salary Grade 13: \$42,649 - \$43,349) effective on or after August 18, 2014; and be it further

RESOLVED: That the appointment shall be provisional, pending the civil service examination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 187-14 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY
SHERIFF'S OFFICE*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: The Sheriff's Office will have two (2) E911 Dispatcher/Trainee vacancies due to resignations effective August 15 and 28, 2014; and

WHEREAS: Said vacancies will impact the Emergency Communications Division, which is currently short staffed due to a leave of absence; now therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to fill two (2) E911 Dispatcher/Trainee positions from the appropriate civil service eligible list at an annual salary of \$28,261 (2014 CSEA Salary Grade VI); and be it further

RESOLVED: That said effective dates of the above appointments shall be on or after August 15, 2014 for the first vacancy and on or after August 28, 2014 for the second vacancy.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 189-14 *CREATE AND FILL SEASONAL SOCIAL WELFARE EXAMINER POSITIONS AND SEASONAL TYPIST POSITION FOR THE HEAP PROGRAM DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 18, 2014; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

One, full-time, seasonal Social Welfare Examiner for the period September 3, 2014 through March 15, 2015 at the starting salary of \$13.650 per hour, and

Three, full-time, seasonal Social Welfare Examiners for the period November 3, 2014 through January 31, 2015 at the starting salary of \$13.650 per hour, and

One, full-time, Typist (Seasonal) for the period November 3, 2014 through January 31, 2015 at the starting salary of \$11.320 per hour; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 190-14 *ABOLISH/CREATE & FILL POSITION;
AUTHORIZE WAIVER OF HIRING DELAY
(PUBLIC HEALTH)*

WHEREAS: The Director of Patient Services position in the Public Health Department will become vacant due to a resignation effective August 11, 2014; and

WHEREAS: The Public Health Director has taken the opportunity to review the organizational structure of the Department and would like to improve upon the succession planning; and

WHEREAS: The Public Health Department has traditionally had a Director with managers of each division, but the current Director believes the Department would be better served by having someone second in command to oversee the entire Department in the Director's absence; and

WHEREAS: The responsibilities of the Public Health Education division have increased significantly, most recently as a result of receipt of the Healthy Neighborhoods Program grant which extends over a five-year period; and

WHEREAS: The Public Health Director recognizes a need for more management of the Public Health Education program as it expands into the Primary & Prevent department; therefore be it

RESOLVED: That one vacant non-union position of Director of Patient Services (\$53,233 - \$63,233) be abolished effective close of business August 11, 2014, and be it further

RESOLVED: That one Non-union position of Deputy Public Health Director (\$51,000 - \$61,000) be created effective August 18, 2014; and be it further

RESOLVED: That the Public Health Director is hereby granted a waiver of the 90-Day Hiring Delay and is authorized to fill the Deputy Director position on or after August 18, 2014; and be it further

RESOLVED: That the appointment to the Deputy Director position shall be provisional, pending Civil Service examination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 191-14 *AUTHORIZE AGREEMENT WITH
ATTORNEY GENERAL'S OFFICE
(DISTRICT ATTORNEY'S OFFICE)*

WHEREAS: The case of People vs. Harris has and continues to present significant demands on the District Attorney's Office; and

WHEREAS: The NYS Attorney General's Office has offered assistance to allow the District Attorney's Office to better meet the demands of this case; and

WHEREAS: The assistance being offered is Special Counsel services of Paul A. Clyne, an attorney in the Attorney General's Office, starting August 15, 2014 and continuing for the duration of the trial; and

WHEREAS: Funds exist within the District Attorney's budget to allow for reimbursement to the State of Attorney Clyne's compensation, if requested by the Attorney General's Office; therefore be it

RESOLVED: That the County Legislature hereby authorizes the District Attorney to enter into an Agreement with the NYS Attorney General's Office to provide Special Counsel services beginning August 15, 2014 for the People vs. Harris trial; and be it further

RESOLVED: That if the NYS Attorney General's Office requests reimbursement for Attorney Clyne's salary and benefits paid during the period he is providing service to the District Attorney's Office, the District Attorney is hereby authorized to provide such reimbursement within the limits of the departmental budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:24 p.m.

Ninth Regular Meeting
September 9, 2014

The Ninth Regular Meeting of 2014 was held on September 9, 2014 and was called to order by the Chair at 6:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Lord, please give us the strength to cope with the memories of people we have loved, but we will never see again."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

Arrah Richards presented the Employee of the Third Quarter 2014 to Bonnie Beuter of the Public Health Department. "Thank you again for your continued support with this Employee Recognition Committee. Without you we would not have this award to give out to deserving employees, thank you.

"Bonnie Beuter was named Employee of the Third Quarter and we wrote a Bio on her, personal information throughout her employment here as well as coworkers, words about her. Bonnie began working for Tioga County DSS in July of 2000 in the Foster Care Unit. After three years in this Unit she had ventured over to the Tioga County DMV. Then in April of 2004 she found her dream job, working as an administrative secretary in the Health Department, a position she maintained until her retirement. Needless to say, she loves her job.

"Bonnie's main responsibilities involved permitting facilities, enforcements, handling rabies calls, data entry on top of all of her other secretarial work. Bonnie comes to work early and stays until the job gets done. She stays up to date on her procedures and is considered the go to lady for various departments. She is always willing to go above and beyond what her job duties require such as researching information on line to help clients find certain information. She will help fill out paperwork for a permit or she will just listen to stories about bedbugs and other critters.

"According to her coworkers, Bonnie has become the master of all things in Environmental Health and assures that everything runs smoothly. She is very knowledgeable about all Health Department programs and other community resources so she is able to answer all types of questions the Department receives. Bonnie is a leader. She is willing to participate in any event or help

someplace where an extra hand is needed including rabies clinics, registration tables. Bonnie also served on various committees while employed with Tioga County such as Relay for Life, Tioga County Employee Recognition Committee, and DSS Employee of the Quarter Committee member, Team member of the Quarter Committee member for the Health Department, United Way Committee member, and served as a CSEA Unit Vice President and CSEA Unit President.

“Adding to Bonnie’s most recent achievement of becoming Tioga County’s Employee of the Third Quarter, Bonnie has also received Employee of the Quarter for DSS in 2001. She also received Team member of the Quarter for the Health Department in 2010. She takes the mission of Environmental Health very seriously to protect and serve the community. Bonnie has dedicated 14 years of her life to serving the residents of Tioga County and knows several if not all Environmental Health clients by name and some of them request to deal with her only. She even knows some of their children by name, which is a true testament to her passion and superior level of service that she has provided to them over the years.

“Every day for 14 years Bonnie has gone the extra mile, whether as work related or just to help someone around her even if that means putting her own work behind. Anyone who knows Bonnie knows she has a great sense of humor and on days when the office is down leave it to her to cheer everyone up. 30 years ago Bonnie moved from Kansas to Owego with her husband Jack and their two sons. Bonnie has four granddaughters and one grandson between the two boys. She will be retiring at the end of August where she, her husband and their dog will be enjoying their new found freedom in the sunshine State in their brand new home where she plans on spending all of the time with her grandson and granddaughter, and her new pool. When officially moved, Bonnie plans on becoming the next President of the Homeowners Association of Conerton. She just does not stop.

“Bonnie could not be here today so I am giving this plaque to Mr. Scott Freyberger who would like to say a few words.”

Scott Freyberger spoke. “I have worked with Bonnie for the past three years and she asked me to say something. “I want to thank Scott Freyberger, my ex-supervisor, since I am retired now for accepting this award on my behalf. He said he would read this as long as I did not ask him to say anything to embarrassing.

“I was really looking forward to coming to this Legislative meeting to accept my award, but looked at my calendar and realized that tomorrow morning I will be having a colonoscopy at 10:00 a.m. and if any of you have

ever had one, you will appreciate the fact that I am not here. You also probably thought that since I was not here you would not have to sit through another speech, but as always I must have the last word. I was so surprised when Kris Madison came to my retirement party and announced to everyone that I had won the nomination for Tioga County's Employee of the Quarter after 14 years of service, what a great surprise.

"I would like to take this opportunity to thank all of the people that nominated me and to the Employee Recognition Committee for choosing me. I have been on the Committee in the past so I know how hard it is to decide on one person. There are so many deserving employees in the County, I am very honored. I already gave my retirement speech at the Legislative meeting August 12, 2014, so I really do not want to repeat it. I do want to take this opportunity to thank you for the privilege of working for Tioga County. I have made so many friends and memories. I really enjoyed working for the County, especially working in Environmental Health with the great team we have. You will all be missed. I only hope the Legislators and Tioga County residents know how hard the Tioga County employees work for them every single day in all departments. Thank you again."

Arrah Richards spoke. "I also just want to mention that Bonnie's name is going to go up on the Employee of the Quarter Board out there. She will have her nameplate out there."

The Chair noted the following two recognition resolutions for Roxie Canavan of the Public Health Department and Michael Maratea of the Probation Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 192-14

*RECOGNITION OF
ROXIE CANAVAN'S 18 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF HEALTH*

WHEREAS: Roxie Canavan was temporarily appointed to the position of Account Clerk on April 22, 1996, in the Tioga County Department of Health and permanently appointed to Account Clerk Typist on July 1, 1997; the position she still holds; and

WHEREAS: In the 3rd Quarter of 2002 Roxie was honored as Employee of the Quarter by her peers in Tioga County; and

WHEREAS: In the 3rd Quarter of 2011 Roxie was honored as the Public Health Team Member of the Quarter by her peers in the Health Department; and

WHEREAS: Roxie Canavan has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 18 years to the Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Canavan will retire on September 26, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Roxie Canavan for her over 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Roxie Canavan.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 193-14

*RESOLUTION RECOGNIZING
MICHAEL S. MARATEA'S
30 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Michael S. Maratea began his employment with Tioga County on March 21, 1984, as a temporary part-time Caseworker and was hired full-time for that position on September 24, 1984 at the Tioga County Department of Social Services. On November 30, 1987, Michael accepted the position of Probation Officer with the Tioga County Probation Department. He was promoted to Senior Probation Officer on September 14, 1994 and promoted again on January 1, 2007 as a Senior Administrative Probation Officer. In his current position, Michael Maratea acts as the Transfer Designee, Domestic Violence

Liaison, and Staff Development Officer. He specialized in the supervision of domestic violence offenders and other high risk defendants for the department; and

WHEREAS: Michael S. Maratea has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 30 years. He has earned the respect of his fellow colleagues and peers throughout Tioga County; and

WHEREAS: Michael S Maratea will retire on September 27, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Michael S. Maratea for his 30 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Michael S. Maratea.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, and Standingger.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey read the following Proclamation on Hunger Awareness Month Proclamation and presented to Laurie Ellis.

Hunger Awareness Month Proclamation

WHEREAS: 4,770 people are food insecure (not enough food, not enough healthy food) in Tioga County and 2,170 of those are children; and

WHEREAS: 53.7% of single female households with a child under 5 in Tioga County are living below the poverty line; and

WHEREAS: 2,858 children in Tioga County participate in school year reduced/free lunch, but only 342 children in Tioga County participate in just 3 summer lunch sites; and

WHEREAS: Hunger is a community problem and finding solutions depends on the involvement of all people throughout Tioga County; and

WHEREAS: All citizens should become more aware of the prevalence and negative effects of hunger in our neighborhoods, and become more involved in ending hunger; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim September 2014 as

Hunger Awareness Month

in Tioga County and call upon all citizens, community agencies, religious organizations, and businesses to increase their participation in our efforts to recognize hunger awareness in Tioga County.

Chair Sauerbrey spoke. "Laurie Ellis is with Tompkins-Tioga Catholic Charities."

Laurie Ellis spoke. "I serve as the Chair for the Tioga County Hunger Coalition, which is a group of all the pantries and the meal sites, and other people interested in these hunger issues. We are coming together in Tioga to do something about it and we so appreciate the Legislators help. This is going to help us draw attention to this through the whole month of September. We have different things that will be going on in Tioga County because hunger has a cure. Thank you."

George Penney had privilege of the floor. "I am speaking about your late-filed resolution to appoint a Deputy Director of Economic Development. Today I ate at my favorite fast food restaurant on Route 434 and I saw two hotels there. The people who were sitting next to me spoke in a foreign language. There were several of them. I see this sort of thing all the time and then as I came across the bridge to come here I saw Lockheed Martin, very good. Then as I came this evening as I came across the bridge I saw three hotels and I saw Lockheed Martin after that. I do not see that we need any more economic development in Tioga County. This is primarily an agriculture county. I think we have enough done already. Thank you."

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		144.84
A1165	District Attorney		1,305.00
A1170	Public Defender		5,157.30
A1172	Assigned Counsel		12,731.26
A1173	ILS Grant	930.00	1,850.00
A1325	Treasurer		42,030.98
A1355	Assessments		3,495.53
A1364	Expense of County Owned Property		325.00
A1410	County Clerk		859.42
A1411	Department of Motor Vehicles		120.00
A1420	Law		3,766.22
A1430	Personnel		1,588.65
A1450	Elections	515.20	85.03
A1490	Public Works Administration		24.71
A1620	Buildings	61.07	33,039.19
A1621	Buildings		19,461.44
A1680	Information Technology		5,143.76
A2490	Community College Tuition		3,918.68
A2960	Education of Handicapped Children		232,891.30
A3020	Public Safety Comm E911 System		4,439.47
A3110	Sheriff	575.97	12,682.71
A3140	Probation		133.55
A3146	Sex Offender Program		9,240.00
A3150	Jail		30,541.61
A3315	Special Traffic Programs		125.00
A3410	Fire		1,538.09
A3412	2012 NYS Tech Rescue Grant	1,904.94	
A3415	State Interoperable Comm Grant		1,493.04
A3640	Emergency Mgmt Office		671.97
A3641	Emergency Mgmt Grant Program		1,228.05
A4010	Public Health Nursing		2,071.87
A4011	Public Health Administration		1,909.98
A4042	Rabies Control		196.95
A4044	Early Intervention		518.40
A4054	Preventive Dental Services		4,361.94
A4064	Managed Care – Dental Services		1,181.32
A4070	Disease Control		300.34
A4090	Environmental Health		1,252.18
A4210	Alcohol and Drug Services		1,902.11
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene Co Admin		4,678.48
A4310	Mental Health Clinic		7,033.21
A4320	Crisis Intervention Services		1,205.35

A4321	Intensive Case Management	721.42
A5630	Bus Operations	105,186.81
A6010	Social Services Administration	147,293.88
A6422	Economic Development	189.00
A6510	Veterans' Service	541.30
A6610	Sealer Weights & Measures	546.14
A7310.41	Youth Programs, Refundable	2,000.00
A7510	Historian	49.01
A9060	Health Insurance	2,453.70
SOLID WASTE FUND		92,436.83
SPECIAL GRANT FUND		2,707.14
LIABILITY INSURANCE FUND		276.20
COUNTY ROAD FUND		35,267.91
CAPITAL FUND		339,523.24
CONSOLIDATED HEALTH INSURANCE FUND		1,169.28
SELF-INSURANCE FUND		<u>1,350.00</u>
GRAND TOTAL		\$ 1,203,333.30

Legislator Hollenbeck made a motion to approve the minutes of August 7 & 12, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey stated that all the Legislative committees met this month and the majority of those minutes are on file with the Clerk of the Legislature. The Finance meeting was just held and Legal meeting. Those minutes are not posted. The Information Technology Department has not posted their minutes yet, but should come shortly.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Standinger.

RESOLUTION NO. 194-14 *AUTHORIZATION FOR BOARD OF ELECTIONS
TO APPLY FOR GRANT FOR
EXTENDING VOTING MACHINE WARRANTY*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to the Electronic Voting system and just recently all counties complied; and

WHEREAS: The Electronic voting machines having been purchased as part of the Electronic Voting System have gone out of warranty; and

WHEREAS: Dominion Voting Systems, the machine vendor has offered a \$5,293 discount if payment for a 3 year extended warranty contract is made in this fiscal year; and

WHEREAS: Federal regulations require pre-approval for all services purchased over \$5,000 which will be reimbursed by Federal (HAVA) funds; and

WHEREAS: The Tioga County Board of Elections is to receive a \$27,106.67 grant which would completely offset the cost of the extended warranty for 2015 and 2016; and

WHEREAS: Tioga County protocol is for The Board of Elections to seek permission prior to submitting grant applications; and

WHEREAS: Federal regulations require the county purchase the item prior to reimbursement and submit proof of payment in the grant application; therefore be it

RESOLVED: That the Tioga County Board of Elections be given permission to apply for this grant and be authorized to extend the warranty of the Electronic Voting Machine system after Federal Pre-Approval has been received by the Tioga County Board of Elections; and be it further

RESOLVED: That the grant funding be applied as follows:

From: A3906.00-State Grant/Elections	\$27,106.67
To: A1450.40-560-Elections	\$27,106.6

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

RESOLUTION NO. 195-14 *APPOINT MEMBER TO THE TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)*

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Dean Daniels has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past five years on the Tioga County Industrial Development Agency (TCIDA) Board of Directors; and

WHEREAS: Dean Daniels has resigned from the Tioga County Industrial Development Agency Board of Directors effective August 6, 2014; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Esther Woods has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Esther Woods to replace Dean Daniels' position on the Tioga County Industrial Development Agency Board of Directors effective October 1, 2014.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 196-14 *RESOLUTION APPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Legislator William Standinger is willing to serve on the Community Services Board; and

WHEREAS: The Community Services Board has recommended Legislator Standinger's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law states that vacancies shall be filled for unexpired terms of Community Services Board members; therefore be it

RESOLVED: That Legislator William Standinger be appointed to the Community Services Board to fill the unexpired term of Diane Sague, starting September 10, 2014 and ending March 31, 2015.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 197-14 *TRANSFER OF FUNDS
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a transfer of funds into the proper account codes from the County Contingency fund; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A1990.40-715	County Contingency Account	\$ 43,265.95
To: A4390.40-590	Criminal Psychiatric: Services Rendered	\$ 43,265.95

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, and Sullivan.

No – Legislator Case.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

RESOLUTION NO. 198-14 *APPROPRIATION OF FUNDS* *MENTAL HYGIENE*

WHEREAS: New York State Suicide Prevention Initiative funding has been awarded to the Tioga County Mental Hygiene Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A2705	Gifts and Donations	\$6,000
To: A4322.40-10	Advertising	\$ 600
A4322.40-130	Contracting Services	\$ 300
A4322.40-360	Meals/Food	\$ 300
A4322.40-420	Office Supplies	\$1,000
A4322.40-485	Printing	\$ 800

A4322.40-640 Supplies Not Office	\$ 150
A4322.40-733 Training	\$2,850

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 199-14 *APPROPRIATION OF FUNDS*
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4610.00 Federal Aid: Administration	\$ 20,499
To: A6010.40.140 Contracting Services	\$ 20,499

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 200-14

*AWARD CONSTRUCTION
INSPECTION SERVICES TO
DELTA ENGINEERS FOR
ALLYN RD BRIDGE OVER
PIPE CREEK BIN: 2218960*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the Construction Inspection of these bridges as part of the Bond Issue; and

WHEREAS: The Allyn Rd. Bridge over Pipe Creek (BIN: 2218960) is one of the bridges in the program; and

WHEREAS: Delta Engineers, Endwell, NY did the design phase for this bridge project; and

WHEREAS: The Commissioner of Public Works received a proposal for the construction inspection services for the Allyn Rd Bridge Project (BIN: 2218960) in the amount of \$78,530; therefore be it

RESOLVED: That the Tioga County Legislature award the construction inspection services contract to Delta Engineers, Endwell, NY not to exceed \$78,530 to be paid out of Allyn Rd. Bridge Project Account H2014.03.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 201-14 *AUTHORIZE EXTENSION OF CURBSIDE RECYCLING CONTRACT*

WHEREAS: Taylor Garbage was awarded Tioga County's curbside recycling contract for a three year period commencing January 1, 2012, said bid being \$4.32 per total households of 20,350 per month. Bid specifications also included an optional two (3) year extensions with the price at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the previous three (3) years; and

WHEREAS: Taylor Garbage is interested in extending the program for another three (3) years at the adjusted rate according to the CPI; and

WHEREAS: The current compounded CPI will be calculated from January 1, 2012 through December 31, 2014; however, the December 31, 2014 CPI will not be released until early 2015. The 2012 CPI was 2.5%; the 2013 CPI was 2.3%; and the first half 2014 semiannual CPI was 2.6%; therefore be it

RESOLVED: That the Tioga County Legislature extend the curbside recycling contract with Taylor Garbage for a three (3) year period at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the said dates and commencing January 1, 2015.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

RESOLUTION NO. 202-14

AUTHORIZATION TO EXECUTE

A RETAINER AGREEMENT WITH PIAKER AND LYONS

WHEREAS: The Tioga County Legislature recognizes the importance of using reserve funds as a mechanism for legally saving money to finance all or part of future infrastructure, equipment and other municipal requirements; and

WHEREAS: Tioga County requires technical advice in the establishment, funding and withdrawal of monies from its capital reserve funds to ensure proper procedures are utilized; and

WHEREAS: The CPA firm of Piaker and Lyons is able to provide such assistance; and

WHEREAS: Payment for the services of Piaker and Lyons will be taken from Law/Legal Fees Account No. 1420.40 (330); now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes Legislative Chair Martha Sauerbrey to execute a retainer agreement with Piaker and Lyons for the services described above.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

RESOLUTION NO. 203-14

*ACCEPT REQUEST FOR PROPOSAL
AND AUTHORIZE FINANCIAL
SOFTWARE CONTRACT
NEGOTIATION*

WHEREAS: Tioga County identified a need to replace the current out dated Financial Software application; and

WHEREAS: Primary advantages of an updated Financial Software and Accounting System include:

Ability to access real-time data

Reduce or eliminate paper processes and associated expense through automated, electronic processing, posting, tracking and records retention
Eliminate redundant spreadsheets, batches and databases across all departments
Assist with multi-year budget preparation and projections
Increase reporting capabilities and ability to export data into usable formats
Assist with conversion to GASB 34 Financial statements and state reporting requirements
Implement budget controls and tracking solution

And

WHEREAS: Implementing and utilizing a replacement, updated Financial Software Accounting System will provide cost saving due to increased efficiencies; and

WHEREAS: Tioga County issued a Request for Proposal for the Financial Management and Accounting System; and

WHEREAS: The Financial Management Committee (FMAS), consisting of various county staff was convened to review the proposals, evaluate the systems, and provide recommendations; and

WHEREAS: After the FMAS Committee evaluated proposals, attended demonstrations from vendor finalists, and provided feedback, there was a consensus, by the FMAS committee to recommend Tyler Technologies, as the vendor for the replacement Financial Software, and Accounting System; and

WHEREAS: Tyler Technologies is the current vendor servicing at least 10 other New York counties; and

WHEREAS: Tioga County established a Capital Reserve Fund for the specific software pursuant to General Municipal Law Section 6(c) to assist in the finance or purchase of financial software; therefore be it

RESOLVED: That the Tioga County Legislature accepts the proposal by Tyler Technologies and authorizes the commencement of contract negotiations by the relevant county staff to include all specifications in the Request for Proposal.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Case.

RESOLUTION NO. 204-14 *AUTHORIZE SALARY: DEPUTY DIRECTOR OF PUBLIC HEALTH
HEALTH DEPARTMENT*

WHEREAS: Resolution 190 -14 authorized the creation of a Deputy Director of Public Health position, with authorization to fill on or after August 18, 2014; and

WHEREAS: Legislative approval is required for all new Non-Union salaries above the base of the range; and

WHEREAS: The Public Health Director has selected a qualified internal candidate and wishes to pay a salary above the base of \$51,000 in recognition of the employee's service with Tioga County; therefore be it

RESOLVED: That Rebecca Lewis be provisionally appointed to the position of Deputy Director of Public Health at an annual salary of \$53,000 effective September 15, 2014.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Case.

RESOLUTION NO. 205-14

*AUTHORIZE RECLASSIFICATION OF
SENIOR ADMINISTRATIVE
PROBATION OFFICER POSITION
(PROBATION DEPARTMENT)*

WHEREAS: Legislative approval is required for the reclassification of any position; and

WHEREAS: The Senior Administrative Probation Officer position will become vacant on September 27, 2014 due to the retirement of the incumbent; and

WHEREAS: The Probation Director would like to reclassify the vacant position to comply with the titles available within NYCRR Title 9, Appendix 10; and

WHEREAS: The Probation Director plans to reassign portions of the work to Probation Supervisors which were performed by the Senior Administrative Probation Officer which is above the level appropriate for a Senior Probation Officer; therefore be it

RESOLVED: That effective September 29, 2014 one vacant position of Senior Administrative Probation Officer (salary grade 14) is hereby reclassified to Senior Probation Officer (salary grade 12).

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 206-14 WAIVE 90-DAY HIRING DELAY FOR
PROBATION OFFICER
(PROBATION DEPARTMENT)

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Legislative approval is required for all waivers of the 90-day hiring delay; and

WHEREAS: The Probation Department will have a vacant Probation Officer position as the result of an internal promotion effective September 29, 2014; and

WHEREAS: Due to recent resignations and retirements it is crucial for the Probation Director to maintain staffing levels in order to effectively manage probationer caseloads; therefore be it

RESOLVED: That the Probation Director is hereby granted a waiver from the 90-day hiring delay and is authorized to fill a full-time, vacant Probation Officer (CSEA Salary Grade XI: \$39,015 – \$39,715) effective on or after September 29, 2014 from the appropriate civil service eligible list.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Weston.

RESOLUTION NO. 207-14 AMEND RESOLUTION 138-14
HEALTH DEPARTMENT

WHEREAS: Resolution 138-14 abolished and created several positions based upon reorganization of the Tioga County Health Department (TCHD); and

WHEREAS: Since Resolution 138-14 was approved, the departure of two TCHD staff has required some modifications to the reorganization plan; and

WHEREAS: The Public Health Director requests that the one (1) full-time Community Health Nurse position that was scheduled to be abolished on or before September 8, 2014 be restored; and

WHEREAS: Funding for this restored position is available in the TCHD budget; therefore be it

RESOLVED: That TCHD be authorized to continue the existing one (1) full-time Community Health Nurse position and NOT abolish it effective September 8, 2014.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolution considered, seconded by Legislator Case and carried.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

RESOLUTION NO. 208-14

*TRANSFER FUNDS; AUTHORIZE SALARY
(ED&P)*

WHEREAS: The position of Deputy Director of Economic Development has been unfunded since 2010; and

WHEREAS: The Director of Economic Development would like to restructure the Department and promote an employee into the Deputy Director position; and

WHEREAS: The 2014 Economic Development budget has insufficient funds to cover the increase in salary upon promotion; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to transfer \$3,770 from the Contingency Account A1990.40-715 to the Economic Development account A6422.10-10 to fund the position of Deputy Director of Economic Development effective September 15, 2014; and be it further

RESOLVED: That Teresa Saraceno, who is eligible and willing to accept provisional appointment to the Deputy Director position, is authorized an annual salary of \$58,947 as Deputy Director effective September 15, 2014 – December 31, 2015; and be it further

RESOLVED: That the Economic Development Specialist position vacated by Teresa Saraceno shall be unfunded effective September 15, 2014.

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standing, and Sullivan.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:22 P.M.

Fourth Special Meeting
September 17, 2014

The Fourth Special Meeting of 2014 was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Bless today with chances to grow with friendship and a sense of community, with work to do and leisure to enjoy. Let us be a positive influence on those we meet. May we act with integrity and truth, giving the very best of ourselves in all we do, living in appreciation of the gift of the day."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were approximately 134 persons in attendance.

Chair Sauerbrey spoke. "Good evening and welcome. I am happy to see so many people here as we come together to honor Ron Dougherty. In the Auditorium tonight we have many members of the Dougherty family as you can see for the first six rows. We have Brenda, Ron's wife, their children, grandchildren. We have elected officials and their representatives from Villages, Towns, the County, the State, we have Senator Libous and we have Assemblyman Friend, and the Federal Governments. We have former Legislators, former County employees, current County employees, Department Heads, Presidents of Companies, Heads of Organizations, Board Members, and Community citizens. All of us are a reflection of Ron's life.

"This has been a labor of love because it has given us an opportunity to give back and show appreciation to an individual who has contributed so much to our community and to me. We all have Ron Dougherty stories, don't we. When Ron was on the Legislature I was working for Senator Libous and part of my job was to be the Tioga County Representative for the Senator and keep him up to date on what was going on in the community and on the Legislature. I attended many meetings and I took note of many of Ron's projects. One of these projects involved Glenn Carter and it was a business leaders group. They were high level business leaders who met regularly to discuss ideas and cultivate ideas, opportunities that would benefit the economy and bring jobs to Tioga County and develop a workforce. As I sat in the back of the room I was in awe of the energy that was present and some of the great ideas that came out of

that group, all because Ron believes in teamwork, collaborating, and working together, synergy.

"If you will notice on the back of your program there is a picture and as many of you know Ron is very famous for his flipcharts, so we thought it only appropriate that we would include a flipchart on the program and you will also see the word "synergy" written across it. That is one of Ron's famous and favorite words. Synergy, cooperation, teamwork, interaction, collaboration. These are all characteristics of Ron's leadership along with long hours, hard work, and a thirst for knowledge. As we prepared this resolution we are presenting today, we listed some, not all of the activities and organizations that he was involved in. I am sure that we did not get them all, so I am apologizing ahead of time.

"There are Proclamations on the table displayed from the Village of Owego, the Town of Owego, from Congressman Hanna, and also many people wanted to attend the event, but were unable. They were out of town for one reason or another, but we have collected notes and well wishes in a book for you guys to take home. One of these notes is from Patrick and Cindy Dougherty.

"Dear Dad, while we regret being unable to be present for today's special Legislative session to honor your many contributions to Tioga County, we wish to extend our most heartfelt congratulations to you for the honor you are receiving. So often you have spoken with great admiration and pride of your home County, its heritage, its people, its future. Your commitment, leadership, and tireless efforts have helped to make that future a brighter one for the people of Tioga County. It is a well earned honor to have your name become part of Tioga County's heritage. With love and congratulations, Patrick and Cindy Dougherty."

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 209-14

*RECOGNITION RESOLUTION
RONALD E. DOUGHERTY*

WHEREAS: Ronald E. Dougherty served as a Tioga County Legislator from April 11, 1988 until December 31, 1995, and served as Chair of the Tioga County Legislature from January 1, 1990 until December 31, 1995; and

WHEREAS: Ron was instrumental in many projects during his tenure as Tioga County Legislator and Legislative Chair, specifically in the creation of the Department of Economic Development and Planning (serving as temporary Director from January 11, 2001 to December 3, 2001), along with the legislature implemented the ½% “Locked Box” Capital Reserve Fund for future needs, creator of the Council of Governments, worked on the team to establish the Consolidated Health Plan in 1992, part of the team that created the Municipal Electric and Gas Alliance (MEGA), along with the legislature established the Tioga County Solid Waste Commission and Recycling Program, partner in establishing the Tioga County Public Safety Complex, Team Leader for the Best Buy Project, initiated state policy for all Soil and Water Districts, and was an original member of the Upper Susquehanna Coalition; and

WHEREAS: Ron was one of the founders of the Tompkins Cortland Community College Foundation serving as Vice President for two years, and was instrumental in the creation of the Lourdes Hospice Foundation serving as President of the Board for two years and participating for many years; School Board Member for 41 years including 8 and 20 years as President at Tioga Central and BOCES respectively; and

WHEREAS: Ron has been a leader, a mentor to many, and a positive influence in Tioga County his entire life, serving on many Boards and Organizations, advising, leading and setting an example for others to follow; such as the Mildred Truman Faulkner Foundation Advisory Committee, Leadership Tioga, Guthrie Health Board of Trustees, New York Rising, Farm Bureau and Tioga State Bank Board of Directors; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Ronald E. Dougherty for his years of dedicated service to Tioga County as a Tioga County Legislator, Legislative Chair, and outstanding individual who has made significant contributions to Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Ronald E. Dougherty.

ROLL CALL VOTE

Unanimously Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 210-14 *RENAMING AND DEDICATION OF
TIOGA COUNTY OFFICE BUILDING*

WHEREAS: The Tioga County Legislature desires to rename and dedicate the Tioga County Office Building located at 56 Main Street, Owego, New York; and

WHEREAS: Ronald E. Dougherty has been an influential figure in Tioga County for all of his life and has contributed time, effort, and value to Tioga County and its residents; and

WHEREAS: Ronald E. Dougherty served on the Tioga County Legislature from April 11, 1988 through December 31, 1995 and served as Chair of the Tioga County Legislature from January 1, 1990 through December 31, 1995; therefore be it

RESOLVED: That the Tioga County Legislature renames and dedicates the Tioga County Office Building located at 56 Main Street to Ronald E. Dougherty as follows:

Ronald E. Dougherty County Office Building

ROLL CALL VOTE

Unanimously Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislative Clerk Maureen Dougherty read and presented the recognition resolution for Ronald E. Dougherty.

Legislative Clerk Dougherty spoke. "Good Evening. I specifically requested to read this recognition resolution for Ron this evening. Marte talked earlier about Ron's passion for flipcharts. He also had a passion for index cards. I can remember Ron taking several index cards, writing all his notes on them, putting them in order, and then putting them in his front shirt pocket. I jotted down my one word thoughts of Ron on some index cards and I would like to read them. Intelligent, empowering, effective, tireless worker, efficient, compassionate, friendly, sensible, determined, goal-oriented, most of all loyal. Lastly, I would like to say thank you to Brenda for standing by her man through these years. She has been the pillar that has helped make Ron who he is today. This is a well deserved recognition for Ron. Congratulations."

Legislator Case read and presented the resolution renaming and dedicating the Tioga County Office Building to Ron.

"The other privilege I have is to unveil the plaque. Of course, knowing Ron we have to have a Segway to go from the resolution to the plaque, that is his other favorite word in case you did not know. I have a quote that I believe reflects why we are here and it is a quote from a 19 Century philosopher by the name of William James who once said "The great use of life is to spend it for something that will outlast it." All you have to do is look around this room and it is clear Ron's impact will transcend all of us."

Bill Woods, former Tioga IDA member, spoke. "It is an honor and a privilege to speak here this evening. Dougherty, that is what your switchboard operator is going to be saying, it is going to be Ronald E. Dougherty and eventually everyone will learn how to spell the name correctly. I was on the IDA when Ron first arrived and he started the Economic Development Department with Glenn Carter as well with Doyle from Tourism. The results of those efforts are self-evident. They were enumerated in the resolution and, in fact, that is going to shorten up what I have to say.

"The repurposing of the Agway Building in Waverly, the School Building in Berkshire, the transition from Loral to Lockheed, these were all things that have happened in the past and continue to have economic impact and viability on our community today. As was mentioned, the Chairman emeritus, Mr. Dougherty, ramrodded, steered, and made certain that the Best Buy project came to fruition. We started off with Lowe's. Glenn did you remember Lowe's? The mock-ups and the scale models, and all the stuff that was going to be

where Best Buy is, and that became nonworkable. The key to the success of those programs in my opinion was Ron's effort.

"It was interesting to work with his analytical mind. He seems to think the way a modern artist paints. When you have been involved in one of the bewildering conversations that he would run about synergy and silos. There is a picture of a silo on the flipchart, I am surprised that did not get mentioned because silos were a very important part of his presentation. You would walk away understanding that he had a clear grasp of the problem and further a very clear grasp of the possible solutions to those problems. He knew exactly what they were. He knew exactly the pathway and then when you left you would walk away with the sense that you were smarter than you actually are. He had a way of doing that. After he got done explaining things, you did not understand it really, but you figured wow if he took the time to talk to me like that, I must really know something.

"There is an aura of integrity about the man, which obviously has been lived and not learned, and it is impossible to contrive. When you deal with him closely one on one, he emits an aura of trust and in my opinion that trust represents more than 50% of the battle to good leadership. I used to deliver eggs for my father and there was a store on the north side of Endicott that was one of our regular customers that was run by a first generation immigrant. Billy he said to me, you must learn to look far away and I interpreted that to mean there must be vision for the future. As a poet once said, "old men plant trees whose shade they never will enjoy" and that I think personifies Ron Dougherty. Ron your legacy will be the building, but more importantly I think will be the impact that you have had on so many members of our community. As a representative of that community and personally, I extend my grateful thanks."

Wendy Walsh, Director of Soil & Water Conservation District, spoke. "I will try to do this without choking up and getting really nervous because I tend to do that. I was not around during Ron's time as Legislator, but wow, you have made an impact. It is amazing, I was in high school, but I will get on to tell you what I actually have learned from Ron in the last 14 years that I have worked with him.

"I am the District Manager as Marte said of the Soil & Water Conservation District here in Tioga County and I am honored to have a few minutes tonight to recognize the hard work, expertise, and time that Ron Dougherty has provided to both me and my staff over the 14 years I have been with the District. When initially asked to give this speech I was nervous. I think I might have said no, mainly that is because no matter how many times I do one or how often I do them in my job, I still get nervous. I am just not a fan of public speaking, but after I had some thought and some time to think about that, I realized what was being asked of me and I could not pass up an opportunity to share in this

special recognition of Ron and to be able to thank Ron for how he has helped me, shape me both professionally and personally over the years, and it has truly meant a lot.

“Ron has been a Soil & Water Conservation District Director for over 15 years and my hopes are that he will continue for many years. Actually my plan is I will not ever let him go, but we will see how that goes. Ron’s dedication to conservation in our county’s natural resources are not surpassed by many. Ron is always diligent, present, and impactful with his suggestions, thoughts, and direction he provides with the District programming and related work. Ron does not shy away from responsibility, meetings, trainings, or other roles and extends his knowledge and expertise beyond the typical job requirements. Ron truly cares about Tioga County and often reminds me that being in the soil is key to our success and not to forget it. It is often said that when we achieve we usually do so because others have helped. The District’s growth and programming and staff are a direct result of Ron’s help and guidance.

“Ron is someone who is unselfish with his time and is always willing to listen, offer advice, and provide meaningful insight. I am honored to have been asked and given a few minutes tonight to join in his recognition. Ron is truly one of the good guys. He is a director, a friend, and a mentor, and I am extremely grateful that his path has crossed with mine. Thank you Ron and congratulations.”

Legislator Richard Huttleston spoke. “I think Ron Dougherty would be pleased if I did not speak because he shuttered today when he saw me because I am good at roasting people, but not so good at praising. What a ceremony, look at the people, the number of people, and I cannot believe it. I had a County building named after me several years ago and there was no big ceremony like this. I guess when you put your name on a rent-a-john it is a lot different situation.

“I was not in favor of naming this building after you until I discovered a certain factor. Are you aware or maybe you forgot there was a resolution prepared by Tom Emnett, the County Attorney, several years ago and signed by you as Chairman of the Legislature saying that any person that has a County building named after them is responsible for all exterior and interior maintenance at no cost to the County and I hope you have a good lawnmower, weed whacker, snowplow, tool kit, and paintbrush, but anyway.

“One other time when I was discussing the appointment of Ron Dougherty for Chairman with the new Legislature, the person was concerned if he would be a good productive Chairman and I said he would be good and productive, and the person asked how do you know that. Well he has a bunch of kids and

enough for his own baseball team, and the person said case closed. A lot of people are good at what they do, but not good people persons, but Ron is good at what he does and a good people person, and everybody loves him. I never heard a person say a bad word about him and he is a great friend and well deserving of this award.

“Now Ron I suppose you are going to want to get up here and say a few words, and I hope you have your famous flipcharts with you because I do not think you can speak or make any sense without them. I hated those flipcharts. Using Ron's flipcharts rather than the modern day IPads and computers was good because after the meeting we could throw his 100 pages of flipcharts in the garbage and nothing was in the archives or recorded, and nobody had any idea what we were doing. Anyway, congratulations, you are well deserving of this.”

Senator Thomas Libous spoke. “Let's see if I can clean this up a little bit. Thank you Madam Chairwoman and certainly members of the Legislature, ladies and gentlemen, members of the Dougherty family, and Ron and Brenda. I am going to tell you a couple of stories because you have heard all about his accomplishments, but there are couple of stories that kind of stick with me that I would like to share with you.

“In 1988 when I was running for the Senate for the first time, I did not know too many people in Tioga County and I asked around and they said you should give Ron Dougherty a call, and I said who is Ron Dougherty? They said you should just give him a call. I said well what does he do, well he is on the County Legislature and he knows a lot of people in Tioga County. I said why would he take my call? Just give him a call. I called Ron and he was the most pleasant person on that call and it felt like I knew him all of my life, and we got together and we met. When we sat down and met and he told me how many children he had, how many grandchildren, I am thinking if I can get them to vote for me I can win this County by a landslide. I got more excited as the conversation went on.

“One of the things that he taught me on that very first meeting is something that he reflects on and talks about often, and it was already mentioned. I said Ron how do I make some inroads in Tioga County? He said I have to find you some folks that are in the soil and I said excuse me. He said yea, he said folks that are in the soil, people who understand the roots of the County, they go back generations, they understand why the businesses were built in Owego or in Waverly, or whatever and he says these are folks that are in the soil. I thought I kind of understood what he said when I walked away from that, but it was a great lesson. I have now known Ron since 1988 and when we have conversations he still says to me, he says Tom you have to find those folks

that are in the soil and if you think about it, doesn't it make so much sense, doesn't it attribute to his great success and how he has been able to do so many wonderful things here in this County and you know he is also recognized around the State and I am going to get to that in a minute.

"The next story I want to share with you is the Best Buy deal. Ron as was mentioned was the point man, many of you were working on that, and they were very close to closing the deal and Ron says to me if you could be at this next meeting Tom it would be very important, we think we could close this deal up. I said when is the meeting and he told me, and I am like oh boy, I did not have the heart to tell him that was the week of our family vacation, we go to the Jersey Shore the first week in August, been doing it now, did it again this year, for 32 years. I said gee Ron can I call in, is that possible? Yea, sure, not a problem. We had the phone call and I called in, and Ron called me back later and he said you know, he says I think it went really well. He said having you on the phone call was fabulous. He says but every now and then I could of swore I heard the ocean in the background and I had to come clean, I had to tell him where I was and I guess it did not screw up the deal.

"I got elected for the first time and went to Albany, and I can remember the first year, Soil and Water Conservation folks come in and they give me a list, the staff gives me a list with Ron Dougherty's name. Rural schools are coming in to see me, who is coming, here's the list, Ron Dougherty's name. You name it, whatever organization, Ron Dougherty's name was on it and he is to this day so respected around the State by so many people for the work that not only he has done here in Tioga County, but for the work he has done all over this great State as it pertains to our school districts, soil and water, so many different things that he has dedicated his life to. Ron you are truly a remarkable individual and I have become a better person because I know you and because you are part of my life, and Brenda you are a remarkable lady because I am sure there is once or twice where he kind of made you a little mad because he was not home when he should have been, because he was out at a meeting doing what he felt was the right thing to do and left you back with the family, and probably, well we will not go there. Ron I am going to present you with a Senate Proclamation. This is a ceremonial Proclamation. When we go back in January, I am going to have one read into the record of the Senate, one that is official, one that gives you the recognition that you deserve for all of the great things that you have done, but I will present you with the ceremonial one now. Thanks for being a friend."

Ron Dougherty spoke. "I must confess before I even start to talk, I am a little overwhelmed, so bear with me. I will tell you the good news first. When I started out on this, my wife reminded me as so many times in the past, Ron please you have this pension for making easy jobs difficult, please do not do

that, but it is a disease, I admit it, so I started out with something that long in speech and I got down to this, and right now I am down to this, so bear with me. We are going to have some fun and we are going to have some food and enjoyment.

"Thank each of you for those kind words. Senator Libous, it has been my good fortune to have my public service endeavors parallel yours, that has been helpful believe me. You mention the Best Buy deal. We also at one time, the Best Buy package needed roughly 1 million dollars to do the necessary infrastructure around the roads and so on, and Tom came through with that, the State came through, we appreciate that. The Dental Van, which was a \$600,000 project here, which has provided our community with dental services for the schools, I am sure Tom you were a big player in that and it was important.

"Dick Huttleston, I do not know what to say about Dick. I can only say one thing about Dick, as ambivalent as he might have been here, he was always a loyal person on the Legislature. You knew where he stood and he was not afraid to tell you. I think a lot of that came from his extensive business background and Dick thank you for all your help on the Legislature.

"Bill Woods. Thank you for those kind words. Unfortunately that discussion about vision exposed me somewhat. The reason probably I had that technique is I could not do the actual work and that was the problem, you can have the vision, but you got to have the people do the work. There are a lot of people in this room that made me look good. Glenn Carter was mentioned, Rich Eads is here. There are a number of others. Barbara Blanchard here is on the MEGA program, which is so important in our community. I have been blessed and thank you Bill for your kind words.

"Wendy, well there are two sides Wendy to this story, one of them that I was exposed here again reminds me the reason I was nearly late today was we were in Spencer all day, Wendy and the Soil & Water Board looking at the dams that were put in with some visionary people in the 50s in our County, they have flood control dams and we have to go as a matter of inspection and responsibility to review those and that is where we have been. Again, one of my sons John was there today and if I had known he would have been there, I probably should have taken the day off, but I had someone that I could blame and I probably blamed my wife.

"I appreciate all those comments. I want to say a special thanks to Tioga State Bank, I know they are going to provide some refreshments, I served on the Board a number of years, continue to serve and really do enjoy that, they are a community bank, serve our community well. I understand Darrell Reynolds is going to take care of the coffee for us from Mr. Coffee, I appreciate that.

Maureen and Cathy thank you for all of your help putting this together. Leeann Tinney, Ken Del Bianco, and there is probably others that have put this together and we really appreciate that.

“Ralph Waldo Emerson once said, “Life is a journey and not a destination”. If you really stop and think about it, local communities are a lot like that, but they are a journey in needs and opportunities. They are always there. Every community has a need and an opportunity and I am very glad over the past three decades I have been around to be involved in both needs and opportunities here. It is a real blessing. Whether it is the public safety building that was needed, whether it be working with Glenn in terms of restructuring the Economic Development & Planning operation, whether it is the Solid Waste and Recycling, which we take for granted now, but in the late 1980s believe it or not we had garbage on the streets here. We had some real real problems and if you look at that today and you look at the investment. For example, in Apalachin that the Taylor family and Taylor Recycling put into that, it is really 20 years. You look back on it now and the improvement, we have been blessed. Now that is an example of a public/private partnership that has really been beneficial to our County and could not have done it without their consistency and performance.

“If you look at MEGA, just to mention about MEGA because my friend Barbara Blanchard is here. She has driven all the way from Albany and come down, and I appreciate that. The MEGA concept probably started with the discussion before deregulation. We got involved with the high energy prices and in the mid 90s those prices continued to go up, but then the State made the decision to set the structure up the way it is now where you bid on a portion of the energy price, and it was that time we started having some discussions about what happens if you put these together. I want to stay away from synergy because I will get choked. What happens if you put these together and you start building and put them together this way instead of worrying about well silos you cannot control. Again, I will try to stay away from silos, but we have silos in this County. We have some 3000 residents in the western part of this County who up until just recently, it has been raised in Pennsylvania now, but up until recently they paid about 60% of what we pay. It became very simple that once you went to someplace where at least you could influence a little bit of the price of what you purchase electric for, that is the only portion, there is still the portion of distribution and so on, you could get a lower price. It is merely bundling these things together.

“A great lesson from my BOCES experience, my BOCES friends are here tonight, it is a great lesson when you hook things together horizontally, you are going to get an impact and hopefully if it is a positive thing you are going to get a positive impact. I do appreciate again and I am thankful for having the

energy and the health, and the desire to do these things. Those are three components when you get into my age category that you at least have got to have two out of those three. It is very difficult if you do not.

“During this journey I have been blessed with a very large and supportive family, my wonderful wife and partner of 64 years, Brenda who is the real wind beneath my sails. A little known secret and I am going to expose my wife. For 25 years after we moved to the Village, my wife ran a team of her friends, some from Candor, some from Nichols, and they put on dinners monthly for underprivileged people in the Village and it is not a well publicized story, but it is one that needs to be told and thank you.

“I must confess that when I look back over these 25 years and the work that has been involved, and the 41 years in the school business, and 12 years as a County liaison here with the Tompkins Cortland Foundation, which was a little foundation started in the mid 90s and I think we had 3 million dollars and I think the assets now on that are about 36 million dollars. I have not been on the Board. Jim McFadden is here. How much Jim? 16 million that has grown and that was a wonderful experience, but I quickly realized when I look over all of these areas that I have been involved in, that I quickly realized how blurred and diluted my own contribution becomes, and I really mean that when I say that about Bill’s comments, that so many times life runs on two tracks and one has to do with relationships and one has to do with getting the work done. You always have to think about these relationships, one is about relationships and vision, and a few other things, and one is about doing the work. You have to have people to do the work, that they put things together and make them work. I have been blessed in everything that I have done, that did not mean that once in a while I did help with the work, but frankly I have been blessed with being around people that when you put a little vision out there.

“Is Tom Emmett here tonight? No. Tom was our County Attorney at that time and Tom was a great person that could take a one or two word vision or something you looked at and flesh it out to make it into something that would be that second track so you could work at it and get it done. That is important.

“In closing, I would like to again go back to another Emerson quote that I hope will leave you as an inspiration this evening. “To laugh often and much. To win the respect of intelligent people and the affection of children. To earn the appreciation of honest critics and to endure the betrayal of false friends. To appreciate beauty. To find the best in others. To leave the world a bit better whether by a healthy child, a redeemed social condition, and to know that even one life has breathed easier because you lived. This is to succeed.” Thank you and I appreciate everyone being here this evening.”

Chair Sauerbrey spoke. "Before we close the meeting officially, there is a couple of things I want to mention. We would like to have some special photos taken with the plaque so if you can linger just a moment. Thank you for Drew. He is going to create a CD for you tomorrow and we are going to present it so you can take and share pictures with all your family. The other thing is for those of you who want to gaze your eyes over here on this wall, there are four pictures of Ron when he was serving on the Legislature and you will see some other faces there on the Legislature that will be very familiar. Enjoy those pictures. We are going to have a reception down the hall by Cornell Cooperative Extension, so go and enjoy, take your time, do not be in a hurry because there is a lot of friends here, there is a lot of history to share with one another and so we want you to stay and enjoy if you can. The last thing, this beautiful plaque will hang at the entrance of this building as you come in with the ramp area. Right on the left is a spot that we have reserved for the plaque, which they will probably put up tomorrow. Everyone who enters the building will be able to see the plaque as they enter. Again congratulations."

The meeting was adjourned at 6:52 P.M.

Fifth Special Meeting
September 18, 2014

The Fifth Special Meeting of 2014 was called to order by the Chair at 10:00 A.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Lord, let us pray that the people at the Federal level in the higher political spots can come up with a solution for the problems that we are facing in the Middle East."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 13 persons in attendance.

Karen Kerr spoke. "I appreciate the opportunity to address this body. We were surprised that this meeting was scheduled and would be scheduled for 10:00 o'clock so people who were interested were not able to attend, but I did take the day off to attend. I do take the bus and I need to take the bus. I am wondering whether we have exhausted all possibilities to figure how to preserve the bus system in Tioga County. Have we spoken to the other counties who are also affected by the situation that we are affected by? Have we dealt with the State Legislators who have dished out this situation to us? Have we pushed and have we pursued everything we could? I know that there are many people who take the bus with me who would be willing to pitch in and help with these issues to assist this body, to assist this County to try to figure out the situation.

"Public transportation if it is not coordinated among the Counties it is not very effective, but there are many people who do take this bus to work. There are many people who if we do not have a bus system are going to either have to leave their jobs, retire, go on disability, or even go on public assistance, which I assume is going to cost the County more money, and I do not want that to happen. No one wants that to happen. We want people to work, we want people to stand on their own two feet and to take care of their own business, and this is a way that the County assists people just to get to work. It is essential.

"The other thing I wanted to say is you look around the room and none of us are getting any younger obviously. We want to continue to be independent. We want to continue to live where we live. We need to have some resources to help us do it. The bus system is something that helps people get to the store, get

around, and if we do not continue it there are people who are not going to be able to continue to live where they live and do what they do. On a personal note, I can tell you that about five years ago I was diagnosed with multiple sclerosis. It is degenerative. I know eventually things could get much worse and I have relied on this bus system for a long long time. Not having this bus to get to work, probably would require me to end up going on disability and it is not something that I want to do at all. I think we should all consider how it will affect individuals in our community and also once again have we exhausted all possibilities?

"There are many people who are involved in this bus system right now who would want to help contribute, but we have no access right now because we did not have access to this meeting. Thank you very much. I am a County taxpayer, I do pay property taxes. Personally I would be willing to pay a percentage or two on my property taxes, which are huge right now anyway, but these are services that we provide for our County residents and among many services that we provide like recycling. We provide all kinds of health aid, health and human services, and this is just one of the ones that we provide and I would hate to see it eliminated just because we say that we do not have the money. I would like to help. If anyone wants our help, we will do it. Thank you very much."

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 211-14 AUTHORIZATION TO ISSUE A TERMINATION LETTER TO FIRST TRANSIT, INC.

WHEREAS: Tioga County has a contractual agreement with First Transit, Inc. to provide Public Transportation and Non-Emergency Medicaid Transportation for Tioga County; and

WHEREAS: The State of New York has made substantial changes to the delivery of Non-Emergency Medicaid Transportation services thereby shifting those services from Transit Systems to other modes of transportation; and

WHEREAS: This shift in transports has made the delivery of coordinated transportation in rural Counties such as Tioga unsustainable; and

WHEREAS: Tioga County's contract with First Transit, Inc. allows that it may be terminated by either party by giving the other party at least sixty (60) days written notice of such termination; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Transportation Director to issue such written letter of termination to First Transit, Inc. on September 19, 2014 with an effective date of November 30, 2014.

Legislator Sullivan spoke. "Karen I think some of my comments might answer some of your questions. I think it is important to highlight that it was the State that put Tioga County into this situation as well as several other rural counties. Last October the State implemented a change in Medicaid transportation services and assured us that it would not affect the State funding for our bus system. In November we discovered that bus ridership as well as State revenue had both significantly decreased contrary to what the State had told us. The State had started using taxis for Medicaid transportation rather than County buses. Apparently taxis could offer lower Medicaid per trip rate.

"This change and its impacts came at a time when two things were going on. Number one, we were in the middle of the bidding process for our bus contract, which was due to expire at the end of the year last year. We could have stopped that process, let the contract expire, and eliminate the bus system at yearend last year, but this Legislature certainly chose not to do that because this was a situation that our residents as yet were not aware of and could not have planned for. Secondly, at that time we were in the middle of the budget process. We had put together a 2014 budget proposal that did not include any funding for the bus system. We were only 10 days away from the mandatory public hearing on the budget, which did not allow time to rework the budget and by law we could not make any increases to the budget after that public hearing. The impact of the State transportation change was not only alarming, but the timing could not have been worse. The County immediately put the word out to the public and began working with the State and other entities to try to find a way to maintain our bus system.

"Knowing that this process would take several months during which the County would incur \$40,000 per month of unfunded unbudgeted costs, we teamed up with other Counties and we were successful in getting the State's commitment to provide some, if not full reimbursement for our costs for this year, but it is for this year only. That bought us time. Had it not been for that, we would have been voting on today's resolution many months ago. We have spent 10 months trying to come up with a solution. Some of the ideas we explored include the following, but it is not a full list. Eliminate routes, change routes, reduce the number of runs per route, increase fares, work with our service provider to reduce the cost, reach out to Cornell and Ithaca College for funding assistance, reach out to Tompkins County. Tompkins used to run a couple of routes into Tioga. A few years ago they dropped those routes and Tioga picked them up.

“Some of these things were successful, again it is not a full list of what we looked into. Some were successful in offsetting some of the costs, but still fell far short of an affordable bus system. There was one solution that held promise. If we could offer the State a Medicaid per trip rate that was less than what taxis charged, would the State shift Medicaid riders back to the County buses. The State agreed. We achieved that rate reduction by making changes to our bus routes and the number of runs. We presented our adjusted rate to the State and they said they would start shifting Medicaid riders back to our buses. Well after a month the County did not see a shift in ridership and we had further discussions with the State, but they have not been successful in shifting riders or revenue back to the County.

“Now here we are at budget time again. We estimate the cost for the bus system next year to be \$500,000. That alone is the equivalent of an over 2% tax levy increase. It was the State’s decision that shifted this cost to the County. It is also the State that has imposed a 2% limit on property tax increases. I would find that ironic, but it is not much different than imposing a tax cap and doing very little to control all the other unfunded mandates that the State imposes on Counties. The overwhelming majority position of the residents in my District is to not impose a tax increase to pay for the bus system. Therefore, I will be voting in favor of this resolution. Thank you.”

Legislator Standinger spoke. “I represent District 7, which is Newark Valley, Berkshire, Richford, and Candor, and a lot of my constituents use that bus service to get to work. I understand this is a very difficult situation we are in. Unfortunately as Mrs. Sullivan said, the State has put us in a very difficult position. I can attest to the fact that the staff at Tioga County up at DSS have worked tirelessly to pursue all the options to maintain this system at a reasonable and economic cost, and unfortunately that really has not borne any fruit and that is not as a result of inaction. They have come every month to our meetings and given us updates of what has been done and I am confident that we have looked at every option that is viable. Now we are at a point where it is half a million dollars for us to maintain this service and I do not think that is a viable option at this point. I mean if it was economical to maintain this service, I would like to hope that First Transit or some other company would look at the routes that are economically viable and maintain those. There is nothing to prevent that from happening. That is what I hope will happen. Thank you.”

Legislator Huttleston spoke. “We are all under pressure, I know what the biggest problem is taxes. I mean I see it all the time in my business and people are being driven out of this area because of the taxes, and a lot of the young people do not want to come to this area because of the high taxes. My son is a perfect example. He has a house that probably here that probably taxes would

be \$15,000. He is down in South Carolina where he pays \$2,500. You are not going to bring those people back in this County and it is a shame, and I think it is a shame that the State took the stance they did. From the very beginning, the whole solution to the problem was a very easy solution, that was to have the State still reimburse us what they have done in the past years. I will give you an example. Years ago we had quite a debate on the bus system, somebody from Tompkins County come down, one of the Legislators there and told at that time, I do not know what they are doing now, but at that time Cornell was subsidizing them one million dollars a year for their bus system.

“The other problem you have in this County is we do not have any hospitals, we do not have any colleges, no airports. The bus system in Broome County is probably more important because they do have the hospitals and the colleges, and the airport, but we do not have any of those such facilities here that would subsidize us and help us, so it puts us in a bind. It is a catch 22 situation. I do not want to vote for the elimination of this and I also do not want to vote for higher taxes, so what do you do? I think if you people were in our position, you would take the same stance and unfortunately what I would like to do and I have said all along, if we could extend a little longer, but the problem is the State has dictated to us the 2% cap and if we do not do that cap we have some other problems. I want to apologize to my constituents, but I have to vote for this resolution.”

ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:16 A.M.

Tenth Regular Meeting
October 14, 2014

The Tenth Regular Meeting of 2014 was held on October 14, 2014 and was called to order by the Chair at 12:01 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Case to have a moment of prayer. Legislator Case asked for a moment of silence.

Legislator Case led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey noted the following three Proclamations for Tioga County United Way & Waverly Community Chest Month, School Board Recognition Week, and Anti-Bullying Awareness Month.

PROCLAMATION

WHEREAS: Tioga United Way continues to service the needs of the community through funding of 33 agencies within Tioga County, benefiting all segments of Tioga County's population; and

WHEREAS: The Waverly Community Chest continues to service the needs of the community through funding of 18 agencies, benefiting the residents of Waverly and surrounding communities; and

WHEREAS: Without the support of Tioga United Way and Waverly Community Chest, these agencies would not be able to continue the support to our community; and

WHEREAS: The goal for the 2015 United Way Campaign is \$280,000; and

WHEREAS: The goal for the 2015 Waverly Community Chest is \$32,100; and

WHEREAS: The employees of the Tioga County Government represent a potentially substantial number of contributors for these campaigns; and

WHEREAS: The Tioga County Legislature supports the work of the Tioga United Way and the Waverly Community Chest; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the month of October

TIOGA COUNTY UNITED WAY MONTH
And
WAVERLY COMMUNITY CHEST MONTH

in the County of Tioga, New York, and call upon all of its employees and all members of the community at large to support their efforts.

PROCLAMATION

WHEREAS: Public Education provides the cornerstone of the American Educational System; and

WHEREAS: This effort depends heavily on the contributions of the dedicated and unpaid members of School Boards; and

WHEREAS: The Governor of the State of New York has proclaimed October 27-October 31, 2014 as School Board Recognition Week; and

WHEREAS: The Tioga County Legislature recognizes the efforts of all members of Boards of Education; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate October 27-October 31, 2014 as

SCHOOL BOARD RECOGNITION WEEK

in the County of Tioga, New York, and commend this observance to our citizens.

PROCLAMATION
ANTI-BULLYING AWARENESS MONTH

WHEREAS: We must safeguard schools and communities for our children, and, through our recognition of the serious issues that face them each day, offer our children an environment that holds promise and security; and

WHEREAS: Many organizations, school districts, educators and parents have publicly expressed concern about the bullying of children; and

WHEREAS: Each day an estimated 160,000 children refuse to go to school because they dread the physical and verbal aggression of their peers, and the loneliness that comes from being excluded and made the target of rumors and cyber-bullying; many more students attend school in a chronic state of anxiety; and

WHEREAS: It is important that we acknowledge and heighten awareness about the serious issues and the negative effects of bullying, including the long-term damage it can cause in our youth as well as the risks of teenage suicide; and

WHEREAS: Providing a safe physical and emotional environment is a significant goal and a personal responsibility of each individual; and

WHEREAS: It is time to Stand UP for Character – DOWN to Bullying; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the month of October 2014 as Anti-Bullying Awareness Month in Tioga County as a symbol of our commitment to the year-round struggle against bullying.

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		127.84
A1165	District Attorney		1,655.41
A1170	Public Defender		2,410.52
A1172	Assigned Counsel		12,458.19
A1325	Treasurer		2,500.00
A1355	Assessments		3,247.06
A1410	County Clerk		234.48
A1420	Law		3,200.00
A1430	Personnel		2,116.98
A1450	Elections		2,931.32
A1460	Records Management		254.80
A1620	Buildings		33,494.47
A1621	Buildings		26,977.21
A1680	Information Technology		13,159.24
A2490	Community College Tuition		13,031.05

A2960	Education of Handicapped Children		87,149.77
A3020	Public Safety Comm E911 Systems		5,447.98
A3110	Sheriff	22.52	17,683.64
A3140	Probation		7.60
A3146	Sex Offender Program		9,240.00
A3150	Jail		78,442.83
A3315	Special Traffic Programs		574.70
A3410	Fire	131.21	1,081.04
A3412	2012 NYS Tech Rescue Grant		1,459.68
A3415	State Interoperable Comm Grant		3,120.00
A3640	Emergency Mgmt Office		379.76
A4010	Public Health Nursing		229.60
A4011	Public Health Administration		1,781.35
A4042	Rabies Control		875.57
A4044	Early Intervention		428.00
A4053	Preventive/Primary Health Services		76.65
A4054	Preventive Dental Services		9,878.65
A4064	Managed Care-Dental Services		2,014.05
A4070	Disease Control		1,516.00
A4090	Environmental Health		453.18
A4210	Alcohol and Drug Services		10,690.44
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene County Admin		39,623.08
A4310	Mental Health Clinic		52,194.69
A4320	Crisis Intervention Services		5,996.34
A4321	Intensive Case Management		1,259.41
A5630	Bus Operations		99,700.33
A6010	Social Services Administration		51,505.04
A6422	Economic Development		125.00
A6510	Veterans' Service		820.00
A7310.41	Youth Programs, Refundable		11,102.70
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			92,125.98
SPECIAL GRANT FUND			2,455.82
LIABILITY INSURANCE FUND			341.75
COUNTY ROAD FUND			27,962.32
CAPITAL FUND			824,731.83
SELF-INSURANCE FUND			<u>1,300.00</u>
GRAND TOTAL			\$ 1,575,171.11

Legislator Monell made a motion to approve the minutes of September 9, 17, & 18, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey made the following appointment to Explore Long Term Options for Mental Health Committee:

Legislator Standinger	Legislator Case
Carolyn Galatzan	Kathy Roush
CSB Director Monk	Sarah Salisbury

Chair Sauerbrey made the following appointment to Policy Handbook Committee:

Chair Sauerbrey
Legislator Standinger

Chair Sauerbrey stated that all the Legislative committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 212-14 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2015 County taxes among the several Towns are hereby established as follows:

Town of Barton	88.00
Town of Berkshire	94.00
Town of Candor	97.00
Town of Newark Valley	66.50
Town of Nichols	22.00
Town of Owego	80.00
Town of Richford	97.00
Town of Spencer	96.00
Town of Tioga	6.80

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 213-14

*AWARD DESIGN SERVICES TO
LABELLA ASSOCIATES FOR DESIGN
SERVICES FOR CODDINGTON RD
BRIDGE BIN: 3335100*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: Funds are available for the design of these bridges as part of the Bond Issue; and

WHEREAS: The Coddington Rd. Bridge over Danby Creek (BIN: 3335100) is one of the bridges in the program; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract to Labella Associates, Rochester, NY 14614 with costs not to exceed \$59,600; and be it further

RESOLVED: That the account H2014.08 be established for this project by transferring \$59,600 from H511 Appropriated Reserve Account into H2014.08 Coddington Rd. Bridge over Danby Creek BIN: 3335100.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 214-14

*AWARD DESIGN SERVICES TO
LABELLA ASSOCIATES FOR DESIGN
SERVICES FOR GLEN RD BRIDGE
BIN: 3335320*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: Funds are available for the design of these bridges as part of the Bond Issue; and

WHEREAS: The Glen Rd. Bridge over Glen Brook (BIN: 3335320) is one of the bridges in the program; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract to Labella Associates, Rochester, NY 14614 with costs not to exceed \$59,600; and be it further

RESOLVED: That the account H2014.09 be established for this project by transferring \$59,600 from H511 Appropriated Reserve Account into H2014.09 Glen Rd. Bridge over Glen Brook BIN: 3335320.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS
FINANCE

RESOLUTION NO. 215-14

*AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR DESIGN
SERVICES FOR BLEWER RD BRIDGE
OVER WEST BRANCH OWEGO CREEK
BIN: 2218580*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: Funds are available for the design of these bridges as part of the Bond Issue; and

WHEREAS: The Blewer Rd. Bridge over West Branch Owego Creek (BIN: 2218580) is one of the bridges in the program; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract to Delta Engineers, Endwell, NY 13760 with costs not to exceed \$63,955; and be it further

RESOLVED: That account H2014.10 be established for this project by transferring \$63,955 from H511 Appropriated Reserve Account into H2014.10 Blewer Rd Bridge over West Branch Owego Creek BIN: 2218580.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 216-14 *ESTABLISH ACCOUNT FOR THE
TIOGA COUNTY BRIDGE
MAINTENANCE PROGRAM
PROJECT PIN 9753.83*

WHEREAS: NYS Department of Transportation approved a Tioga County Bridge Maintenance Program PIN 9753.83; and

WHEREAS: This project is 80% Federal Aid eligible; and

WHEREAS: Public Works needs to establish an account for this project; therefore be it

RESOLVED: That the Tioga County Legislature authorizes establishing account H2014.00 for the Tioga County Preventative Maintenance Program Project, PIN 9753.83; and be it further

RESOLVED: That the Tioga County Legislature authorizes the following transfer:

From: Federal Aid Bridge Projects Account H4502	\$20,000
Culvert Replacement H2013.04	\$ 5,000
To: Bridge Maintenance Projects Account H2014.00	\$25,000

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 217-14 AWARD CONTRACT FOR
CLEANING SERVICES FOR
COUNTY BUILDINGS

WHEREAS: The Commissioner of Public Works received sealed bids for cleaning services for the County Buildings on Thursday, October 2, 2014 at 11:00 AM and the bids were as follows:

GDI Services (Matrix)

Johnson City, NY

COB, B&G & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
\$62,361.74	*\$124,109.17	\$73,973.78	\$260,444.69

SOUVEREIGN COMMERCIAL SERVICES

Scranton, PA

B&G

COB & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
\$153,569.76	\$319,727.28	\$152,815.32	\$662,112.36

PROFESSIONAL SERVICES

Cortland, NY

B&G

COB & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
\$83,436.00	\$134,712.00	\$90,288.00	\$304,436.00

TEMCO FACILITY SERVICES

New Harford, NY

B&G

COB & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
*\$59,683.50	\$132,018.40	*\$68,926.00	\$260,627.90

And

WHEREAS: After the Commissioner of Public Works reviewed the bids, he recommends awarding the bid by building grouping; therefore be it

RESOLVED: That the Tioga County Legislature award the bid to Temco Facility Services, New Harford, NY in the amount of \$128,609.50 for the B&G Bldg, COB, DPW, Clerk's, Court House & Court Annex to be paid out of A1620.40 use code 140; and be it further

RESOLVED: That the Tioga County Legislature award the cleaning bid for the HHS Building & the PSB building to GDI Services (Matrix) in the amount of \$124,109.17 to be paid out of HHS Buildings Account A1621.40 and PSB Cleaning out of Buildings & Grounds Contracting Services account A1620.40 use code 140.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 218-14 APPROVE CHANGE ORDER FOR FLOOD MITIGATION PROJECT

WHEREAS: The Flood Mitigation General Contractor for Clerk's Building//Court House Annex was awarded on resolution 339-13 to Andrew R. Mancini Associates; and

WHEREAS: A change order was submitted due to additional work that was required for the generator; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds be appropriated for this change order not to exceed \$3,604.40 to be paid out of the Tropical Storm Lee Disaster account H1624.20-402.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 219-14

*AUTHORIZING THE IMPLEMENTATION
AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL-AID AND STATE
“MARCHISCELLI” PROGRAM-AID
ELIGIBLE COSTS OF A
TRANSPORTATION FEDERAL-AID
PROJECT AND APPROPRIATING
FUNDS THEREFORE*

WHEREAS: A Project for the Tioga County Bridge Maintenance Program, PIN 9753.83 (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 Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering and Design work; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering and Design work for the Project or portions thereof; and be it further

RESOLVED: That the sum of \$25,000 is hereby appropriated from H2014.00 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 Tioga 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 Chair of the County Legislature 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 Tioga with the New York State Department of Transportation in connection with 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: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 220-14 *APPOINT MEMBER TO THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)*

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: William Woods has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 24 years on the Tioga County Industrial Development Agency(TCIDA) Board of Directors; and

WHEREAS: William Woods has resigned from the Tioga County Industrial Development Agency Board of Directors effective October 9, 2014; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Kevin Gillette has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William Woods for his 24 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Kevin Gillette to replace William Wood's position on the Tioga County Industrial Development Agency Board of Directors effective November 1, 2014.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 221-14 APPOINT MEMBERS TO YOUTH BOARD
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 58-14 and vacancies exist; now therefore be it

RESOLVED: That the following listed representatives be appointed as members of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation.

	<u>TERM</u>
Steve Herbert (Replacing Christina Ward)	10/01/14-12/31/16
Marlaina Allen (Replacing Hillary Albrecht)	10/01/14-12/31/17

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 222-14 *APPROVE FUNDING
2014 YOUTH BUREAU PROGRAM FUNDING
INCREASE*

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Bureau's 2014 program funding was initially approved by Resolution 103-14; and

WHEREAS: New York State Office of Children and Family Services has now increased funding for County sponsored Youth Bureau programs by \$3,850; and

WHEREAS: The current Youth Bureau refundable line was increased by \$3,850 by Resolution 129-14; and

WHEREAS: The Tioga County Youth Board has recommended the following programs have the previously approved allocations increased by the amounts below to utilize this increased allocation

Cooperative Extension Family Resource Centers	\$1,656
Tioga County Council on Alcohol and Substance Abuse	\$1,655
Spencer Van Etten School After School Program	<u>\$ 539</u>
TOTAL	\$3,850

RESOLVED: That the above programs, as recommended by the Tioga County Youth Board, be approved by the Tioga County Legislature for this increased funding in the amounts indicated above.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 223-14 TRANSFER OF FUNDS
SOCIAL SERVICES

WHEREAS: Partial funding and revenue for Public Transportation was budgeted in Social Services; and

WHEREAS: Changes at the Department of Health does not allow for use of these funds for Public Transportation; and

WHEREAS: Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A6101.40.487 Medical Assistance	\$ 240,000
To: A5630.40.487 Bussing	\$ 240,000
From: A1801.0.0 Repayments of Medical Assistance	\$ 240,000
To: A3090.0.0 Bussing	\$ 240,000

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 224-14	<i>TRANSFER OF FUNDS</i> <i>CORONER</i>

WHEREAS: There has been an increase in the number of autopsy-related cases and additional medical expenses for the Coroner's Office that has affected the Coroner's budget and there will be not be sufficient funds in said budget for the remainder of 2014; therefore be it

RESOLVED: That the sum of \$27,500 be transferred as follows:

From:	A1990.40-715	Contingency Account	\$27,500
To:	A1185.40-370	Medical Expense	\$25,000
To:	A1185.40-590	Services Rendered	\$ 2,500

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 225-14 *AUTHORIZE THE SUBMISSION OF 2014-2015 PSAP OPERATIONS GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications had announced PSAP (Public Safety Answering Point) Operations grant funding in Early September; and

WHEREAS: Applications for this grant were required to be submitted no later than September 26th, 2014; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 226-14 *APPROPRIATION OF 2014 HOMELAND SECURITY GRANT EMERGENCY MANAGEMENT*

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has awarded a grant of \$70,000 to the Tioga County Office of Emergency Management; and

WHEREAS: \$52,500 of the grant will be used to purchase equipment for implementation of the Debris Removal Plan, and the remaining 25% of the monies (\$17,500) will be allocated to the Sheriff's Office; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That the 2014 NYS Homeland Security Grant be appropriated as follows:

FROM: A3356.14	State Aid: Homeland Security 2014	\$52,500
FROM: A3397.14	State Aid: Homeland Security 2014	\$17,500
TO: A3360.20.130	Homeland Security Grant- Equipment	\$52,500
TO: A3121.20.130	Homeland Security Grant –Equipment	\$17,500

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 227-14

APPROVE 2015 STOPDWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2015 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2015 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$30,150
Prosecution Related	\$14,000
Probation	\$16,200
Rehabilitation	\$13,000
PI&E	\$16,000
Administration	<u>\$ 5,500</u>
	\$94,850

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 228-14 *AUTHORIZE 2015 TAX MAP MAINTENANCE CONTRACT*

RESOLVED: That the Chair of the Tioga County Legislature, hereby is authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2015 for an annual charge of \$32,000, payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 229-14 *AUTHORIZE AND FUND
TELEPHONE SYSTEM PURCHASE
INFORMATION TECHNOLOGY*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The existing County telephone system is in need of replacement; and

WHEREAS: The Information Technology department has conducted an evaluation of multiple vendors offering competing systems; and

WHEREAS: All-Mode Communications has been selected to procure a new phone system; and

WHEREAS: The Information Technology Committee has reviewed the recommendation and agrees with the ITCS Director's recommendation; and

WHEREAS: The Tioga County Legislature desires to fund this telephone system through funds it has received from the Consolidated Health Fund; therefore be it

RESOLVED: That the ITCS Director be authorized to purchase a County telephone system at a cost not to exceed \$236,000 from All-Mode Communications; and be it further

RESOLVED: That the following funds be transferred:

FROM: A5031.00 Interfund Transfers all Others	\$236,000.00
TO: A9950.93-715 Transfer to Capital Fund	\$236,000.00
 From: H5031.00 Interfund Transfer	\$236,000.00
TO: H1680.21 Capital Equipment Account	\$236,000.00

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO:	FINANCE/LEGAL
RESOLUTION NO. 230-14	<i>AUTHORIZE CONTRACT WITH TYLER TECHNOLOGIES, INC. FOR FINANCIAL MANAGEMENT ACCOUNTING SYSTEM</i>

WHEREAS: Tioga County issued a Request for Proposal for a Financial Management and Accounting System; and

WHEREAS: The Tioga County Legislature, by Resolution No. 203-14 adopted on September 9, 2014, accepted the proposal by Tyler Technologies Inc. to provide Tioga County with a Financial Management Accounting System (FMAS) and authorized the commencement of contract negotiations by the relevant county staff to include all specifications in the Request for Proposal; and

WHEREAS: A License and Services Agreement between Tioga County and Tyler Technologies, Inc. has been drafted setting forth the rights and obligations of the parties with regard to the Software licensing and services to be provided by Tyler Technologies, Inc.; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the License and Services Agreement between Tioga County and Tyler Technologies, Inc. for the Financial Management Accounting System after it has been approved as to form by the Tioga County Attorney.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 231-14 *AUTHORIZE AND FUND
FMAS-TYLER TECHNOLOGIES
25% SOFTWARE LICENSE FEES*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The County has entered into a contract with Tyler Technologies for the Financial Management Accounting System; and

WHEREAS: Part of the contract is to pay 25% (\$44,421.50) of the software license fees upon signing of contract; and

WHEREAS: Funds need to be transferred from the Capital Software Reserve Fund to pay for the software license fees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software license fees in the amount of \$44,421.50 to Tyler Technologies from the Capital Software Reserve Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: H878-04 Capital Software Reserve Fund \$44,421.50

TO: H1325-21 Treasurer Capital Account \$44,421.50

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 232-14 *AUTHORIZE AND FUND
FMAS-TYLER TECHNOLOGIES
PROJECT MANAGER FEES
FOR 2014*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The County has entered into a contract with Tyler Technologies for the Financial Management Accounting System; and

WHEREAS: Part of the contract is to fund a Tyler Technologies Project Manager upon signing of the contract; and

WHEREAS: The Tyler Technologies Project Manager needs to be funded for November and December 2014 in the amount of \$15,000 (\$7,500 per month); and

WHEREAS: The Tioga County Legislature desires to fund the Tyler Technologies Project Manager for November and December 2014 through funds received from the Consolidated Health Fund; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of Tyler Technologies Project Manager for November and December 2014 from the Consolidated Health Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: A5031.00 Interfund Transfers all Others	\$15,000
TO: A1325.40-140 Treasurer's Account (contracting)	\$15,000

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 233-14 *AUTHORIZE AND FUND
FMAS HARDWARE PURCHASE*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The new Financial Management Accounting System requires additional computer hardware and software to run; and

WHEREAS: The Information Technology department has conducted an evaluation of available options; and

WHEREAS: VirtuIT Systems has been selected to purchase said computer hardware and software; and

WHEREAS: The Information Technology Committee has reviewed the recommendation and agrees with the ITCS Director's recommendation; and

WHEREAS: The Tioga County Legislature desires to fund the hardware portion through funds it has received from the Consolidated Health Fund and fund the software portion from the Capital Software Reserve Fund; therefore be it

RESOLVED: That the ITCS Director be authorized to purchase computer hardware and software at a cost not to exceed \$55,617.86 from VirtulIT Systems; and be it further

RESOLVED: That the following funds be transferred:

FROM: A5031.00 Interfund Transfers all Others	\$44,924.87
TO: A9950.93-715 Transfer to Capital Fund	\$44,924.87

From: H5031.00 Interfund Transfer	\$44,924.87
TO: H1680.21 Information Technology Capital Equipment	\$44,924.87

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 234-14 *FUND FMAS SOFTWARE PURCHASE*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The new Financial Management Accounting System requires additional computer software to run; and

WHEREAS: The Information Technology department has conducted an evaluation of available options; and

WHEREAS: VirtulT Systems has been selected to purchase said computer software; and

WHEREAS: The Information Technology Committee has reviewed the recommendation and agrees with the ITCS Director's recommendation; and

WHEREAS: The Tioga County Legislature desires to fund the purchase of said software upgrade project from the Capital Software Reserve Fund; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of said software upgrade project to VirtulT Systems from the Capital Reserve Software Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: H878.04 Capital Reserve Software Fund	\$10,692.99
TO: H1680.21 Information Technology Capital Equipment	\$10,692.99

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 235-14 *FUND FMAS SERVER SOFTWARE PURCHASE*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The new Financial Management Accounting System requires additional server software licenses to run; and

WHEREAS: The Information Technology department has conducted an evaluation of available options; and

WHEREAS: Pyramid Business Systems has been selected to purchase said software licenses; and

WHEREAS: The Information Technology Committee has reviewed the recommendation and agrees with the ITCS Director's recommendation; and

WHEREAS: The Tioga County Legislature desires to fund the purchase of said software upgrade project from the Capital Software Reserve Fund; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of said software upgrade project to Pyramid Business Systems from the Capital Reserve Software Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: H878.04 Capital Reserve Software Fund	\$2,000.00
TO: H1680.21 Information Technology Capital Equipment	\$2,000.00

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 236-14

*AWARD BID FOR FLOOD DAMAGED
RECORDS INITIATIVE*

WHEREAS: Tioga County sustained significant damage in the Tropical Storm Lee flood event of September 2011, including damage to its Records; and

WHEREAS: FEMA has approved a Project Worksheet (PW Reference No. 991074) to restore the Records "to as near as possible" pre-flood condition by capturing an image of each Record and reproducing a hard copy; and

WHEREAS: Tioga County issued a Request for Bids for the restoration of the documents in accordance with the approved PW and New York State Archives requirements; and

WHEREAS: The following bids were received in response to the Request for Bids:

<u>Bidder</u>	<u>Per Box Bid Price</u>	<u>Color Reproduction</u>
Facts & Measures, LLC/ Paper Alternative	\$353.00 (20 lb. 92 bright) \$384.00 (22 lb. 98 bright)	\$.174 per page
Premier APS, Inc.	\$238.50	\$.065 per page
Conversion Image Technology	\$427.00	no color price
Document Reprocessors of NY, Inc.	\$631.50	\$.40 per page

and

WHEREAS: Premier APS Inc. of Deposit, New York is the lowest responsible bidder; and

WHEREAS: The Tioga County Flood Recovery Oversight Committee has recommended that the Bid be awarded to Premier APS Inc.; therefore be it

RESOLVED: That the Bid for the Flood Damaged Records Initiative is awarded to Premier APS Inc.; and it is further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute a contract, approved as to form by the Tioga County Attorney, with Premier APS Inc. for the services set forth in the Request for Bids and Premier bid.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 237-14

*AUTHORIZE CONTRACT WITH SIMMONS
RECOVERY CONSULTING*

WHEREAS: Tioga County sustained significant damage in the Tropical Storm Lee flood event of September 2011; and

WHEREAS: FEMA prepared 54 Project worksheets (PWs) for repair work and mitigation on County roads, streams & buildings and for debris clean-up resulting from the disaster; and

WHEREAS: Tioga County issued a Request For Proposals (RFP) for Services for Project Closeout and Compilation of Necessary Documents for FEMA audit and for related services; and

WHEREAS: Tioga County received four Proposals in response to the RFP from:

Simmons Recovery Consulting
H2O Partners
Witt/O'Brien's
Marsh Risk Consulting

and

WHEREAS: The Proposals were evaluated using the methodology set forth in the RFP and Simmons Recovery scored the highest; and

WHEREAS: The Tioga County Flood Recovery Oversight Committee has recommended that Simmons Recovery Consulting be awarded the contract for the above services; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute a contract, approved as to form by the Tioga County Attorney, between Tioga County and Simmons Recovery Consulting for:

1. The services for Project Closeout and Compilation of Necessary Documents for FEMA audit at a cost of \$16,608.00; and
2. Any additional services that Tioga County may request related to future flood recovery efforts, including preparation of RFPs for those services, Debris Management Services and Project Management Services for our Flood Damaged Document Recovery project at the pricing as set forth in the Simmons Proposal dated August 19, 2014.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 238-14

*AUTHORIZE CONTRACT WITH
BY THE NUMBERS ACTUARIAL CONSULTING,
INC. FOR WORKERS'
COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan currently uses the services of a third-party administrator to administer the workers' compensation program; and

WHEREAS: The Tioga County Self-Insurance Plan currently has excess insurance in place to limit exposures; and

WHEREAS: A recent review of the plan and excess coverage raised the concern that the methods claims adjusters use to reserve claims is conservative and may not reflect the true life-time exposure of the claims; and

WHEREAS: An actuary can provide a estimation of the necessary reserve funds for the Tioga County Self-Insurance Plan that will provide a more accurate estimate of the overall plan reserve; and

WHEREAS: The Council of Governments approved at their June 2014 meeting that having an actuarial review of the Tioga County Self-Insurance plan was a good idea; and

WHEREAS: A request for proposal was sent out for actuarial services to objectively evaluate qualified actuaries and nine companies responded; and

WHEREAS: Due to a change New York State made as of 2014 in the way they assess self-insured employers, there will be funds available in \$ 1710.40 (450) "payment to state" to cover the cost of the actuarial services; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with By The Numbers Actuarial Consulting, Inc., subject to review by the County Attorney, for an actuarial review of the Tioga County Self Insurance Plan to be paid out of the 2014 workers' compensation budget.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 239-14 *CONTRACT WITH EXCELLUS BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County including a Medicare Blue PPO plan; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York will need to administer the run-out claims for the members of the Tioga County Consolidated Municipal Health Insurance Program (TCCMHIP) through December 31, 2015; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2015 through December 31, 2015; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County and to administer the run-out claims for the TCCMHIP for the period January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 240-14 *AUTHORIZE CONTRACT WITH THE HARTFORD TO ADMINISTER MEDICARE ELIGIBLE RETIREE HEALTH INSURANCE*

WHEREAS: Effective January 1, 2014 Tioga County implemented The Hartford Medicare Supplemental Plan F coupled with a drug plan with \$5/\$15/\$30 co-pays for Medicare eligible retirees; and

WHEREAS: This Medicare plan continues to provide optimal coverage to Medicare eligible retirees at a lower cost to Tioga County than previous coverage offered; and

WHEREAS: The Hartford has submitted a new contract to administer the Medicare Supplemental Plan F and drug plan with \$5/\$15/\$30 co-pays for the period of January 1, 2015 through December 31, 2015; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with The Hartford, subject to review by the County Attorney, to administer these insurance benefits for Tioga County for the period January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 241-14 *AUTHORIZE EXTENSION OF TEMPORARY, PART TIME
RECORDS MANAGEMENT OFFICER
INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS*

WHEREAS: Resolution 165-14 authorized the Director of Information Technology and Communication Services to create and fill one (1) temporary, part-time Records Management Officer position for a duration not to exceed September 30, 2014; and

WHEREAS: While a document representative vendor has been identified, the contract has not yet been finalized and thereby causing a delay in the document retrieval project's completion; and

WHEREAS: The temporary, part-time Records Management Officer position continues to be utilized for said project; therefore be it

RESOLVED: That the part-time Records Management Officer's temporary duration shall be extended retroactive from September 30th until such time that the document representative vendor has retrieved all necessary items, but shall not continue beyond December 31, 2014.

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator Monell and to read as follows:

Second whereas the word "representative" shall be changed to "restoration".

Resolved the word "representative" shall be changed to "restoration".

WHEREAS: The County Legislature has decided it makes sense to have a Project Manager and a back-up, and would like to offer additional compensation to these individuals in recognition of the additional work and responsibility they will be assigned; therefore be it

RESOLVED: That Maureen Dougherty is hereby designated as the primary FMAS Project Manager effective October 15, 2014 and shall receive additional compensation in the amount of \$7,500 in 2015, to be paid via her bi-weekly 2015 paychecks; and be it further

RESOLVED: That Cathy Haskell is hereby designated as the secondary FMAS Project Manager effective October 15, 2014 and shall receive additional compensation in the amount of \$4,500 in 2015, to be paid via her bi-weekly 2015 paychecks; and be it further

RESOLVED: That the additional salary for both Dougherty and Haskell shall not be subject to any Non-union salary increase and shall be discontinued as of December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:15 P.M.

Eleventh Regular Meeting
November 10, 2014

The Eleventh Regular Meeting of 2014 was held on November 10, 2014 and was called to order by the Chair at 12:02 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless our brave men and women who serve in our Armed Forces and God Bless our Veterans, and as we celebrate their day tomorrow, always remember that freedom is not free."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey noted the following recognition resolution for Margaret Kelly of the Department of Mental Hygiene.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 244-14

*RECOGNITION OF
MARGARET W. KELLY'S 18 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Margaret W. Kelly was appointed to the position of Senior Clinical Social Worker on September 30, 1996, in the Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Margaret W. Kelly has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 18 years to the Mental Hygiene Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Kelly will retire on November 27, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Margaret W. Kelly for her over 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Margaret W. Kelly.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey noted the following Proclamation regarding Adoption Awareness Month.

PROCLAMATION

This November marks the 24th annual National Adoption Month. November 22, 2014 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County has finalized 4 adoptions and has two more pending for 2014. Every child in America, every child in Tioga County deserves a permanent, loving family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on the behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim November as

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

George Penney had privilege of the floor.

“I wish to speak to you about the property known as ESite that the County no longer owns, which is now on Route 434. The County no longer owns that property. Furthermore, any plan to put anything on a portion of that property is more than likely to reduce its value for anybody who is really interested in that property. Thank you.”

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		272.34
A1165	District Attorney		5,061.56
A1170	Public Defender		2,153.33
A1172	Assigned Counsel		34,975.36
A1173	ILS Grant		1,274.24
A1185	Medical Examiners/Coroners		18,428.68
A1325	Treasurer		776.38
A1355	Assessments		7,082.09
A1410	County Clerk		276.17
A1411	Department of Motor Vehicles		712.22
A1420	Law		6,200.00
A1450	Elections		62,424.69
A1460	Records Management		182.00
A1620	Buildings	47.47	41,607.92
A1621	Buildings		17,708.92
A1680	Information Technology		9,111.67
A2490	Community College Tuition		1,026,129.54
A2960	Education Handicapped Children		213,830.26
A3020	Public Safety Comm E911 System	136.20	5,079.14
A3110	Sheriff		13,647.15

A3140	Probation		145.80
A3146	Sex Offender Program		9,240.00
A3150	Jail		60,643.53
A3315	Special Traffic Programs		800.00
A3410	Fire	78.00	3,032.40
A3640	Emergency Mgmt Office		1,288.61
A4010	Public Health Nursing		680.79
A4011	Public Health Administration		8,275.79
A4012	Public Health Education		80.00
A4042	Rabies Control		91.95
A4044	Early Intervention		831.20
A4053	Preventive/Primary Health Services		144.29
A4054	Preventive Dental Services		1,609.21
A4064	Managed Care-Dental Services		7,490.99
A4070	Disease Control		3,896.02
A4090	Environmental Health		684.68
A4210	Alcohol and Drug Services		10,714.45
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene Co Admin	85.78	8,493.71
A4310	Mental Health Clinic		36,256.73
A4311	Rehabilitation Support Services		2,473.00
A4320	Crisis Intervention		20,631.42
A4321	Intensive Case Management		9,388.66
A4333	Psycho Social Club		25,000.00
A4390	Criminal Psychiatric Expenditures		43,265.95
A5630	Bus Operations		98,820.83
A6010	Social Services Administration		254,334.85
A6422	Economic Development		63.85
A6510	Veterans' Service		41.00
A6610	Sealer Weights/Measures		159.17
A7310.41	Youth Programs, Refundable		9,200.00
A8020	Planning		752.50
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			91,889.38
SPECIAL GRANT FUND			4,855.98
LIABILITY INSURANCE FUND			32,393.00
COUNTY ROAD FUND			129,272.70
CAPITAL FUND			1,119,354.72
CONSOLIDATED HEALTH FUND			2,285.78
SELF-INSURANCE FUND			<u>2,600.00</u>
GRAND TOTAL			\$ 3,481,908.08

Chair Sauerbrey made the following appointments to several Financial Management Accounting System (FMAS) teams:

Executive Team

Mike Jackson
Doug Camin
Lisa Poole
Jim Rich/Denis McCann
Gary Grant
Ken Del Bianco
Jim McFadden
Bethany O'Rourke
Chair/Legislator Sauerbrey

Project Team

Rita Hollenbeck
Shelby Beach
Cathy Haskell
Diane Rockwell
Linn Bruce

Subject Matter Experts

Mary Hogan
Jessica Hobart
Shelby Beach
Mikelle Andrews
Rita Hollenbeck
Maureen Dougherty
Cathy Haskell
Linn Bruce
Amy Poff
Chris Korba
Denis McCann
Diane Rockwell
Arrah Richards
Bernadette Toombs
Jack Langan
Terie Huseby
Teresa Saraceno
Sue Haskett

Technical Team

Mary Hogan
Ed Barry
Charles Root
Doug Camin
Cathy Haskell
Shelby Beach

WHEREAS: Beginning January 1, 2015 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$850.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/15 through 12/31/15.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 247-14

*AUTHORIZE AND FUND
FMAS-TYLER TECHNOLOGIES
25% SOFTWARE LICENSE FEES
AND SOFTWARE DOWNLOAD*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The County has entered into a contract with Tyler Technologies for the Financial Management Accounting System; and

WHEREAS: Part of the contract is to pay 25% (\$46,921.50) of the software license fees upon signing of contract of which Resolution 231-14 initially transferred \$44,421.50; and

RESOLVED: That the following sums be transferred within the District Attorney's budget to cover the purchase of said TV:

From: A1165.40-720-District Attorney	\$824.81
To: A1165.20-20-District Attorney	\$824.81

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 249-14	<i>CONTINGENCY FUNDING FOR JAIL PERSONNEL EXPENSES</i>

WHEREAS: The Jail Part-Time account is depleted, and the Jail Over-time Account will soon be depleted; and

WHEREAS: It will be necessary to re-fund these two accounts for the remainder of 2014; now therefore be it

RESOLVED: That the following contingency funds be appropriated as follows:

From: A1990.40-715 Contingency	\$28,000
To: Jail Account A3150.10.20 (Part-Time)	\$ 8,000
Jail Account A3150.10.30 (Over-Time)	\$20,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Sullivan, Monell and Case.

No – Legislator Standing.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 250-14 *ESTABLISH RATE FOR EDUCATION OF HANDICAPPED CHILDREN PROGRAM HEALTH DEPARTMENT*

WHEREAS: Tioga County is responsible for ultimate provision of services in the Education of Handicapped Children Program; and

WHEREAS: It is required to establish rates for program services via Legislative Resolution; and

WHEREAS: There has been a request for the mandated service of Skilled Nursing services, which does not have an established rate range; and

WHEREAS: The requested rate range for Skilled Nursing in the Education for Handicapped Children Program is \$15.00 to \$30.00 per half hour; therefore be it

RESOLVED: That the rate range of \$15.00 to \$30.00 per half hour for the Skilled Nursing in the Education for Handicapped Children Program be established effective the 2014-2015 School Year.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 251-14 *AUTHORIZING THE IMPLEMENTATION
AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL-AID AND STATE
"MARCHESELLI" PROGRAM-AID
ELIGIBLE COSTS OF A TRANSPORTATION
FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE*

WHEREAS: A Project for the replacement of the East River Drive Bridge over Wappasening Creek, BIN: 3335410, Town of Nichols, Tioga County, PIN 9753.73(the "Project") is eligible for funding under Title 20 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 Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction supervision and Inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and be it further

RESOLVED: That the sum of \$2,025,000 is hereby appropriated from the following:

Account H2009.02 East River Rd. Bridge	\$1,377,629.53
Account H878.06 Public Improvement Bond 2013	\$ 647,370.47

To be 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 Tioga 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 Chair of the Legislature of the County of Tioga 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 Tioga 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: This resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS
FINANCE

RESOLUTION NO. 252-14

*TRANSFER FUNDS FROM PUBLIC
IMPROVEMENT BOND 2013 TO WEST CREEK
RD BRIDGE H2013.07*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges;

WHEREAS: West Creek Rd. Bridge BIN 3335150 is one of the bridges in the bridge bond program; and

WHEREAS: The cost for this project was estimated in August of 2013 prior to the actual bid opening for this project during the 2014 budget process; and

WHEREAS: The estimate for the West Creek Rd. Bridge (BIN: 3335150) was \$255,375 short of the actual bid; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the transfer of \$255,375 from Public Improvement Bond 2013 Account H878.06 to the West Creek Rd. Bridge Account H2013.07.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 253-14 APPROVE SUPPLEMENTAL
AGREEMENT - MCFARLAND JOHNSON
CATATONK HILL RD BRIDGE H2013.05

WHEREAS: The Catatonk Hill Rd. Bridge (BIN: 3335130) has been placed on the FHWA program: and

WHEREAS: This project will be funded as follows:

Federal:	80%
State	15%
Local	5%

and

WHEREAS: At the time of the original NYSDOT Agreement NYSDOT was going to provide QA Structural Steel Plant Inspection Services. However, shortly before the start of beam fabrication, NYSDOT reversed course and informed McFarland Johnson that the County would need to hire a consultant for plant inspection services. A consultant was hired to perform this service and the total fee was \$28,154.29; and

WHEREAS: NYSDOT requires a Licensed Asbestos Inspector for removal of asbestos material and the fee for this service was \$1,050.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the supplemental agreement for the Catatonk Hill Rd. Bridge not to exceed \$29,204.29 to be paid out of H2013.05.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 254-14 APPROVE FLOOD MITIGATION
CHANGE ORDER

WHEREAS: The Flood Mitigation General Contractor for the County Office Building was awarded on resolution 339-13 to Andrew R. Mancini Associates; and

WHEREAS: A change order was submitted due to a change/upgrade in material that was used for sealing the bottom of the wall at the County Office Building; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds be appropriated for this change order not to exceed \$2,022.80 to be paid out of the Tropical Storm Lee Disaster account H1624.20-400.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 255-14 *REQUEST FOR WAIVER FROM NYS GRANTS
GATEWAY SYSTEM FOR ROUND 21 OF THE
NYS AG NONPOINT SOURCE ABATEMENT
AND CONTROL GRANT PROGRAM*

WHEREAS: 99.9% of Tioga County lies within the Chesapeake Bay Watershed and the Chesapeake Bay (CB) has been declared impaired by the Environmental Protection Agency and a Total Maximum Daily Load (TMDL) has been set for the entire watershed including NYS; and

WHEREAS: NYS has developed a Watershed Implementation Plan to address nutrients and sediment in the CB watershed, and relies on federal and state funding including opportunities such as the NYS Department of Agricultural and Markets Agricultural Nonpoint Source Abatement and Control Grant Program to implement Best Management Practices on farms; and

WHEREAS: The Tioga County Soil and Water Conservation District applies for NYS Agricultural Nonpoint Source Abatement and Control Grant Program funds on a yearly basis to address natural resource concerns on our farms here in Tioga County; and

WHEREAS: Without these funds implementation would be slowed potentially resulting in NYS not meeting our load allocations; and

WHEREAS: There have been challenges with instituting a new grant management system at the state level and in order to avoid delays in the grant application process and the implementation of conservation and water quality improvement practices in New York State; therefore be it

RESOLVED: That the Tioga County Legislature supports granting the NYS Soil and Water Conservation Committee and the Department of Agriculture and Markets a waiver for the use of the Grants Gateway for Round 21 of the Agricultural Nonpoint Source Abatement and Control Program so that it can be released and processed this fall in its traditional form so that funding and implementation will not be delayed in the CB watershed.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 256-14 *DESIGNATION OF TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION,
D.B.A. TIOGA COUNTY TOURISM, AS
AUTHORIZED TOURISM PROMOTION
AGENCY FOR 2015*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA), therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2015 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 257-14 *AUTHORIZE FINANCIAL ASSISTANCE
FOR THE DEFENSE OF WAYNE COUNTY
IN REM FORECLOSURE PROCEDURE*

WHEREAS: Wayne County is currently involved in litigation that has the potential to seriously disrupt the In Rem Tax foreclosure procedure, the only method Counties in New York State have to ensure local property taxes are paid to Counties and to local governments; and

WHEREAS: Due to the complexity of the legal issues, Wayne County has had to incur costs in excess of \$151,000 to defend the action, and will incur additional costs to continue to defend the In Rem Tax foreclosure procedure; and

WHEREAS: The New York State Association of Counties (NYSAC) is seeking a small contribution from all Counties to aid in the defense of this action, since a negative result in this case will have far reaching implications for all Counties and local governments, driving down auction bids and disrupting a County's ability to collect unpaid taxes; and

WHEREAS: It appears to be in the best interests of all Counties and local governments to assist Wayne County and thus avoid the negative precedent that may be set should Wayne County not prevail in the litigation; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the Tioga County Treasurer to contribute \$2000.00 to the fund established by NYSAC to assist Wayne County to pay its defense and/or appeal costs in this precedent setting litigation, such funds to be paid out of Treasurer Account A1325.40-140.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Standinger, Sullivan, Monell and Case.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 258-14

*AWARD CONTRACT AND FUND PAYMENT
FOR MULTI-DEPARTMENTAL DIRECT
CHARGE PROJECT*

WHEREAS: Tioga County budgets and distributes shared services costs for Information Technology and Legal department services annually creating a monthly chargeback to numerous other departments; and

WHEREAS: The Legal Department and Information Technology spend a significant amount of resources, time tracking, reporting and billing back the departments; and

WHEREAS: The allocation of the time and costs is necessary for the annual Cost Allocation Plan, to capture and enhance county revenues for claim reimbursement of State or Federal Aid; and

WHEREAS: The Office of State Comptrollers' performed an audit and cited deficiencies in the direct billable amounts, established rates, compliance with cooperative agreements and insufficient supporting documentation for the chargebacks to internal departments; and

WHEREAS: Venesky & Company presented a proposal to provide professional services to standardize the direct billing process for Information Technology, Legal, Communications and the Sheriff's Department relevant to all reimbursable departments including the preparation of cooperative agreements; and

WHEREAS: Information Technology Communication Services, Legal, Treasurer, Sheriff, DSS, Public Health, Mental Health desire a streamlined, efficient and compliant direct bill model process; therefore be it

RESOLVED: That the Tioga County Treasurer be authorized to enter into an agreement with Venesky and Company and to fund the proposed Multi-Departmental Direct Charge Models, professional services, and project scope and to be funded from the Treasurer's Account A1325.40-140 in the amount of \$9,750.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 259-14

*AUTHORIZATION TO EXECUTE
A RETAINER AGREEMENT WITH BaP
ARCHITECTURAL SERVICES*

WHEREAS: The Tioga County Department of Economic Development and Planning is in need of assistance related to the preliminary design and presentation sketches for future development of land and building at the ESite located on 434 in Owego; and

WHEREAS: The Tioga County Department of Economic Development and Planning wishes to retain the services of BaP Architectural Services to provide their expertise in providing said documentation; and

WHEREAS: BaP Architectural Services has set forth the services they will provide in a project proposal letter; and

WHEREAS: Payment for the services of BaP Architectural Services will be taken from Economic Development & Planning Contracting Services Account No. 6422.40-140; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign said engagement letter from BaP Architectural Services for said services at a cost not to exceed \$5,000.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Monell, Sauerbrey, Standing, Monell and Case.

No – Legislators Huttleston, Roberts and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO:

LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 260-14

*AUTHORIZE RETAINER AGREEMENT
FOR PERSONNEL SERVICES*

WHEREAS: The hiring of outside counsel appears to be necessary and appropriate for comprehensive personnel services; and

WHEREAS: The law firm of Roemer, Wallens, Gold & Mineaux LLP has proposed a retainer agreement to provide Tioga County with said comprehensive personnel services; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute a retainer agreement with the law firm of Roemer, Wallens, Gold & Mineaux LLP, retaining their services from January 1, 2015 through December 31, 2017 for comprehensive personnel services as set forth in said retainer agreement.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 261-14 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy and employers' liability insurance policy expires December 31, 2014; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of specific excess insurance and employers' liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2015 through December 31, 2015 to be paid for out of the 2015 Tioga County Self-Insurance budget account \$1722.40.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 262-14 *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc., formerly named EBS-RMSCO, Inc., to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Life-time Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The administration cost will be \$4.45 per participant per month for any employees enrolled in the flexible spending and \$4.45 per participant per month for any employees enrolled in the health reimbursement account; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Life-time Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2015 through December 31, 2015; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2015 through December 31, 2015; and be it further

RESOLVED: That in compliance with Federal Health Care Reform the maximum annual pledge for the medical flexible spending portion is now \$2,500 for the period of January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 263-14 *CONTRACT WITH ENI FOR
EMPLOYEE ASSISTANCE PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently part of the Tioga County Consolidated Municipal Health Insurance Program (TCCMHIP); and

WHEREAS: The TCCMHIP has ended and the contract with the current EAP provider expires December 31, 2014; and

WHEREAS: The Tioga County Legislature supports the continuation of the EAP program as it is a valuable resource for Tioga County employees; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to provide Tioga County's EAP for 2015; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing at a lower cost than the current EAP provider; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees will be able to obtain services; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.45/per covered employee per month effective January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 264-14 *AUTHORIZE CONTRACT WITH POMCO
GROUP FOR WORKERS'
COMPENSATION ADMINISTRATION*

WHEREAS: The Tioga County Self-Insurance Plan has been using the services of POMCO Group, a third-party administrator for our workers' compensation program, since January 1, 2003; and

WHEREAS: POMCO representatives have a dedicated in-house team of supervisors, claims adjusters, case managers, and medical bill auditors that work together to provide effective proactive management on all workers' compensation claims; and

WHEREAS: POMCO communicates with all representatives of the Tioga County Self-Insurance Plan to ensure that cases are handled as desired by the self-insured employer; and

WHEREAS: POMCO actively works to recoup any medical savings or recover any funds under New York State Workers' Compensation Law on our workers' compensation cases; and

WHEREAS: POMCO has submitted a two year contract with no increase in the workers' compensation administration fees from the previous two year contract; and

WHEREAS: The Council of Governments approved at their June 2014 meeting continuing the workers' compensation third-party administrator services with POMCO Group; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a two year contract with POMCO Group, subject to review by the County Attorney, to be our third-party administrator for the Tioga County Self Insurance Plan, for the period of January 1, 2015 through December 31, 2016 at a flat per year plan administration, claim handling, and reporting cost of \$19,275.00 for 2015 and \$19,275.00 for 2016.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 265-14 APPOINTMENT OF REPUBLICAN
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Republican Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That Bernadette M. Toombs be and hereby is appointed Election Commissioner for the Republican Party from January 1, 2015 through December 31, 2016.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 267-14

*RECLASSIFY VACANT MOTOR EQUIPMENT
OPERATOR III POSITION
HIGHWAY*

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Motor Equipment Operator (M.E.O.) III position became vacant on July 28, 2014 due to a promotion of an incumbent; and

WHEREAS: The Commissioner of Public Works has determined that his current number of M.E.O. III staff is adequate to perform the work required of the classification; and

WHEREAS: Due to the Legislature's desire to decrease budgetary costs, the Commissioner of Public Works seeks to downgrade the vacant M.E.O. III to an M.E.O. II; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant full-time M.E.O. III (CSEA Grade 6) to a full-time M.E.O. II (CSEA Grade 7) effective November 12, 2014.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 268–14 ABOLISH ONE (1) RECORDS MANAGEMENT
CLERK POSITION
MENTAL HYGIENE DEPARTMENT

WHEREAS: Legislative approval is required for the abolishment of any position within Tioga County; and

WHEREAS: The Mental Hygiene Department has identified areas to reorganize staff to be more effective and efficient in light of budgetary shortfalls the department is facing; and

WHEREAS: Said reorganization will involve the abolishment of a Records Management Clerk position; therefore be it

RESOLVED: That the Director of Community Services be authorized to abolish one (1), full-time Records Management Clerk position effective at the close of business on December 1, 2014; and be it further

RESOLVED: That the Mental Hygiene Department's 2014 authorized full-time headcount figure will be reduced by 1 (from 39 to 38) effective December 1, 2014.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 269-14

*APPOINT PART-TIME ASSIGNED
COUNSEL ADMINISTRATOR
TREASURER'S OFFICE*

WHEREAS: Resolution 346-13 created a part-time Assigned Counsel Administrator position under the Treasurer's Office headcount to administer County Article 18B Assigned Counsel Program and the Indigent Legal Services grant program; and

WHEREAS: As the result of recruitment efforts, a qualified candidate has been identified and is willing to accept this appointment; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appointment of Irene Graven to fill the part-time position of Assigned Counsel Administrator at an annual, non-union, salary of \$10,000 effective December 1, 2014.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolution considered, seconded by Legislator Monell and carried.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGAL COMMITTEE

RESOLUTION NO. 270-14 *AUTHORIZATION TO CREATE AND FILL TEMPORARY
PART-TIME PROJECT MANAGER POSITION
INFORMATION TECHNOLOGY &
COMMUNICATION SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: There is a need to create a Project Manager to serve on a temporary, part-time basis to oversee the flood damaged records project for Tioga County; and

WHEREAS: Funding for said temporary, part-time Project Manager is made available through reimbursement from the Federal Emergency Management Administration; therefore be it

RESOLVED: That the Director of Information Technology & Communication Services is hereby authorized to create and fill one (1) temporary, part-time Project Manager at an hourly rate of \$25.00 with the appointment of Lila Hall effective November 10, 2014; and be it further

RESOLVED: That the Project Manager shall have access to a County vehicle for necessary travel to the scanning facility in Deposit, NY; and be it further

RESOLVED: That said temporary appointment shall conclude upon the project's completion, which is anticipated to occur on or before May 29, 2015.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Monell and Case.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:16 P.M.

Sixth Special Meeting
November 20, 2014

The Sixth Special Meeting of 2014 was held on November 20, 2014 and was called to order by the Chair at 10:15 A.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "I would ask for a moment of silence and give thanks as we approach Thanksgiving Day."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 271-14 *AUTHORIZE SUBLEASE OF WAVERLY MENTAL
HYGIENE BUILDING*

WHEREAS: On August 23, 2001 Tioga County entered into a lease with Barterra Properties, Ltd. to rent the premises located at 80 William Donnelly Industrial Parkway, Waverly, NY; and

WHEREAS: The building is used as a satellite office for Tioga County Mental Hygiene, but portions of the building are not occupied by Mental Hygiene and are no longer required for public use; and

WHEREAS: It appears to be in the best interests of Tioga County to sublet the portion of the building that is not occupied (hereinafter the "Premises") for the remainder of the term of the original lease, ending August 22, 2016; and

WHEREAS: The Tioga County Legislature has received a proposal from Doctors Victor and Ejiro Idahosa (hereinafter "Subtenants") to sublet the Premises for the purpose of opening medical and psychiatric practices; and

WHEREAS: The Landlord Barterra Properties, Ltd. has agreed to consent to the subletting of the Premises, and to amend the original lease provisions relating to altering and renovating the Premises; and

WHEREAS: The Landlord Barterra Properties Ltd. and the Subtenants will enter into a separate agreement, for the alteration and renovation of the Premises to be occupied by the Subtenants, at no cost to the County; therefore be it

RESOLVED: That the Tioga County Legislature does hereby determine that the portion of the building leased from Barterra Properties, Ltd that is empty and unused by Tioga County (the Premises) is no longer required for public purposes; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs that the Chair of the Tioga County Legislature execute a sublease with the Subtenants to sublet to them the Premises for a term commencing on the date of execution of the sublease and ending August 22, 2016, at a rate of \$1700.00 per month plus utilities, pro-rated based on the square footage of the building occupied by the County and the Subtenants; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs that the Chair of the Tioga County Legislature execute an amendment to the original lease with Barterra Properties, Ltd regarding altering and renovating the Premises.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY &
COMMUNICATION SYSTEMS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 272-14 *AUTHORIZE CONTRACT FOR TEMPORARY
WORKERS (ITCS)*

WHEREAS: The document scanning project will get underway in December; and

WHEREAS: There is a need for two temporary workers to review the accuracy of the scanning; and

WHEREAS: The Director of Information Technology would like to enter into a contract with Stafkings Personnel Systems for these; and

WHEREAS: Stafkings has provided a more competitive quote for services than another agency; therefore be it

RESOLVED: That the Director of Information Technology is hereby authorized to enter into a contract with Stafkings for temporary workers to assist with the scanning project in Deposit, NY starting December 10, 2014 for the duration of the project, but no later than April 1, 2015.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger, Sullivan, Monell and Case.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:17 A.M.

Public Hearing
2015 Budget
November 25, 2014

The Public Hearing on the 2015 Budget was called to order by the Chair at 6:00 P.M. Seven Legislative members were present, Legislators Case and Monell being absent.

There were five people in attendance along with Budget Officer Rita Hollenbeck.

The Clerk read the legal notice as published in the official newspapers.

Treasurer James McFadden spoke. "First of all, I would like to say that this is Rita's first budget. She is a veteran of County employment of 26 years. She moved into my office back in July. We love to have her. She is doing great work. I think you are going to enjoy the presentation and she has come a long way since Anchorage, Alaska."

The Chair turned the meeting over to the Budget Officer, Rita Hollenbeck.

Rita Hollenbeck, Budget Officer, spoke. "Honorable Members of Tioga County Legislature and Citizens of Tioga County, I present to you the proposed tentative County budget for 2015.

"2015 marks the fourth consecutive budget year that Tioga County has stayed well under the allowable property tax cap. The no nonsense approach of the Legislature has lead the way and the department heads efficient management of county services and staff have greatly contributed to this accomplishment and to the taxpayers savings. The prior year budgets faced significant reductions in spending as well as windfalls of additional revenue. This has provided both a savings to the taxpayers and essentially a sound fund balance for the County. Certainly though these are deficit budgets with a widened gap between expenditures and revenue.

"Mandated services and contractual employee salaries and benefits are two of the heavy hitters on County operations. We have minimal control over either. State and Federal revenue resources continue to decrease. This perpetuates increases in fees for services passed on to local residents or worse yet the services to be cut all together. The most recent example of this is retiring our rural transportation system. After 25 years the State's non-solution to the lack

of funding strong armed the County to make this difficult decision. Our County simply could no longer afford it. At this time, Legislature and managers are working hard to offer alternative options.

“Efforts have been made to bridge the deficit gap including energy improvement that will save the County approximately \$100,000 annually for electric and fuel costs, continued reduction of staff and establishing reserves or savings with surplus money to fund larger County investments. All of these have proven to be fiscally prudent as is evidenced by positive annual financial reports and the recent State Comptroller’s outstanding fiscal stress score.

“New York State has announced a property tax rebate or freeze initiative this year. Some of the citizens have seen rebates ranging from \$20 to \$100 for the 2014/2015 school taxes. Two requirements to qualify for this are to stay under the property tax cap and to create a shared services plan or efficiency plan that saves the County and taxpayers money. Shared services could be the very thing that will bridge the gap. I encourage all stakeholders, County, Towns and Villages to actively work on cost savings ideas, consolidation, and a progressive shared services plan. These rebates may be minimal, but they are a step in the right direction. I anxiously await real relief in areas such as Pre-K, Handicapped Children’s Education, Indigent Legal Services, and Safety Net to name a few.

“Sales tax revenue received by the County has increased slightly and we continue to share with the Towns and Villages to help balance their local budgets. The 2015 budget distributes over \$4,600,000. Some counties retain this tax or have reduced the distribution percent to fund their own budgets. We continue the same level of funding to outside agencies at a net cost of \$689,363. We value the services they provide to enhance our communities and wish we could do more.

“Department heads were asked to keep their budgets neutral and we attempted to reduce the reliance on fund balance appropriation. I commend those Department heads that came in under budget. This is notable. With the significant cuts the last few years there is little room to reduce the bottom line without cutting services or staff. We missed the mark on both. Inflationary increases to several contracts , a 15.5% to 17.5% increase in health insurance in addition to pending contractual salary increases were the largest factors.

“Frankly, the increase in money drawn from fund balance was to prevent further increase in taxes to our residents, but this is a Band-Aid approach and not sustainable in future years.

“The County tax levy will increase by \$518,562 or 2.45%, to \$21,725,228. Tax rates will vary from Town to Town due to the State established equalization

rates. The Tax levy for recycling in the Solid Waste budget has increased by \$87,092 or 9.48% to \$1,005,658. The sole factor is the renewal of the recycling contract. This contracted service is still more cost effective than hiring additional County staff for this service.

"The combined tax levy increase is \$605,654 or 2.74% bringing the levy to \$22,730,886. Under this proposed budget we are under the tax cap by 1.35% and have anticipated a needed rollover moving into 2016 of \$295,155.

"The coming years will be fiscally challenging. I look forward to the continued opportunity to serve. I would like to thank the County Legislature, Department heads, and all County employees for their participation and added value to this laborious budget process. I especially want to thank the Treasurer's Staff, the Legislative Clerk's Office, and Mary Hogan for their efforts in assisting and educating me while putting the budget together.

"The proposed tax levy cannot be increased after tonight's hearing without an additional public hearing. If you will reserve your comments until after I give you the budget hi-light presentation."

Budget Officer Hollenbeck presented and went over several slides regarding the 2015 budget.

Legislator Huttleston spoke. "You did a really excellent job and your presentation was really super. I want to compliment you because this is your first year here and we are very fortunate to have somebody like you come aboard, and I do not know how everybody else on the Legislature feels, but this is well presented that anybody can understand and I want to compliment you and thank you."

George Penney spoke. "First of all I want to thank the lady for the presentation. I agree with Mr. Huttleston on that. She has done a very fine job. I also thank all of you for what you have been doing as far as attempting to reduce our taxes. As a taxpayer I am very happy with that.

"I hope that you will continue to find ways to reduce these taxes, particularly in the workforce reduction. I think first of all of the economic development situation. We no longer need economic development really. When I came here tonight I saw two hotels in Apalachin and they were doing pretty well. There was a major highway going by there attracting people to them. As I crossed the bridge I saw three more hotels and all of them seem to be in good shape. We really do not need any additional economic development.

“The other thing that I would say is that we do not need much in the way of industrial development. Lockheed Martin is one of our major employees. I think maybe if you would please take a look at these things, things will be looking up instead of down. Thank you.”

There being no further comments, the hearing was adjourned at 6:28 P.M.

Twelfth Regular Meeting
December 9, 2014

The Twelfth Regular Meeting of 2014 was held on December 9, 2014 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "As I was driving here today for this special occasion, a wonderful example of democracy which many countries are unable to enjoy, I said to myself this is as good as it gets. I thought isn't it great to be an American and we are so lucky and blessed to be born in a great caring, loving and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let us take the time to thank the many people from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our leaders and military forces that are making many sacrifices to ensure and protect our freedom. Let us pray that the entire world will someday be able to live in peace and all people will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to guide and bless this Legislative body, our Department Heads, and all our employees."

Legislator Huttleston led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey asked for a unanimous motion for the following three recognition resolutions, seconded unanimously and carried.

Legislator Roberts read and presented the following recognition resolution and a plaque to Stephen Bidwell.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 273-14

*RECOGNIZING STEPHEN BIDWELL'S
20 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Stephen Bidwell started his employment with Tioga County as a temporary Laborer January 10, 1994 and became a permanent Cleaner II with Buildings & Grounds June 13, 1994. He was appointed to the position of Cleaner III January 01, 1996; he was promoted to Building Maintenance Mechanic I on January 01, 1997; he had a position reclassification to Maintenance Mechanic I on April 01, 2001; a position reclassification to Maintenance Mechanic II was done on January 01, 2002; his position was upgraded to Maintenance Mechanic III on January 9, 2009 and he has remained at this position for the remainder of his career; and

WHEREAS: Stephen Bidwell has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 20 years to the Buildings & Grounds Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Bidwell will retire on December 16, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Stephen Bidwell for his 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Stephen Bidwell.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Gary Hammond, Deputy Commissioner of Public Works, spoke. “What can you say about Steve Bidwell that has not been said? I got nothing. Steve has been an excellent employee, truly a joy to work with. You never have to worry about where you stand with Steve, he will tell you. I was a little concerned a couple of years back when we promoted his son to be his boss, but he has learned to take orders from his son quite well and he has been an admirable addition to the Public Works Department. His work ethic is beyond compare and I do not believe we will be able to replace him, but we will try. Congratulations.”

Legislator Weston read and presented the following recognition resolution and a plaque to Sheriff Gary Howard on behalf of Pat Hogan.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 274-14

*RESOLUTION RECOGNIZING
PAT HOGAN'S
25 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Patrick Hogan was appointed as a Deputy Sheriff on 11/27/89; appointed to Investigator on 11/10/90; and was promoted to Senior Investigator on 3/17/09; and

WHEREAS: Patrick Hogan has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Patrick Hogan will retire from the Tioga County Sheriff's Office on November 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Patrick Hogan for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Patrick Hogan.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case, and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Gary Howard spoke. "I am accepting this resolution and plaque. Patrick cannot be here, he was shipped off to school yesterday. Some of you may know or may not know he is going to be the new Town of Owego Justice and school started yesterday, so he was unable to be here this evening and wanted me to pass on his thank you to all the Legislators and thank you to the citizens of Tioga. He will be missed. I worked with Pat for about 35 years. He started his career with the Sheriff's Office and then went to the Owego Police Department, and then came back to the Sheriff's Office. He is a very good man and I am sure we will be seeing a lot of him. Thank you."

Legislator Monell read and presented the following recognition resolution to William J. Woods, Jr.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:

ED & P COMMITTEE

RESOLUTION NO. 275-14

*RESOLUTION RECOGNIZING
WILLIAM J. WOODS, JR.
24 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: William J. Woods, Jr. was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 2/13/90; and

WHEREAS: William J. Woods, Jr. served as Chairman of the Tioga County Industrial Development Agency from 3/6/96 to 12/31/02 and as Secretary from 1/1/03 to 12/31/13; and

WHEREAS: William J. Woods, Jr. has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 24 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William J. Woods, Jr. has retired from the Tioga County Industrial Development Agency on October 9, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William J. Woods, Jr. for his 24 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, William J. Woods, Jr.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, Case, and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Aaron Gowan spoke. "First of all I have a letter from our Chairman of the IDA, Ralph Kelsey who is serving on the Farm Bureau Board up in Rochester tonight. "Bill, I am sorry that I am not able to attend the Tioga County Legislative meeting on December 9th when you will be recognized for nearly 25 years of service to the Tioga County Industrial Development Agency. The recognition is well deserved and appropriate for the hours you have given for the betterment of Tioga County. You are to be commended for your personal commitment to the people of Tioga County and for your tenability to do what was right for the people of Tioga County. The years of professional experience you have had with New York State and your diverse opinions brought balance, especially to me and the Board.

"I personally thank you for the time we have served together on the Board and have appreciated your mentoring and personal support, and we will miss your wise counsel. Since you have decided to step off the Board we expect you to enjoy more time on the lake with family and friends or in solitude if you prefer, working hard to catch the big one. The best to you and your family."

"My little statement. For 24 years Bill has served Tioga County as a dedicated volunteer on the IDA Board. He has also served on the LDC Board for many years. Bill served on these Boards without expecting any recognition, but I am here to express my gratitude for the years Bill has volunteered on these Boards. Some of the projects which Bill has been involved with include Best Buy, Central New York Oil & Gas, Lockheed Martin, and the Millennium Pipeline. A few of the projects have not been easy and some have been quite controversial. Bill served as Chairman of the IDA Board for many years prior to my stint as Chairman.

“He may not realize that he was my mentor in regards to the running of the IDA meetings and the process which allowed and encouraged discussions among the Board members without the meeting losing focus. In the IDA meetings Bill had the ability to express a different point of view without resulting in a contentious discussion with other members of the Board. I am truly grateful for the many years that I have had and the privilege of service with Bill on both the IDA and LDC Boards. Tioga County has been blessed for having a person of the caliber of Bill Woods to give his many years as a faithful volunteer. Bill you are a special person and I thank you.”

Bill Woods spoke. “The only comment that I will make is that it is comforting that we are spreading this on the minutes of the meeting as a resolution because I am acquainted with a lot of people and there has been things other than resolutions spread very frequently in this organization. Thank you very much.”

Amy Poff presented Employee of the 4th Quarter 2014 to Stephen Bidwell. “I just want to say on behalf of the Employee Recognition Committee I would like to thank the County Legislature for their support of the Employee Recognition Program. Myself and Ellen Pratt were the only two members that made it today due to the weather I believe.

“Congratulations to Stephen Bidwell, Maintenance Mechanic III for being selected Tioga County Employee of the 4th Quarter of 2014, long overdue I think. Steve Bidwell began his career with Tioga County on January 10, 1994 as a laborer and on January 1, 1997 he was promoted to Maintenance Mechanic I. Over the years he continued to work his way up the ladder, being promoted to Maintenance Mechanic II on January 1, 2002 and Maintenance Mechanic III on January 1, 2009. Steve’s job is very hectic. He helps keep the County Office Buildings functioning and looking great. One day he can be mowing, the other painting, moving furniture or days like today plowing. Steve is always willing to work out day or night. Winter can bring long hard hours for Buildings & Grounds and he is always there whenever he is needed.

“Steve lives in Owego with his wife Edna. He has two grown sons, Mike and Scott, and a daughter Amy who I believe are all here. His son Mike also works for Tioga County Buildings & Grounds and, in fact, is Steve’s boss. He also has four grandchildren, Evan, Stephen, Emily and Jackson. Steve and Edna enjoy spending time in their lovely home, which they remodeled thanks to Tropical Storm Lee. Even though Steve’s house was flooded he spent numerous hours helping the County clean out after the floor. Steve and Edna also like gardening together, which consists of Steve preparing all the soil and Edna planting beautiful flowers. He is very lucky and actually won a large scratch off jackpot. Steve wakes up early and opens up Harris Diner at 3:00 every morning.

He is a joker and not a day goes by that the employees in the County do not know it. All kidding aside, Steve is a very conscientious employee. Thank you Steve for your outstanding loyalty and hard work for the County. Your dedication is appreciated by all and will be missed."

Gary Hammond, Deputy Commissioner of Public Works spoke. "Thank you very much Amy, that was a very nice presentation. Yes, Steve Bidwell does deserve this award and I am very happy to see it. As I said before, he will be missed and Edna if he gets under your skin being retired, we can consider taking him back for a summer job."

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		358.44
A1165	District Attorney		2,697.00
A1170	Public Defender		2,062.51
A1172	Assigned Counsel		9,622.98
A1173	ILS Grant		1,147.52
A1325`	Treasurer		2,535.62
A1355	Assessments		2,718.18
A1410	County Clerk		1,033.94
A1411	Department of Motor Vehicles		220.00
A1420	Law		3,300.00
A1430	Personnel		3,155.05
A1450	Elections		1,392.32
A1460	Records Management		135.14
A1620	Buildings	1,118.61	36,393.38
A1621	Buildings		8,399.44
A1680	Information Technology		3,437.00
A2490	Community College Tuition		15,873.17
A2960	Education of Handicapped Children		47,676.16
A3020	Public Safety Comm E911 System		23,296.24
A3110	Sheriff		20,716.44
A3140	Probation	29.76	924.64
A3146	Sex Offender Program		9,240.00
A3150	Jail		51,579.16
A3315	Special Traffic Programs		2,156.76
A3410	Fire		4,298.30
A3640	Emergency Mgmt Office		440.99
A4010	Public Health Nursing		114.40
A4011	Public Health Administration		2,602.76
A4042	Rabies Control		1,531.49

A4044	Early Intervention	273.20
A4054	Preventive Dental Services	1,856.53
A4064	Managed Care-Dental Services	14,706.95
A4090	Environmental Health	2,781.69
A4210	Alcohol and Drug Services	5,073.86
A4309	Mental Hygiene Co Admin	5,537.83
A4310	Mental Health Clinic	41,223.13
A4320	Crisis Intervention Services	5,276.67
A4321	Intensive Case Management	1,052.23
A5630	Bus Operations	95,564.13
A6010	Social Services Administration	102,177.75
A6422	Economic Development	2,634.00
A6510	Veterans' Service	1,041.58
A6610	Sealer Weights/Measures	126.48
A7310.41	Youth Programs, Refundable	6,000.00
A8745	Flood and Erosion Grant	121,072.25
A9060	Health Insurance	4,171.29
SOLID WASTE FUND		93,271.60
SPECIAL GRANT FUND		3,045.14
LIABILITY INSURANCE FUND		2,743.49
COUNTY ROAD FUND		33,726.90
CAPITAL FUND		1,273,789.21
CONSOLIDATED HEALTH INS FUND		1,144.92
SELF-INSURANCE FUND		<u>1,300.00</u>
GRAND TOTAL		\$ 2,079,798.23

Legislator Monell made a motion to approve the minutes of November 10, 20, & 25, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 276-14 *FIX TIME OF ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Friday, January 2, 2015.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 277-14 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 278-14 AUTHORIZE TREASURER TO ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2014 to allow proper coding of bills for payment in January.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 279-14 *ADOPT COUNTY BUDGET FOR 2015,
APPROPRIATIONS AND SALARY
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2015 submitted by the Budget Officer on November 14, 2014 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2015; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2015; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2015.

Legislator Sullivan spoke. "This budget keeps the tax levy increase within the State's tax cap mandate, but it requires the appropriation of a fair amount of general fund monies to do so. A portion of the fund balance appropriation is due to the funding of three additional positions that this budget adds to the County payroll. In the years beyond this budget year we can be assured of hefty increases in costs, for example in health insurance costs, but at this time

there is no guarantee of offsetting increases in revenue. If a Casino gaming license is granted in this region, we could expect some increase in revenue, but that decision has yet to be made by the State. Until or less we can be assured of increase revenue to pay for increased costs or until and less we cut expenses elsewhere in order to pay for increased costs I cannot support a budget that might continue to chip away at the general fund. This is one of three resolutions regarding the 2015 budget that I will not support for the reasons I have stated."

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Standinger, Weston, Case and Hollenbeck.

No – Legislators Roberts and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 280-14 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2015; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	25,833	101,721
Newark Valley	-	-
Nichols	1,943	105,216
Owego	-	2,011,444
Spencer	16,994	386,504

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	17,909
Lockwood Fire Protection	39,535
Waverly Joint Fire Protection	262,228
Town of Berkshire	
Berkshire Fire District	140,400
Town of Candor	
Candor Fire District	428,750
Town of Newark Valley	
Newark Valley Fire District	179,918
Town of Nichols	
Lounsberry Fire Protection	3,000
Nichols Joint Fire Protection	157,990
Town of Owego	
Apalachin Fire District	754,306
Owego Fire District	1,224,960
Newark Valley Fire District	26,647
Town of Richford	
Richford Fire District	86,329
Town of Spencer	
Spencer Fire Protection District	75,000
Town of Tioga	
Tioga Fire District	193,190

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	12,100
Water District No. 4/Ext. 15	6,076
Water District No. 4/Ext. 17	23,950
Water District No. 4/Ext. 20	16,175
Sewer District No. 2/Ext. 14	12,762
Sewer District No. 2/Ext. 15	11,920
Lighting District No. 1	6,191
Lighting District No. 2	12,993
Lighting District No. 3	12,488
Lighting District No. 4A	682
Lighting District No. 4B	1,994
Lighting District No. 5	8,001
Lighting District No. 6	16,359
Lighting District No. 7	2,227
Lighting District No. 8	1,446
Lighting District No. 9	662
Lighting District No. 10	950

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$285,076.44; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$5,010.18; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	197,000	507,000
Berkshire	83,605	338,100
Candor	644,512	658,821
Newark Valley	268,686	334,500
Nichols	112,839	171,485
Owego	870,700	-
Richford	205,516	441,872

Spencer	335,395	156,961
Tioga	238,119	540,361

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – Legislator Roberts.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 281-14 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 279-14 dated December 9, 2014 adopted a Budget for the fiscal year 2015 and by Resolution No. 279-14 dated December 9, 2014 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 280-14 dated December 9, 2014 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	154,487
Berkshire	25,367
Candor	101,054
Newark Valley	68,030
Nichols	62,475
Owego	412,799
Richford	24,275

Spencer	66,264
Tioga	90,907

Total 1,005,658

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$21,725,228.00 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	458,936.97
For School Tax Returned	3,439,010.93
For Deficits from prior years' taxes	36.48
For Reimbursement of Erroneous taxes, etc.	14,196.95
All of the forgoing being subject to credit for excess collection the prior year of	1,243.86

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 280-14 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2014; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	9.752525
	In	9.752525
Berkshire		9.150066
Candor	Out	8.823075
	In	8.823075
Newark Valley	Out	12.886326
	In	12.886326

Nichols	Out	38.853472
	In	38.853472
Owego	Out	10.695853
	In	10.695853
Richford		6.888031
Spencer	Out	8.847361
	In	8.847361
Tioga		126.003385

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Standinger, Weston, Case and Hollenbeck.

No – Legislators Roberts and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 282-14 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – Legislator Case.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 283-14 *RESOLUTION TO APPROVE A
CONTRACT BETWEEN THE TIOGA
COUNTY PROBATION DEPT. AND
THE FAMILY AND CHILDREN'S
SOCIETY TO PROVIDE ADULT
SEXUAL OFFENDER TREATMENT
SERVICES*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2015; and

WHEREAS: The Family and Children's Society has amended their contract with Tioga County and provide a total of 21 sexual offender slots as follows: 13 adult assessment and treatment slots; 10 adult safety monitor education slots; 8 juvenile assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 284-14 *AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES*

WHEREAS: Tioga County terminated its contract for the delivery of mass transportation services with First Transit, Inc. effective November 30, 2014; and

WHEREAS: Chemung County and Tioga County have a mutual interest in having mass transportation services provided between the two Counties; and

WHEREAS: Section 119-s of the General Municipal Law of the State of New York authorizes a municipality of the State of New York to act jointly with another municipality to provide a municipal bus system for the performance of mass transportation operations; and

WHEREAS: An Intermunicipal Agreement between Tioga and Chemung Counties has been developed for the provision of said mass transportation operations between the two parties; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to execute said Intermunicipal Agreement allowing for a retroactive service start date of December 1, 2014.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 285-14 RENEW CONTRACT
 PARTNERS IN SAFETY, INC.
 (CDL DRUG & ALCOHOL TESTING)

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$43.00 Per Employee Per Year

To Include:

- Random Selection of Employees (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person
Emergency Service	\$150 per hour
	Minimum 2 hours
	plus the cost of the test

Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification): \$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 286-14 *AWARD PRINTING SERVICES
CONTRACT EXTENSION*

WHEREAS: The Tioga County Legislature entered into a contract with Smith-Ingalls-French on December 6, 2011 for the provision of printing services, which commenced on January 1, 2012 and expires on December 31, 2012; and

WHEREAS: Said contract provided for three one-year extensions; and

WHEREAS: Smith-Ingalls-French is now known as Proforma Boathouse Printing; and

WHEREAS: Proforma Boathouse Printing has requested in writing the third of the three one-year extensions of the printing services contract and is willing to provide the same service specified in the contract; therefore be it

RESOLVED: That the Tioga County Legislature agrees to the third one-year extension of the Proforma Boathouse Printing printing services contract at the same terms and conditions as the December 6, 2011 contract upon approval of the County Attorney, which extension shall commence on January 1, 2015 and expire on December 31, 2015.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

INFORMATION TECH. COMMITTEE

RESOLUTION NO. 287-14

AWARD CONTRACT FOR NEW COUNTY WEBSITE

WHEREAS: The Tioga County Legislature recognizes that the existing County website is outdated and in need of replacement; and

WHEREAS: The Information Technology department has conducted interviews of several firms providing professional website design services; and

WHEREAS: The Information Technology department has made a recommendation to select the proposal from Avant IT Consulting at a proposed cost of \$18,750; and

WHEREAS: Amounts in excess of \$10,000 must be approved by the Legislature; therefore be it

RESOLVED: That the Information Technology department be authorized to enter into an agreement with Avant IT Consulting for services at a cost of \$18,750 to implement a new County website utilizing funds already allocated.

ROLL CALL VOTE

Yes – Legislators Huttleston, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 288-14 *AUTHORIZE SPENDING FOR FIBER-OPTIC EXTENSION*

WHEREAS: Tioga County has made investments in enhancing data network connectivity between County buildings for the purposes of increased efficiency and realizing cost reductions; and

WHEREAS: The Information Technology department has identified a strategic need to extend the County's fiber-optic network infrastructure to the communications tower and backup 911 center being constructed on Carmichael Hill Rd ; and

WHEREAS: Construction of this fiber-optic connection involves two separate components of construction and fixed costs to prepare the pathway; and

WHEREAS: Funds for constructing this fiber-optic extension are available via a grant obtained by the Emergency Management Office for this purpose that must be encumbered by December 31, 2014; therefore be it

RESOLVED: That the Information Technology department be authorized to contract with Plexicomm, LLC to construct said fiber-optic extension to Carmichael Hill Rd at a cost not to exceed \$35,000 for the construction of fiber; and be it further

RESOLVED: That the Information Technology department be authorized to pay pathway preparation costs not to exceed \$15,000.

ROLL CALL VOTE

Yes – Legislators Huttleston, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 289-14 *RESOLUTION TO RENEW CONSULTANT
CONTRACT FOR HAZARD MITIGATION PLAN
COORDINATOR FOR 2015*

WHEREAS: Per resolution 193-12 and resolution 13-218, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: After two years of providing said services, the Tioga County Soil & Water Conservation District has quoted a total of \$25,000 to perform these services for 2015; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2015 budget to cover these expenses in the amount of \$25,000 from appropriation account A8020.40-140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2015, not to exceed \$25,000 from Planning Appropriation account A8020.40-140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 290-14 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2014 to September 30, 2014 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 29,525.72
Village of Waverly	12,322.92
Town of Berkshire	7,837.99
Town of Candor	19,744.38
Village of Candor	972.15
Town of Newark Valley	12,258.39
Village of Newark Valley	4,236.25
Town of Nichols	10,833.88
Village of Nichols	1,558.48
Town of Owego	115,803.56
Village of Owego	5,912.78
Town of Richford	3,272.78
Town of Spencer	8,291.86
Village of Spencer	1,083.26
Town of Tioga	<u>15,003.73</u>
	\$248,658.13

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 291-14 *TRANSFER OF FUNDS*
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office recently purchased a TV to utilize in the Court rooms and has a need to purchase a rolling cart for said TV; and

WHEREAS: The District Attorney's budget does not have funds in the equipment account to purchase said cart; therefore be it

RESOLVED: That the following sums be transferred within the District Attorney's budget to cover the purchase of said cart:

From: A1165.40-720-District Attorney \$732.08

To: A1165.20-20-District Attorney \$732.08

ROLL CALL VOTE

Yes – Legislators Huttleston, Sauerbrey, Roberts, Standinger, Sullivan, Weston, and Case.

No – Legislators Monell and Hollenbeck.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 292-14 TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a transfer of funds into the proper account codes from the County Contingency fund; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A1990.40-715	County Contingency Account	\$20,444.35
To: A4390.40-590	Criminal Psychiatric: Services Rendered	\$20,444.35

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 293-14 TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has identified its Administrative Salaries Budget line to be in deficit; and

WHEREAS: TCMH has identified savings in its Mental Hygiene Clinic Salaries budget line; and

WHEREAS: A transfer of funds into the proper accounts will satisfy the salary budget requirements; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4310.10-10	Mental Hygiene Clinic: Salaries	\$ 21,200.00
To: A4309.10-10	Mental Hygiene Admin: Salaries	\$ 21,200.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 294-14 TRANSFER OF FUNDS
PUBLIC HEALTH

WHEREAS: The costs of the mandated Education of Handicapped Children program have increased due to the increase in the number of children in center-based programs; and

WHEREAS: Additional funding is needed to meet the costs of the Education of Handicapped Children program in 2014; and

WHEREAS: Public Health has determined the amount of additional funding needed for the mandated program through the balance of 2014; and

WHEREAS: Public Health has a portion of the funds needed within their budget reducing the amount required from the County Contingency Fund. These funds are available as a direct result of cost-saving measures implemented throughout the year; and

WHEREAS: The additional costs of the Education of Handicapped Children program will result in additional revenue and state aid reimbursement, also decreasing the amount needed from County contingency funds; and

WHEREAS: Transfer of funds requires Legislative approval, therefore be it

RESOLVED: That funds be transferred as follows:

From: A 1605	Revenue: Education of Handicapped Fees	\$ 43,200
A 3460.00	Revenue: State Aid: Education of Handicapped	\$ 290,000
A 4011.10-10	Personnel: Administration	\$ 6,000
A 4011.10-20	Personnel: Administration	\$ 2,000
A 4053.10-10	Personnel: Primary & Preventive Services	\$ 4,000
A 4053.10-20	Personnel: Primary & Preventive Services	\$ 26,000
A 4070.10-20	Personnel: Disease Control	\$ 12,000
A 4070.10-30	Personnel: Disease Control	\$ 13,000
A 4090.10-10	Personnel: Environmental Health	\$ 24,000
A 4042.40-590	Rabies: Post Exposure Treatment Expenses	\$ 15,000
A 1990.40-715	County Contingency Account	\$ 124,800
To: A 2960.40-590	Handicapped Education- Cont. Services	\$ 499,000
A 2960.40-710	Handicapped Education Transportation	\$ 61,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 295-14 TRANSFER FUNDS TO
PENN. AVE BRIDGE
BIN: 3335490

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: Penn. Ave Bridge BIN 3335490 is one of the bridges in the bridge bond program; and

WHEREAS: The cost for this project was estimated in August of 2013 prior to the actual bid opening for this project during the 2014 budget process; and

WHEREAS: The estimate for the Penn. Ave. Bridge (BIN 3335490) was \$81,500 short of the actual bid; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfers:

From:	H878.03	Capital Bridge Bond Reserve	\$40,481
	H2010.07	Lillie Hill Rd. Bridge BIN: 3335510	\$12,845
	H2012.06	Gaskill Rd. Bridge BIN: 3335390	\$28,174

For a total of \$81,500 to the Penn. Ave. Bridge (BIN 3335490) Account H2014.02.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 296-14 *TRANSFER OF FUNDS FOR COMMUNITY COLLEGE
TUITION- TREASURER*

WHEREAS: Tioga County Treasurer's is required to pay a portion of the costs for Community College Tuition for Tioga County residents ; and

WHEREAS: The Treasurer's department has received notice and billing from a community college requesting payment in the amount of \$54,976.33 for the Fall semester 2014; and

WHEREAS: The Treasurer's Department has estimated the amount of additional funding needed for incurred expenses through year end to be \$85,000.00 and do not have the budgeted funds and will require a transfer of funds from the County Contingency fund; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A1990.40-715	County Contingency Account	\$55,000.00
To: A2490.40-487	Community College Tuition	\$55,000.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 297-14 *FUND FINANCIAL MANAGEMENT
SYSTEM RESERVE FUND*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds previously received from the dissolution of the Consolidated Health Insurance Plan as of December 31, 2013; therefore be it

RESOLVED: That the Tioga County Treasurer funds the "Financial Management System Reserve Fund" with \$1,100,000 as follows:

From: A5031.00 Interfund Transfers all Others	\$1,100,000.00
To: A9950.93-715 Transfer to Capital Fund	\$1,100,000.00

From: H5031.00 Interfund Transfer	\$1,100,000.00
To: H878.08 Financial Management System Reserve Fund	\$1,100,000.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 298-14 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The term of Tioga County Planning Board member Georgeanne Eckley will expire as of 12/31/14; and

WHEREAS: The Village of Owego has nominated Georgeanne Eckley to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Georgeanne Eckley to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 299-14 *REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD*

WHEREAS: The term of Tioga County Planning Board member Gary Henry will expire as of 12/31/14; and

WHEREAS: The Town of Candor has nominated Gary Henry to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Gary Henry to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 300-14 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The term of Tioga County Planning Board member Johannes Peeters will expire as of 12/31/14; and

WHEREAS: The Town of Newark Valley has nominated Johannes Peeters to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Johannes Peeters to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 301-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND PROTECTION
BOARD

WHEREAS: The term of Agricultural & Farmland Protection Board member, John Lacey, representing the Tioga County Farm Bureau (Ag Land Preservation), has a term expiring as of 12/31/2014; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and the Tioga County Farm Bureau has found John Lacey willing to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint John Lacey to the Agricultural and Farmland Protection Board to serve a 4-year term of 1/1/15 – 12/31/18.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 302-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY
BOARD OF HEALTH
PUBLIC HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Vincent Leonti, MD, on the Board of Health expires 12/31/14; and

WHEREAS: Vincent Leonti, MD, has agreed to serve for another term; therefore be it

RESOLVED: That Vincent Leonti, MD be re-appointed to the Tioga County Board of Health for a term of 1/1/2015 – 12/31/2020.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 303-14 *AWARD CONSTRUCTION CONTRACT
TO PROCON CONTRACTING FOR
REPLACEMENT OF EAST RIVER RD
BRIDGE OVER WAPPASENING CREEK
BIN 3335410*

WHEREAS: Tioga County is receiving Aid for the replacement of the East River Rd. Bridge over Wappasening Creek BIN3335410; and

WHEREAS: The project will be funded as follows:

Federal	80%
State	15%
Local	05%

And

WHEREAS: The Commissioner of Public Works received sealed bids on November 25, 2014 and the bids were as follows:

Economy Paving	Cortland, NY	\$1,643,643.00
FAHS Construction	Binghamton, NY	\$1,666,253.50
Procon Contracting	Vestal, NY	\$1,633,000.00
R.DeVincentis Construction	Binghamton, NY	\$1,813,000.00
Vector Construction	Cicero, NY	\$1,824,518.25

And

WHEREAS: Labella Associates, Rochester, NY have completed the review of the bids and finds the low bidder Procon Contracting, Vestal, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Procon Contracting, Vestal, NY not to exceed \$1,633,000.00 to be paid out of East River Rd. Bridge Account H2009.02.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Case.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 304-14 AMEND COUNTY POLICY 44;
NON-UNION BENEFITS

WHEREAS: The County Legislature has determined that an increase in health insurance contributions is warranted for those Non-Union employees contributing 12.5% of premium; and

WHEREAS: No increase in contributions is currently planned for those Non-Union employees currently contributing 15% or 20% of premium; and

WHEREAS: There is a need to add language to Policy 44 to reflect the ineligibility for accrual of a sick day in any month when an unpaid absence of five working days or more is taken or any unauthorized leave is taken; therefore be it

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 be amended so the Contributions Chart appears as follows:

Contributions (% of Premium)

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Legislators	7%	8½%	10½%	12½%	15%
Full-time hired prior to 1/1/09	10%	12½%	13½%	15%	

Full-time hired on or after 1/1/09	15%	15%	15%
4 day/week Attorneys	-----	15%	15%
Part-time Attorneys	20%	20%	20%

and be it further

RESOLVED: That Section 5 be further amended to reflect in paragraph ten “for 2012 – 2015” the Health Reimbursement Accounts shall be funded by the County at the following levels:

Individual:	\$2,600
Family:	\$5,200

And be it further

RESOLVED: That Section 2.C: Sick Time be amended to include the following bullet:

- A sick day shall not be earned for any month in which an unpaid absence of 5 or more working days occurs or any unauthorized leave (paid or unpaid) occurs

And be it further

RESOLVED: That the remainder of the Policy remain unchanged at this time.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 305-14 *AUTHORIZE CONTRACTS WITH SADD
SCHOOL ASSOCIATES FOR 2015*

WHEREAS: It is the desire of the STOP DWI Program to award four contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to award the four SADD School Associate contracts for the calendar year 2015 to the following individuals; Matt Gelder to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2015 calendar year.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 306-14 *APPOINTMENT OF DEMOCRATIC
ELECTION COMMISSIONER*

WHEREAS: The Chair of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That John J. Langan be and hereby is appointed Democratic Election Commissioner for Tioga County Board of Elections from January 1, 2015 through December 31, 2016.

Legislator Sullivan spoke. "I just wanted to point something out regarding this resolution. Per New York State's Election Law combined with the makeup of this Legislative body, being that we are all Republicans and there are no Democrats on this Legislature, the appointment stated in this resolution by law will take effect no matter what action or inaction this body takes. Therefore, this resolution is frivolous and the votes cast on this resolution are entirely irrelevant. Thank you."

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Weston, Case and Hollenbeck.

No – None.

Abstain – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 307-14 *AUTHORIZE 2015 SALARIES
BOARD OF ELECTIONS*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Non-Union staff have been authorized a salary increase for 2015; therefore be it

RESOLVED: That the 2015 rates of pay, for the Board of Elections staff shall be as follow:

	<u>2015 pay:</u>
Commissioners (2)	\$38,979
Deputy Commissioners (2)	\$31,563
Voting Machine Technicians (2)	\$16.20/hr
Election Workers (4)	\$12.39/hr

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 308-14 *AUTHORIZE CONTRACT RENEWAL
CSEA EMPLOYEE BENEFIT FUND*

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer Solstice Vision and Dental plans for CSEA and Non-Union employees; and

WHEREAS: The Dental and Vision plans are contractual benefits for CSEA employees, to be continued for 2015; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2015 – December 31, 2015

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 309-14 *AMEND RESOLUTION #278-11
INCREASE PART-TIME, SEASONAL AND
TEMPORARY HOURLY RATES*

WHEREAS: Resolution #278-11 increased the 2012 hourly rates for part-time, seasonal and temporary positions; and

WHEREAS: These rates have not been adjusted since 2012 and the County Legislature believes these employees are deserving of an increase for 2015; and

WHEREAS: The change in Consumer Price Index (CPI) for 2013 and year-to-date 2014 shall be applied; therefore be it

RESOLVED: That resolution #278-11 is hereby amended that effective January 1, 2015 all part-time, seasonal and temporary hourly rates shall be increased by 1.5%, in accordance with the 2013 change in CPI; and be it further

RESOLVED: That an additional adjustment of 1.7% shall be added effective January 1, 2015, in accordance with the year-to-date change in CPI for 2014.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Weston, Case and Hollenbeck.

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 310-14

*AMEND RESOLUTION 452-99;
BACKFILL AUTHORIZATION*

WHEREAS: Resolution 452-99 established that the backfill of any vacancy required prior approval of the Chair of the Legislative Committee or Chair of the Legislature and the Personnel Officer; and

WHEREAS: As of January 1, 2015, the Legislature would like both the Chair of the Legislature and Chair of the Legislative Committee, as well as the Personnel Officer, to be required for any backfill of a vacancy; therefore be it

RESOLVED: That effective January 1, 2015, Resolution 452-99 is hereby amended to require the Chair of the Legislature, Chair of the Legislative Committee and Personnel Officer give prior approval for the backfill of any vacancy.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Case and Hollenbeck.

No – Legislator Weston.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 311-14 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY- DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective November 24, 2014, a Caseworker position became vacant due to an incumbent's resignation; and

WHEREAS: Said vacancy impacts the CPS/Preventive unit in the Children's Services Division, which is also currently experiencing staffing shortages due to two staff being medically restricted from field work; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Caseworker vacancy at an annual salary of \$39,015 (2014 CSEA Salary Grade XI) effective on or after December 10, 2014 from the appropriate civil service eligible list.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 312-14 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY- DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective December 12, 2014, a Senior Caseworker position will become vacant due to an incumbent's resignation; and

WHEREAS: In accordance with Resolution 147-09, the Commissioner of Social Services shall promote a Caseworker to fill said Senior Caseworker vacancy effective on or after December 15, 2014; and

WHEREAS: The Caseworker vacancy resulting from said promotion impacts the Foster Care/Adoption unit in the Children's Services Division, which is currently experiencing staffing shortages due to two staff being medically restricted from field work and, in addition, an existing Caseworker vacancy which occurred on November 24, 2014; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Caseworker vacancy at an annual salary of \$39,015 (2014 CSEA Salary Grade XI) effective on or after December 15, 2014 from the appropriate civil service eligible list.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 313-14

*AUTHORIZE WAIVER 90-DAY HIRING
DELAY
DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE*

WHEREAS: The Tioga County Sheriff's Office has a need to backfill a full-time Deputy Sheriff position due to an internal promotion which became effective December 1, 2014; and

WHEREAS: Legislative approval is required for waivers of the 90-day hiring delay; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position at an annual salary of \$43,476 effective January 1, 2015.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 314-14 RECLASSIFY VACANT MAINTENANCE
MECHANIC III POSITION
PUBLIC WORKS

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Maintenance Mechanic III position will become vacant December 16, 2014 due to retirement of an incumbent; and

WHEREAS: The Commissioner of Public Works has determined that his current number of Maintenance Mechanic III staff is adequate to perform the work required of the classification; and

WHEREAS: Due to the Legislature's desire to decrease budgetary costs, the Commissioner of Public Works seeks to downgrade the vacant Maintenance Mechanic III position to a Maintenance Mechanic I; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant full-time Maintenance Mechanic III (CSEA Grade 3) to a full-time Maintenance Mechanic I (CSEA Grade 5) effective December 16, 2014.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 315-14 *STAFF CHANGES FOR 2015
(VARIOUS DEPARTMENTS)*

WHEREAS: Various Departments proposed staffing changes for 2015 during the 2015 Budget preparation process; therefore be it

RESOLVED: That the following position changes are effective January 1, 2015 unless noted otherwise:

<u>Name:</u>	<u>Current Title/ Salary Grade:</u>	<u>New Title/ Salary Grade:</u>	<u>Budget Impact:</u>
<u>ECONOMIC DEVELOPMENT & PLANNING</u>			
Vacant	Economic Development Specialist (Non-Union)(Unfunded)	Fund for 2015	+\$39,779
<u>MENTAL HYGIENE</u>			
Vacant	Admin. Accounting Supervisor (Grade VIII)	Unfunded	-\$35,799

Vacant	Social Work Assistant II (Grade XI)	Unfunded	-\$39,015
M. Hornick	Account Clerk/Typist (Grade III)	Abolish as of 3/1/15	-\$21,897

PUBLIC HEALTH

B. McCormick	Confidential Admin Assistant (Non-Union)	additional increase	+\$3,983
Vacant	Account Clerk/Typist (Grade III)	Unfunded	-\$24,817
Vacant	Admin. Secretary (Grade V)	Unfunded	-\$26,189

SHERIFF'S OFFICE

Vacant	Deputy Sheriff (2 Positions) (Unfunded)	Fund for 2015	+\$93,008
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SOCIAL SERVICES

Vacant	Social Welfare Examiner (2 positions – Grade 6)	Abolish	-\$56,522
Vacant	Senior Data Entry Machine Operator (Grade 5)	Abolish	-\$26,189

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Case and said motion to be amended as follows:

“Under Public Health B. McCormick remove the word “Admin”.”

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Case and Hollenbeck.

No – Legislators Sullivan and Weston.

Absent – None.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Huttleston, Sauerbrey, Standinger, Weston, Case and Hollenbeck.

No – Legislators Monell, Roberts, and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following two late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO 316-14 *ELECTION ADMINISTRATION SOFTWARE RENEWAL*

WHEREAS: The Tioga County Board of Elections has a contract with NTS Data Services for the administration of voter registration, absentee and military ballots, candidate petition tracking, and campaign finance from January 1, 2010-December 31, 2014; and

WHEREAS The Tioga County Board of Elections has a contract with NTS Data Services for document scanning software services from February 1, 2014 through December 31, 2014 ; and

WHEREAS: The contract renewal combines those contracts, contains no cost increase from existing contracts and when combined represents a savings of \$3,300.00 per year; therefore be it

RESOLVED: That the Tioga County Legislature awards the contract renewal for election administration software to NTS Data Services, LLC for \$34,026.00 per year for the timeframe of January 1, 2015- December 31, 2019; and be it further

RESOLVED: That the Chair be authorized to execute said contract upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 317-14 *AUTHORIZATION TO EXECUTE
ENGAGEMENT LETTER FROM
COUGHLIN & GERHART, LLP
TO PROVIDE SERVICES REGARDING TIOGA
TRANSPORT, INC. vs. TIOGA COUNTY*

WHEREAS: Tioga Transport, Inc. has commenced a lawsuit against Tioga County; and

WHEREAS: Tioga County wishes to retain the services of Coughlin and Gerhart LLP to defend the action; and

WHEREAS: Coughlin and Gerhart LLP has set forth the services they will provide in an engagement letter; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign said engagement letter from Coughlin and Gerhart LLP for said services.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Case and Hollenbeck.

No – None.

Abstain – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:35 P.M.

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