

*First Special & Organizational Meeting*  
January 2, 2018

The First Special and Organizational Meeting of 2018 was called to order by the Legislative Clerk at 9:24 A.M.

The following County Legislators were present:

DISTRICT 1  
Richard L. Huttleston

DISTRICT 5  
Dennis Mullen

DISTRICT 2  
Martha C. Sauerbrey

DISTRICT 6  
Dale N. Weston

DISTRICT 3  
Michael Roberts

DISTRICT 7  
William H. Standing, III  
Ed Hollenbeck

DISTRICT 4  
Loretta A. Sullivan  
Tracy Monell

There were 9 people in attendance.

The Clerk asked Legislator Mullen to have a moment of Prayer. "Lord, I would ask that you look upon us this year of 2018 to govern well, serve the people well, that we have a safe and prosperous year for all the residents of Tioga County, that we continue to grow and achieve according to your son."

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

County Clerk Andrea Klett swore in Legislators Hollenbeck, Roberts, Standinger and Weston along with District Attorney Kirk Martin.

District Attorney Martin spoke. "I just wanted to thank the citizens of Tioga County for giving me an opportunity for a second term. I also wanted to thank the Legislature for supporting the mission of the District Attorneys' Office. It is an important mission and we continue to work hard in effecting that for the safety and the well-being of all Tioga County's citizens.

"During the last four years we have accomplished much. We have stopped the bleeding of felony indictments that were being dismissed regularly by County Court. We have replaced walls amongst the Police agencies in Tioga County with bridges and relationships with them all and we have

continued to hold those who would do harm to our citizens accountable. We have implemented a dual policy regarding those involved in drugs. If you are an otherwise good person and an addict, and honestly seek treatment, we will make sure it is available to you and give you the opportunity to get back on your feet, but if you are a drug dealer and you profit from selling poison to our children, you will go to prison period, end of story. As an example, a person by the name of Dwuane Brown was investigated by a joint effort of our local Police agencies within the past couple of years and found with over 300 bags of heroin and an unlicensed pistol. He was ultimately convicted of possession of heroin with the intent to sell it and other crimes and is now serving more than 13 years in State Prison. I consider that good work.

"In my second term I look forward to continuing this leadership of law and order and to ensure our streets, villages and towns are as safe as we can make them, to continue with the partnership that we have with the great Police agencies serving our County. Thank you so much."

The Clerk announced that the first order of business was the appointment of a Chair. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Mullen. 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 Andrea Klett swore in Legislator Sauerbrey as Chair of the Tioga County Legislature for 2018.

Chair Sauerbrey spoke. "First of all I just want to thank everybody for your support. I think we have a really good team here. I think we have accomplished a lot last year. We did a lot of work, which I feel very proud of. We made some major changes that we have been talking about, which goes to show that if we chew on stuff long enough and work together we can make some progress. During my time on the Legislature, which is like 12 years or whatever, I have seen a lot of changes in government, specifically County government and my observation is that there is more and more pressure from the State coming down, instructing us on how to do business, mandating and controlling what we do. It is a challenge every day to stay up on issues, to stay informed, and to stay aware. I look forward to working with you to make some changes moving forward, to do a better job in government, and look for ways that we can improve our systems. Thank you very much."

The Chair announced the next order of business is nominations for a First Deputy Chair. Legislator Mullen nominated Legislator Weston, seconded by Legislator Hollenbeck. Legislator Sullivan 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 Weston was appointed First Deputy Chair of the Tioga County Legislature for a one year term.

The Chair called for nominations for a Second Deputy Chair. Legislator Monell nominated Legislator Hollenbeck, seconded by Legislator Mullen. Legislator Sullivan 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 Hollenbeck was appointed Second Deputy Chair of the Tioga County Legislature for a one year term.

County Clerk Andrea Klett swore in Legislators Weston and Hollenbeck as Deputy Chairs of the Tioga County Legislature for 2018.

Chair Sauerbrey spoke. "Andrea, on behalf of the whole Legislature thank you for helping us out every year and swearing us all in. We appreciate it."

The Chair called for nominations for Public Information Officer. Legislator Roberts nominated Douglas Barton, seconded by Legislator Standinger. Legislator Sullivan moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all members 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 Sullivan nominated Legislator Roberts, seconded by Legislator Standinger. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. 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 Mullen stated, "I have nothing to disclose."

Legislator Sauerbrey stated, "I have nothing to disclose."

Legislator Roberts stated, "I have nothing to disclose."

Legislator Standinger stated, "I have no disclosures."

Legislator Sullivan stated, "I have nothing to disclose."

Legislator Weston stated, "I have no disclosures."

Legislator Hollenbeck stated, "I have nothing to disclose."

Legislator Huttleston stated, "I have no disclosures."

Legislator Monell stated, "I have no disclosures."

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

REFERRED TO:                   LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 1-18           *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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

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. 2-18           *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
Community Bank, N.A.	\$30,000,000
Key Bank Corporation	\$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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

**RESOLUTION ADOPTED.**

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

REFERRED TO:                   LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 3-18           *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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 4-18                      *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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 5-18                      *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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 6–18 SET SALARY OF CHAIR

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$34,740 per year, which includes the salary received as County Legislator of \$10,743 and an additional \$23,997 to serve as Chair.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 7–18 FIX DATES AND TIMES OF  
TIOGA COUNTY LEGISLATIVE  
MEETINGS

RESOLVED: That the Tioga County Legislature during 2018 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty 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 2018 Legislative meetings shall be held at 6:00 P.M.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 8-18 APPOINTMENT OF  
ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2018; 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 2018 and be given a stipend of \$5,000.00 as set forth in the County budget.



## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 9-18      *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, 2018 through December 31, 2018; and be it further

RESOLVED: That Ronald E. Dougherty be hereby reappointed Director at Large for a three year term of January 1, 2018 through December 31, 2020.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 10-18      *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 Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:44 A.M.

*First Regular Meeting*  
January 16, 2018

The First Regular Meeting of 2018 was held on January 16, 2018 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord, at the first meeting of the year I would just like to thank you for the opportunity for all of us to serve our fellowmen and may we as we just passed the Martin Luther King Holiday do as Dr. King asked us, to judge people by the content of their character and not what makes us different, but what brings us together. That our diversity is our strength to this great Nation, State and County and our communities."

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

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution on Randy Kipling to Julie Kipling, Randy's wife.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 11-18

*RESOLUTION RECOGNIZING  
RANDY KIPLING'S  
27 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Randy Kipling was appointed as a Corrections Officer on 4/21/90; promoted to Deputy Sheriff on 3/7/92; promoted to Sergeant on 1/1/2004; and promoted to Lieutenant on 2/12/11; and

WHEREAS: Randy Kipling has been dedicated and loyal in the performance of his duties and responsibilities during the past 27 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Randy Kipling retired from the Tioga County Sheriff's Office on December 21, 2017; 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 Randy Kipling for his 27 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, Randy Kipling.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

#### RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. “I have known Randy since we were in Kindergarten. We went to Kindergarten together. We lived up around the corner from each other in the Village of Waverly. I was a Road Trooper and he was a Road Deputy. Not everything that went on when we were working together can be stated in this decorum, so I will not go into some of that, but I can tell you that Randy had a unique reputation amongst his fellow law enforcement officers, especially when he was a dog handler. He was called the “Rottweiler” by the troopers. Even after he was no longer a dog handler Randy kept that title. When you went to a domestic or a serious incident there was nobody better in this County that you wanted coming through that door than Randy Kipling. A lot of people would be yelling and screaming and when he darkened the doorway it was as quiet as a Church mouse in quite a few residences in Tioga County, when that door kind of busted off its hinges and in came Randy Kipling.

“What I use to do to Randy, we both live in the Village of Waverly, and I would work the 3:00 to 11:00 shift and Randy would work the night shift as the nighttime Supervisor. I would go to some of the more frequent places we went to that are along Route 17C that have many small houses together and I would go through there and put the spotlight on all the houses at the end of my shift and then I would sprint across the County and as I was pulling into the barracks I could hear Tioga dispatching Randy to either the Maple Lane or the Wagon Wheel trailer park. When I finally told him what I was doing I got a taste of the Rottweiler for doing that to him for over a year. He kept saying why am I going to the Maple Lane trailer park every single shift at the beginning of my shift

because I was in there stirring things up and then going home. Randy is going to be sorely missed. I am very happy that he was able to get through his career and is now retired."

Legislator Mullen read and presented the following recognition resolution to Paul (Casey) Rhodes.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 12-18

*RESOLUTION RECOGNIZING  
PAUL C. RHODES  
26 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Paul C. Rhodes was appointed as a Corrections Officer on 9/9/91; promoted to Deputy Sheriff on 6/1/93; promoted to Sergeant on 4/10/00; appointed as an Investigator on 1/2/04; and promoted to Lieutenant on 4/21/12; and

WHEREAS: Paul C. Rhodes 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: Paul C. Rhodes retired from the Tioga County Sheriff's Office on December 21, 2017; 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 Paul C. Rhodes 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, Paul C. Rhodes.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I worked with Casey also as a Road Trooper stationed in Owego for 17 and a half years. There are too many funny stories that we will share over a beer when it is not on the public record. I do remember the car deer incident on 17C outside of Lockwood that was the deer that just would not die. There were more rounds expended than should have been. I think there was a need for some extra firearms training after that incident, but I will not get into that.

"There is nothing better than a retired Police Officer getting an opportunity to be standing and be honored for making it through his career safe and sound and alive. We have buried an awful lot of police officers in this Country and in this State particularly, and we have had some local police officers that have lost their lives in the recent past, and I can only tell you it does my heart good and I know the Legislature shares this opinion. Congratulations, thank God you are retired and safe, and I can tell you as being retired one of the great things is to get paid to wake up."

Sheriff Howard spoke. "I would like to thank the County Legislators for acknowledging the two employees, the two Lieutenants of nearly 60 years of experience I lost in a day. We are going to miss them both. We are headed on to new things. We have a couple of new Lieutenants, some new other promotions, two of them sitting here, Investigator Cornwell and Investigator Kipling. Julie was not sad to see Randy go because she got promoted. I just would like to say that these two Lieutenants with the past events of 2006 and 2011, both these men stood up and were not asked to do anything, but were there every day working, through the nights and I cannot say enough of what they did for us, especially during 2011. They worked an awful lot of hours during those times without being asked and that says a lot. The County certainly has lost two great men and dedicated service to the County.

"The only thing I will say about Randy is I am going to miss our mornings because I come in early and one day he came in to me and said I am sorry boss I had to set one of my deputies straight this morning, I should have closed my door. I said Randy it does not really matter if you close your door, if you

close my door, both doors are closed because I can hear every word that you are bellowing out to that employee, so it does not really matter. He certainly will be missed and we look forward to our new Lieutenants taking their place and hopefully doing what they did in the past. Thank you."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of December 12 and 19, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey made the following appointments to the following Board and Committees:

Cornell Cooperative Extension Board  
Legislator William Standinger – 1/1/18 to 12/31/18

Building Demolition Committee  
Legislator Ed Hollenbeck  
Legislator Dennis Mullen  
Legislator Dale Weston, Chair of Committee

Budget Committee  
Legislator Tracy Monell  
Legislator Dennis Mullen  
Chair/Legislator Martha Sauerbrey  
Legislator William Standinger  
Budget Officer Rita Hollenbeck

Chair Sauerbrey announced the following Standing Committees for 2018:

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE  
OF THE COUNTY OF TIOGA FOR 2018**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Mullen	Standing
2. Economic Development/ Planning/ Tourism/ Agriculture	Weston	Roberts	Hollenbeck	Mullen
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	Roberts	Monell	Huttleston
5. Legislative Worksessions/Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standing	Sullivan	Mullen	Monell
7. Public Safety/ Probation & DWI	Mullen	Hollenbeck	Weston	Standing
8. Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9. Personnel/ADA	Hollenbeck	Monell	Weston	Standing

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 13-18

*RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD*

WHEREAS: Georgeanne Eckley's position on the Tioga County Planning Board representing the Village of Owego expired on 12/31/2017; and



WHEREAS: The Village of Owego Board of Trustees has nominated Georgeanne Eckley to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Georgeanne Eckley to the Tioga County Planning Board for another three-year term of 1/1/2018 – 12/31/20.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 14-18

*RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD*

WHEREAS: Sarah Titus's position on the Tioga County Planning Board representing the Village of Owego expired on 12/31/2017; and

WHEREAS: The Newark Valley Town Board has nominated Sarah Titus to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Sarah Titus to the Tioga County Planning Board for another three-year term of 1/1/2018 – 12/31/20.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15-18 *APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD*

WHEREAS: Jason Bellis has resigned from the Tioga County Planning Board position representing the Town of Candor for which the term expired on 12/31/2017; and

WHEREAS: The Candor Town Board has nominated Art Cacciola to serve a three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Art Cacciola to the Tioga County Planning Board for a three-year term of 1/1/2018 – 12/31/20.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 16-18 *ERRONEOUS ASSESSMENT TOWN OF CANDOR*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #2572 in the Town of Candor assessed to Brian C Carey & Paulette A Carey on the 2018 tax roll of the Town of Candor is erroneous in that the correct taxable value for Town & County purposes should be \$164,000 due to a SCAR decision; be it therefore

RESOLVED: That a new bill be issued to Brian C Carey & Paulette A Carey by the Town of Candor Tax Collector as follows:

	Original Bill #693	Corrected Bill #693
County	1,504.19	1,444.30
Recycle	81.10	77.87
Town Wide	798.61	766.82
Part Town	208.79	200.48
Candor Fire	285.29	273.93
Total	2,877.98	2,763.40

And be it further

RESOLVED: That the erroneous town tax of \$40.10 be charged back to the Town of Candor; and be it further

RESOLVED: That the erroneous solid waste tax of \$3.23 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$59.89 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$11.36 be charged back to the Candor Fire.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 17-18 ERRONEOUS ASSESSMENT  
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #13055 in the Town of Owego assessed to Melinda Malia on the 2018 tax roll of the Town of Owego is erroneous in that the correct taxable value for Town & County purposes should be \$109,600 due to a SCAR decision; be it therefore

RESOLVED: That a new bill be issued to Melinda Malia by the Town of Owego Tax Collector as follows:

	Original Bill # 5610	Corrected Bill # 5610
County	1,366.56	1,245.01
Recycle	73.68	67.13
Town Wide	127.78	116.41
Part Town	351.84	320.55
Owego Fire	321.61	293.00
Total	2,241.47	2,042.10

And be it further

RESOLVED: That the erroneous town tax of \$42.66 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous solid waste tax of \$6.55 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$121.55 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$28.61 be charged back to the Owego Fire.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE  
 RESOLUTION NO. 18-18 ERRONEOUS ASSESSMENT  
 TOWN OF SPENCER

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #986 in the Town of Spencer assessed to Carol Johnson & Brian Carman on the 2018 tax roll of the Town of Spencer is erroneous in that the veteran exemption Vet Com C41132 was not applied; be it therefore

RESOLVED: That a new bill be issued to Carol Johnson & Brian Carman by the Town of Spencer Tax Collector as follows:

	Original Bill #1009	Corrected Bill #1009
County	801.57	630.06
Recycle	43.22	33.97
Town Wide	251.57	251.57
Part Town	343.26	343.26
Spencer Fire	51.10	51.10
Total	1,490.72	1,309.96

And be it further

RESOLVED: That the erroneous solid waste tax of \$9.25 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$171.51 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston 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. 19-18 *AUTHORIZE MENTAL HYGIENE TO JOIN A  
BEHAVIORAL HEALTH CARE COLLABORATIVE*

WHEREAS: The delivery and the financial payment structure of the behavioral health care industry is changing; and

WHEREAS: A partnership of providers, including other county clinics, would be beneficial to navigate the changes in reimbursement and service delivery directly related to New York mandates through Delivery System Reform Incentive Payment Program (DSRIP) and the related transition from Fee-for-service Medicaid to Medicaid Managed Care; and

WHEREAS: Integrity Partners for Behavioral Health, Inc. has been incorporated to function as a Behavioral Health Care Collaborative (BHCC); and

WHEREAS: Integrity Partners for Behavioral Health, Inc. will be the lead agency in the application for funding from New York State Behavioral Health Value Based Payment Readiness Program; and

WHEREAS: Tioga County Mental Hygiene would like to partner with Integrity Partners for Behavioral Health, Inc.; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Mental Hygiene to join this Behavioral Health Care Collaborative:

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 20-18                      *AWARD DESIGN SERVICES TO  
DELTA ENGINEERS FOR KELSEY  
ROAD BRIDGE BIN 3218430*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Kelsey Road Bridge BIN 3218430 is a bridge that needs repair due to an inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$67,521; therefore be it

RESOLVED: That the Tioga County Legislature approve Delta Engineers proposal for the Kelsey Road Bridge BIN 3218430 not to exceed \$67,521 to be paid out of the Kelsey Road Bridge (BIN 3218430) account D5110 54002 H1802.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 21-18                      *AWARD DESIGN SERVICES TO  
DELTA ENGINEERS FOR DEAN  
CREEK ROAD BRIDGE BIN 3334820*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Dean Creek Road Bridge BIN 3334820 is a bridge that needs repair due to an inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$18,556; therefore be it

RESOLVED: That the Tioga County Legislature approve Delta Engineers' proposal for the Dean Creek Rd. Bridge BIN 3334820 not to exceed \$18,556 to be paid out of the Dean Creek Road Bridge (BIN 3334820) account D5110 54002 H1801.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

#### RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 22-18

*AWARD DESIGN SERVICES TO  
C&S ENGINEERS FOR ROOF  
REPLACEMENTS & BUILDING REPAIRS*

WHEREAS: Tioga County has budgeted for roof replacements at the Clerk's Office and Buildings & Grounds Office and building renovations at the Court Annex; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for these projects from C&S Engineers, Syracuse, NY; and

WHEREAS: The proposal for these projects came in at \$25,200; therefore be it

RESOLVED: That the Tioga County Legislature approve C&S Engineers proposal for these projects not to exceed \$25,200 to be paid out of

H1620.520121

\$ 5,200



H1620.520922	\$10,000
H1620.520927	\$10,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 23-18 *AMEND BUDGET AND APPROPRIATE BOND RESERVE FUNDS FOR BRIDGE PROJECTS*

WHEREAS: The Commissioner of Public Works has deemed that 2018 Bridge Projects funded through the 2013 Bond Act need to be added to the originally submitted 2018 Budget; and

WHEREAS: The Treasurer's Office has declared there is still Bond Act Money available for projects during the 2018 Construction Season, in which there is \$1,747,000 approximately available in the Capital Bond Reserve Account; and

WHEREAS: The Commissioner of Public Works has identified two Bridges in need of rehabilitation; Dean Creek Road Bridge (BIN 3334820) and Kelsey Road Bridge (BIN 3218430); and

WHEREAS: Budget Amendments require Legislative approval and Capital Reserve funding requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:		
Capital Bond Reserve Account	H 387806	\$1,747,000.

To:

H5110 540002 H1801	Dean Creek Road Bridge 3334820	\$ 547,000
H5110 540002 H1802	Kelsey Road Bridge 3218430	\$1,200,000

## ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston 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 COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 24-18 RE-ESTABLISH PRIOR YEAR 2017  
CAPITAL PROJECTS FOR 2018 BUDGET

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; therefore be it

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

<u>Non Bond Bridge Projects</u>	<u>BIN</u>	<u>Amt to Establish</u>
H5110 540004 H1606 Day Hollow Road 333536		\$ 510,041.61
H5110 435020 H1606 State Aid Day Hollow		\$ 4,435.16
H5110 445020 H1606 Federal Aid Day Hollow		\$ 8,454.18
 <u>Capital Projects Culvert Reso 115-17</u>		
H5110 520003 H1709 West River Road PIN 9754.52		\$ 225,000.00
H5110 435020 H1709 State Aid West River Rd		\$ 225,000.00
 <u>Capital Building Projects</u>		
H1620 520121 County Clerk's Roof		\$ 120,000.00
H1620 520922 Temple Street Roof		\$ 140,000.00

Capital Other

H1325 520620 Tax Collection Software-Reserve Reso 267-17	\$	290,340.00
H6010 540620 Northwoods Software-Reserve Reso 216-17	\$	56,850.00
H6010 540090 Northwoods Hardware-Reserve Reso 267-17	\$	6,154.80
H6010 436100 State Aid -Northwoods Reserve	\$	62,561.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2018 modified budget.

ROLL CALL VOTE

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

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. 25-18 RE-ESTABLISH PRIOR YEAR 2017  
GRANTS FOR HHS for 2018 BUDGET

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; therefore be it

RESOLVED: That the following HHS accounts and amounts be re-established and the 2018 budget be amended:

<u>MENTAL HEALTH -Reso 139.17 Suicide Coalition</u>	<u>Amount to Re-Establish</u>	
A4322 540010 Advertising	\$	550.00
A4322 540130 Contracts	\$	100.00
A4322 540360 Meals/Food	\$	29.27

A4322 540420 Supplies	\$	427.77
A4322 540485 Printing /Paper	\$	198.67
A4322 540640 Supplies -Not Office	\$	1,042.39
A4322 540733 Training	\$	1,041.32
A4322 427051 Gifts & Donations	\$	3,389.42

PUBLIC HEALTH –Reso 64-17 Richford Smiles –Care Compass

A4064 540640 Dental Services -Supplies	\$	3,634.96
A4064 422800 Grants-Community Foundation	\$	3,634.96

PUBLIC HEALTH –Reso 135-16 Child Passenger Safety

A4012 540640 Health Education-Supplies	\$	557.93
A4012 422800 Grants-Comm Foundation-Meltzer	\$	557.93

PUBLIC HEALTH –Reso 197-17 State Aid Grants

A4011 540640 Health Education-Supplies	\$	9,817.14
A4011 430410 State Aid Grants	\$	9,817.14

TRANSPORTATION –Reso 113-16 Mobility Management

A5630 540140 Transportation-Contracting Services	\$	62,524.68
A5630 440900 Federal Aid – Transportation	\$	132,647.96
A5630 430900 State Aid –Transportation	\$	16,331.74

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 26-18

RE-ESTABLISH PRIOR YEAR 2017  
GRANTS FOR 2018 BUDGET

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2018 budget is amended:

<u>ILS -Reso 41-16 / 37-17 Indigent Legal Services</u>	<u>Amount to Re-Establish</u>
A1173 510010 Full Time Salary	\$ 24,971.96
A1173 510020 Part Time Salary	\$ 20,954.98
A1173 520200 Office Equipment	\$ 1,405.68
A1173 540040 Books	\$ 207.61
A1173 540140 Contracted Services	\$ 5,310.01
A1173 540320 Leased Services	\$ 287.90
A1173 540420 Supplies	\$ 3,702.21
A1173 540480 Postage	\$ 100.00
A1173 540620 Software	\$ 2,348.27
A1173 540700 Transcripts	\$ 418.00
A1173 540733 Training	\$ 2,750.46
A1173 430260 State Aid Indigent Legal Service	\$ 62,457.08
<u>Sherriff -State Aid Grants</u>	
A3310 433470 SLETPP 15	\$ 17,500.00
A3310 433480 SLETPP 16	\$ 17,500.00
<u>Fire-Reso 132-17 Interoperable Grant</u>	
A3415 520230 IO16 Radio Equipment	\$ 17,600.71
A3415 540140 IO16 Contracting Services	\$ 69,417.24
A3415 433063 State Aid -Interoperable Grant	\$ 87,017.95
<u>Emergency Management -</u>	
A3360 520130 Contracted Services Reso 31-16	\$ 1,675.32
A3360 433565 State Aid SHSP 15	\$ 1,675.32
A3360 520130 Contracted Services Reso 216-16	\$ 500.00
A3360 433566 State Aid SHSP 16	\$ 52,500.00
A3360 520140 SHS17 Contracted Services Reso 260-17	\$ 52,485.00
A3360 433567 SHS17 State Aid SHSP 17	\$ 52,485.00
A3360 520140 HMP16 Contracted Services Reso 261-17	\$ 40,500.00

A3360 443566 HMP16 Federal Aid- Hazardous Mitigation	\$	40,500.00
A3360 520140 HME17 Contracted Services Reso 262-17	\$	5,172.00
A3360 433567 HME17 State Aid- Hazardous Material	\$	5,172.00
A3640 443050 EMP17 Federal Aid EMPG Reso 259-17	\$	24,026.00
A3640 443050 EMP16 Federal Aid EMPG 16 Reso 172-16	\$	24,151.00
A3640 443050 Federal Aid EMPG 15	\$	5,343.36

<u>Economic Development-Reso 227-17</u>	<u>Amount to Re-Establish</u>
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CE8510 540487 CE002 Parkview Main Street	\$	475,000.00
CE8510 439900- CE002 State Aid Parkview Main Street	\$	475,000.00
A6422 437170- State Aid ED Admin Fee	\$	25,000.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2018 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 27-18 RESOLUTION TO APPROVE A

*MAINTENANCE AGREEMENT  
BETWEEN THE TIOGA COUNTY  
PROBATION DEPARTMENT AND  
AUTOMON, LLC TO PROVIDE SOFTWARE  
AND MAINTENANCE OF THE CASELOAD  
EXPLORER PRODUCT*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and AutoMon, LLC beginning in 2008; and

WHEREAS: AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$4,151.38 plus a fee of \$203.30 per user. Probation has 17 registered users of the software so the total cost for the software for 2018 is \$7,607.48 as of January 2018; and

WHEREAS: Tioga Probation enlarged the basic software program in 2017 to include Ce Assessments. The annual maintenance fee for that product in 2018 is \$5,250; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC for software and maintenance costs in 2018 for Caseload Explorer software in the amount of \$12,857.48, upon approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 28-18

*ACCEPT INDIGENT LEGAL SERVICES  
AWARD AND AMEND BUDGET*

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C700049) in the amount of \$61,902; and

WHEREAS: \$28,686.02 was approved and appropriated with the 2018 Budget; and

WHEREAS: The remaining funds now need to be appropriated; therefore be it

RESOLVED: That the ILS Grant remaining funds of \$33,215.98 be appropriated and the 2018 Budget be amended as follows:

Expense Account: A 1173 510010 Full Time Salary	\$17,902.00
A 1173 510020 Part Time Salary	\$ 9,813.98
A 1173 540620 Software Expenses	\$ 2,500.00
A 1173 540040 Books	\$ 3,000.00
 A1173 430260 State Aid Revenue	 \$33,215.98

#### ROLL CALL VOTE

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

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. 29-18 AMEND 2018 BUDGET AND  
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 the 2018 budget be amended and funds be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 29,854
To: A6010.540140 Contracting Services	\$ 29,854

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION
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RESOLUTION NO. 30-18	<i>RESOLUTION TO DECLARE WORK DAY STATUS FOR ELECTED AND APPOINTED OFFICIALS (EMERGENCY SERVICES DEPARTMENT)</i>
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WHEREAS: Resolution 206-09, 127-16, and 230-17 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: Resolution 252-17 created the Department of Emergency Services which replaces the Emergency Preparedness Department and the Department of Fire; and

WHEREAS: A standard work day needs to be established for the new positions that will be in the Department of Emergency Services; therefore be it

RESOLVED: That the Tioga County Legislature hereby establishes as a standard work day for these new Department of Emergency Services positions for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, seven hour day:	Director of Emergency Services Deputy Director of Emergency
Services	Assistant Fire Coordinators (PT) EMT Instructors (PT)

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.

*Second Regular Meeting  
February 13, 2018*

The Second Regular Meeting of 2018 was held on February 13, 2018 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Weston being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "God of power and might, wisdom and justice, through your authority is rightly administered, laws are enacted, and judgment is decreed. Assist with your spirit of counsel and fortitude the President and other Government leaders of these United States. May they always seek the ways of righteousness, justice and mercy. Grant that they may be enabled by your powerful protection to lead our County with honesty and integrity."

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

Steven Palinosky of the Employee Recognition Committee presented the Employee of the Quarter for 2017 and Employee of the year 2017. "Good afternoon ladies and gentlemen. Chair Sauerbrey, County Legislators, Director Tinney and Sheriff Howard, leaders, members, friends and family of the Tioga County Team, my name is Steve Palinosky. On behalf of the Tioga County Employee Recognition Committee it is my honor to present the award for the County Employee of the Quarter for the 4<sup>th</sup> quarter of 2017, and the award for the County Employee of the Year for 2017.

"Before we present these awards, I would like to take a moment to extend the Committee's sincere gratitude to the Legislature for the steadfast support you have shown for the Committee's work in recognizing our outstanding employees.

"First, we would like to recognize our Employee of the Quarter for the 4<sup>th</sup> quarter of 2017 - Brittany Woodburn, Economic Development Specialist with the Department of Economic Development and Planning. Brittany started her career with ED&P in December of 2015. Although she has only been with the County for two years, Brittany has already delivered a powerful impression. She was the lead on the Gateway Project on Front Street in Owego, where she provided excellent guidance and assistance to the developer, as well as skillful management of the intricacies of the funding programs. Brittany shows great attention to detail and is very organized and thorough in her work. She is well respected by her co-workers and a joy to have in the office because of her upbeat personality.

“Brittany and her husband Tom currently live in the Village of Owego; however they recently purchased a home just a little outside of the Village and are in the process of moving. They are looking forward to enjoying a bigger house and yard where a very active jumping two-year old and his best friend, Winnie the yellow lab, will have lots of room to run and play. Ladies and gentlemen, the Tioga County Employee of the Quarter for the 4<sup>th</sup> quarter of 2017, Brittany Woodburn.”

“Leeann Tinney, Director of Economic Development & Planning spoke. “First I would like to say thank you for allowing me the opportunity to talk a little bit about Brittany Woodburn. Not only is she a wonderful teammate and a kind and compassionate person to work alongside of, but she has already in her short time with us made significant impacts toward our Economic Development mission. Our Department and all of Team Tioga are very pleased for Brittany to be acknowledged for her hard work and dedication to the residents of Tioga County. I could stand here and recite many superlatives about Brittany and her outstanding work, however I think it best to express the character of Brittany. We only need to understand how she came to be an employee of Tioga County.

“Let’s step back about three years. At that time ED&P was looking for an Economic Development Specialist and we were fortunate enough to hire Bryant Myers. That was great, however Bryant was hired conditionally, that is with the understanding that he would have to take the next scheduled Civil Service exam for Economic Development Specialist and so long as he scored within the top of those who took the test he would be good to go and remain on as our hire. Therefore Bryant was hired and worked for a period of time before he actually tested. Bryant understood the requirement to maintain his position, but in talking with Linn she indicated that rarely were there any others who would choose voluntarily just to sign up and take the test, but he would, in fact, be testing against others if that were the case, but that only happened occasionally, not very often.

“Fast forward to test day, it is Saturday and Bryant is very nervous, especially because when he gets there he discovers there is somebody else there to take the test. Who says I think I will take my Saturday and test for a position that is not even technically open for hire, that would be Brittany. Britt you are not right, but this proactive approach speaks volumes about who you are. In the end Bryant maintained his position, Economic Development Specialist and that other person’s information was stored away by Linn. Soon after however Bryant decided to make a move from our Department to the IDA. After we got over being mad about that a phone call to Linn and how do we start the process of filling the position again. Linn reminded me of that other

person who tested on that Saturday with Bryant, so we called Britt and that was clearly one of the very best phone calls that we have made.

"Clearly Brittany is constantly striving to improve herself, to learn and to grow. Her actions speak of her integrity, which I like to define as doing the right thing even when no one is looking. Britt took a positive action to improve herself even when there did not seem to be an immediate reward for doing so. Brittany's track record in her short time with us is impressive. Among her accomplishments most notably is the construction we now see taking place on Front Street. Brittany was able to facilitate the development of the Gateway building or as we call it amongst Team Tioga "The Woodburn Building" and thus accomplished something that nobody else has been able to do in over a decade. As we all watch the building being erected know that it is largely due to Britt's brilliance and researching and accessing funding sources, managing of timelines, data, regulations, and most importantly personalities. She learned a great deal on the Gateway Project including the sometimes minute difference between a flood plain and a flood way.

"Brittany also serves as our Project Database Manager, oversees our social media platform, creates much of our GIS mapping, is leading our Workforce Development initiative, responds to Economic Development leads, assists small businesses and serves on several boards and committees. As well she continues to learn and to educate herself. She was a recent graduate of the Leadership Tioga Program and is participating in the Institute for Advancement training currently offered by the County to encourage leadership development and advancement within county personnel. Brittany is well deserving of this honor, to be named Employee of the 4<sup>th</sup> Quarter and I eagerly anticipate her many more great achievements. Thank you Tommy and Dylan for sharing your wife and mommy with us and thank you Brittany for your dedication to Tioga County, excellence in your outstanding and exemplary personal integrity. Congratulations."

Brittany spoke. "I just want to say thank you to the Employee Recognition Committee and the Legislature as well for your support for this incredible recognition, it really means a lot to me. More specifically I just want to say thank you to my Team Tioga team members and my family too because without your support and your assistance, and your encouragement, it was just all of us together that made that happen. I am just really grateful to be a part of this Team and the County. Thank you."

Chair Sauerbrey spoke. "Because Dale is not here I feel like the Legislature should be represented in this action and I had the opportunity to sit in on some of Dale's responsibilities this summer when he was out, so I got to see a little bit more of economic development, how it works and that kind of thing, but

recently I had a meeting scheduled with Senator Akshar that Leeann and I were supposed to go to and it was really all about Economic Development, and because of a family situation Leeann was not able to go. I was very nervous because it was largely specifics about economic development, things that we wanted to tell the Senator about because they were critically important, so I said should I reschedule, Leeann says no do not do it. I wring my hands and I worry, and all of a sudden a light went off, Brittany, checked it out, sure enough Brittany joined me at a meeting with the Senator. Basically I threw her in the deep end and she swam, she took off, and I am very grateful because you had the data, the information, and you came right out of it and answered any questions and gave the specifics about issues that I have really no knowledge about. Thank you for that."

Steven Palinosky spoke. "From the Employee Recognition Committee, congratulations Brittany. Thank you for all of your efforts and best wishes for continued success."

Steven Palinosky spoke. "Now we would like to recognize our Employee of the Year for 2017 – Roy Schreiner, Corrections Officer with the Tioga County Sheriff's Office. Roy started his career with the Tioga County Sheriff's Office as a part-time Corrections Officer in 1987, while also working as a part-time police officer with the Owego Police Department. In 1997 he was hired as a full-time Corrections Officer. Roy is always kind and considerate when dealing with others. Along with his effective communication skills; he has a calm demeanor that helps diffuse most volatile situations, making him a valuable asset not only to the Sheriff's Office, but also to his supervisors and co-workers. Roy takes pride in his position as ATI Coordinator and on weekends he can be found supervising litter clean-up crews on one of the many roads throughout the County.

"Roy resides in Owego with his wife Liz and has two sons. He enjoys auto racing, hunting, four wheeling, and spending time with his family. Ladies and gentlemen, the Tioga County Employee of the Year for 2017, Roy Schreiner."

Legislator Dennis Mullen spoke. "This is the best part of this job, is when you get to come up and congratulate some of the great Tioga County employees and especially gratitude for me is because I get to quite often in the Public Safety Chair I get to thank some of my friends, my long time friends for many many years. I can tell you from my own personal experience that we are incredibly blessed to have Roy working for the County. I will leave the comments to the Sheriff when he comes up, but we have a tremendous ATI Program in this County and it is in no small part due to Roy's dedication to his job. The thousands, I dare say tens of thousands of hours that have been utilized for the ATI Program, which is Alternatives to Incarceration, where he oversees the garbage pickup, but that is not all these guys and gals do.

"Roy has a tremendous impact on their lives, tremendous. Every quarter we have an ATI meeting and we get a little synopsis of a success story and every one of the ATI success stories, almost every single one of them the person is interviewed and they all bring up Roy's impact that he has had on them personally and how they want to change their life around and they want to make him proud. That is the truth. We get a snowstorm, those guys are working. There are not too many flat tires on the road going to Weitsman's because Roy has them out there with a magnet picking up the scrap from Weitsman's. He finds something for them to do. Our Fire trucks are clean, thank Roy. The Community kitchens are clean, thank Roy. The food banks are clean and painted, thank Roy. The Boys and Girls Club painted, leaves raked, thank Roy and his crew. He has a tremendous success rate with the ATI Program and I can tell you, we always talk about money and how much we save money, these people are not in jail learning how to be better criminals and costing us tens of thousands of dollars, and I can tell you at the end of your life all of us have to say have you made a difference, Roy does not have to worry about that. He has made a difference to everybody in his life sitting in this room and thousands of people that he has affected over the last 20+ years. Congratulations my friend. This is well deserved."

Sheriff Gary Howard spoke. "Just a couple of things. One, everybody knows and has heard what Roy has done with the ATI Program, which is unbelievable if you drive down the highway and see the bags of garbage along the road, you know Roy and his crew had been out. Everybody knows Roy about the ATI Program, but I want to give you a little insight of how we know Roy and what he does for the Sheriff's Office internally.

"Roy is a Firearms Instructor, he is an Emergency Vehicle Operation Course Instructor, he is a Basic Life Support CPR Instructor certified by the American Health Association, he is a Municipal Police General Topics Instructor, he is a Field Training Officer, he attended the Basic Corrections Course and certified. He also went to Corning Police Academy, he is also a Certified Police Officer. Those are just some of the things in our office that really you do not know about, but it is Roy. We have a phrase in our office, if something comes up and we need something done, we will sit around and go "what is Roy doing today?". That is the truth. Let's see if we can get Roy down here and take a look at this. He also handles our fixed assets. He is the quarter master for our whole Department to include our bullet proof vests and does all that, and up and beyond that he is a member of the Fire Department and past Assistant Chief of the Fire Department. I do not know if he ever goes home.

"I went through his file, he was Employee of the Second Quarter for 2007 and when I was in there, there is no less than 27 letters thanking from the

community, from non-profit organizations for the work he has done and I did not count the cards that are in there because I said 27 is enough. He has received several awards from the Sheriff's Office, one being a lifesaving award where we had a Dispatcher have a heart attack and Roy performed CPR and kept him alive until he got to the hospital. The flood of 2011 I cannot say enough of what Roy did during that time in which he received a Unit Citation. There was another Unit Citation as you can see, this is his bullet proof vest, his awards. I cannot say enough about everything that he has done for the Sheriff's Office internally. What you really know of him is the ATI Program. It is just a small part of what he does and that is huge for the community. I think Tioga County should be very happy to have Roy as an employee. The Sheriff's Office is very lucky and I am very proud."

Roy Schreiner spoke. "I really really am honored to receive this extension of what has made me today based on how I was taught and this is just a great honor. Through the years I have just surrounded myself with a lot of really good people and important people that have made me who I am today and I have been inspired by a lot of people through my career. I love Tioga County and I love my family. Thank you."

Steven Palinosky spoke. "Once more from the Employee Recognition Committee, congratulations Roy. Thank you for all of your efforts and our best wishes for continued success. Thank you all."

Chair Sauerbrey noted the following Proclamation on Heart Health Month.

*County of Tioga*  
**EXECUTIVE PROCLAMATION**

WHEREAS: Heart disease is the nation's number one and most expensive cause of death and is credited for 1 in 3 deaths in Tioga County; and

WHEREAS: Without intervention heart disease rates will increase and the American Heart Association estimates 40% of Americans will have cardiovascular disease by 2030; and

WHEREAS: Almost 50% of Americans have at least one risk factor for heart disease which includes high blood pressure, high cholesterol, smoking, diabetes, being overweight, poor diet, physical inactivity and excessive alcohol use; and



WHEREAS: Tioga County Public Health promotes preventing heart disease by eating smart, adding color in your diet with fruits and vegetables, move more and be well by managing stress; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby proclaim the month of February 2018 as

HEART HEALTH MONTH

and encourages all residents to consider lifestyle changes that can reduce the risk of heart disease.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of January 2 and 16, 2018, seconded by Legislator Mullen, 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 Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 31-18 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 William H. Standinger III on the Board of Health expired 12/31/17; and

WHEREAS: Legislative representatives on the Board of Health serve only the length of their elected term; and

WHEREAS: William Standinger has agreed to serve for another term; therefore be it

RESOLVED: That William Standinger be re-appointed to the Tioga County Board of Health for a term of 1/1/2018 – 12/31/21.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 32-18      *APPOINT MEMBER TO THE TIOGA COUNTY  
AGRICULTURAL AND FARMLAND PROTECTION  
BOARD*

WHEREAS: The Agricultural & Farmland Protection Board member serving in the Agri-Business position, Gary Phelps, declined to serve again at the expiration of his term on 12/31/2017; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and has found Howard Visscher of Visscher Auction and Realty willing to serve in this position; therefore be it:

RESOLVED: That the Tioga County Legislature hereby appoints Howard Visscher to the Agricultural and Farmland Protection Board in the Agri-Business position, replacing Gary Phelps, for a term of 2/13/2018 to 12/31/2021.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORK SESSION

RESOLUTION NO. 33-18 REAPPOINT MEMBER  
BOARD OF ETHICS

WHEREAS: Craig Jochum's term on the Board of Ethics expires March 31, 2018; and

WHEREAS: Mr. Jochum has agreed to serve a second term on the Board of Ethics; therefore be it

RESOLVED: That Craig Jochum is hereby reappointed to the Board of Ethics for a term commencing April 1, 2018 and ending March 31, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORK SESSION

RESOLUTION NO. 34-18 REAPPOINT MEMBER  
BOARD OF ETHICS

WHEREAS: Stuart Yetter's term on the Board of Ethics expires March 31, 2018; and

WHEREAS: Mr. Yetter has agreed to serve a second term on the Board of Ethics; therefore be it

RESOLVED: That Stuart Yetter is hereby reappointed to the Board of Ethics for a term commencing April 1, 2018 and ending March 31, 2021.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 35-18      *RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: John Holton, Sr. has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended John'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 John Holton, Sr. be appointed a new member to the Community Services Board, for term starting April 1, 2018 and ending March 31, 2022.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
AG COMMITTEE

RESOLUTION NO. 36-18 SET PUBLIC HEARING FOR 2018 ANNUAL AGRICULTURAL DISTRICT INCLUSIONS

WHEREAS: The Tioga County Legislature, as per resolution 296-03 designated January 2<sup>nd</sup> through January 31<sup>st</sup> as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it:

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2018 on March 8<sup>th</sup>, 2018 at 1:00 PM in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

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. 37-18 APPROPRIATION OF FUNDS AND AMEND 2018 BUDGET PUBLIC HEALTH

WHEREAS: New York State Child Passenger 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 the 2018 budget be amended and funding be appropriated as follows:

From: A4053 434011	State Aid	\$ 5,000
To: A4053 540640	Supplies	\$ 5,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

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. 38-18      *APPROPRIATION OF FUNDS AND  
AMEND 2018 BUDGET  
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health has been awarded additional grant funding from the New York State Department of Health; and

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

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

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:

From: A4011 434010 State Aid	\$ 2,694
To: A4011 540640 Supplies	\$ 2,694

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

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. 39-18      *ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT AND APPROPRIATION OF FUNDS AND AMEND 2018 BUDGET PUBLIC HEALTH*

WHEREAS: Tioga County has been awarded funding from New York Housing Trust Fund in the form of a Community Development Block Grant; and

WHEREAS: The funding is specifically designated for the acquisition of a mobile dental vehicle; and

WHEREAS: Acceptance of the award requires Legislative approval; and

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

RESOLVED: That Tioga County accepts the award from the Community Development Block Grant; and be it further

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:

From:

H4064 444011 Federal Aid: Dental Services \$300,000

To:

H4064 520130 Dental Services: Equipment (not car) \$300,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

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. 40-18

*ACCEPT APPALACHIAN REGIONAL  
COMMISSION AWARD AND APPROPRIATION  
OF FUNDS AND AMEND 2018 BUDGET  
PUBLIC HEALTH*

WHEREAS: Tioga County has been awarded funding from the Appalachian Regional Commission; and

WHEREAS: The funding is specifically designated for the acquisition of a mobile dental vehicle; and

WHEREAS: Acceptance of the award requires Legislative approval; and

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

RESOLVED: That Tioga County accepts the award from the Appalachian Regional Commission; and be it further

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:



From:  
     H4064 444011      Federal Aid: Dental Services      \$150,000

To:  
     H4064 520130      Dental Services: Equipment (not car)      \$150,000

Legislator Standinger spoke. “I think the Health Department has been very proactive in the dental van and this grant and the prior resolution grant will provide funds to secure a mobile unit to provide those services to the outlying areas in Tioga County, which is a good thing in my mind.”

Legislator Mullen spoke. “I just want to second Legislator Standinger’s comments. It is tremendous work and is a very much needed update, good work on that.”

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:                                PUBLIC SAFETY COMMITTEE  
    FINANCE COMMITTEE

RESOLUTION NO. 41-18                        *AUTHORIZE ACCEPTANCE OF A 2017  
    NYS LEGISLATIVE GRANT (LG17-1393-  
    D00), APPROPRIATE FUNDS AND  
    AMEND 2018 BUDGET*

WHEREAS: The Sheriff applied and was awarded a NYS Legislative Grant (LG17-1393-D00) in the amount of \$20,000; and

WHEREAS: This funding must be utilized to procure a new police vehicle to be utilized in transporting prisoners and inmates; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2018 budget be modified and funds be appropriated to the following accounts:

Expense Account: H3110.521060 Sheriff - Car/Truck

Revenue Account: H3110.433952 Sheriff -State Aid

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE  
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 42-18

*RE-ESTABLISH PRIOR YEAR 2017  
PREVENTIVE MAINTENANCE BRIDGE  
PROGRAM FOR 2018 BUDGET*

WHEREAS: Prior Year Grants and Projects Fund need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; therefore be it

RESOLVED: That the following account and amounts are re-established and the 2018 budget is amended:

**County Roads -Preventive Maintenance Bridge    Amount to Re-Establish**

D5110 540050	County Roads -Bridge Projects	\$248,397.00
D5110 445020	County Roads -Federal Aid	\$198,718.00
D5110 435020	County Roads -State Aid	\$ 30,000.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2018 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 43-18                      *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*

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 3 - (FFY 17), PIN 9753.99 (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 for the Preliminary Engineering/Design Work and the Construction and Construction Supervision work and at 100% Local Funds for the Construction Inspection work; 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 and the Construction and Construction Supervision and Inspection work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorize the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the increased cost of the Preliminary Engineering/Design work and the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$288,397 is hereby appropriated from the Bridge Projects Account D5110 540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby 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 notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga 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 advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 44-18

*APPLY FOR INDIGENT LEGAL  
SERVICES GRANT*

WHEREAS: The New York State Office Of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$123,804.00 to improve the quality of Indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To fully fund the position of Part-Time Paralegal plus Fringe for the Public Defender's Office.
2. To partially fund the positions listed below plus a portion of Fringe:
  1. Chief Public Defender
  2. Family Court Public Defender
  3. Part-time First Assistant Public Defender
  4. Part-time Second Assistant Public Defender
  5. Part-time Secretary for the Public Defender
3. To fund the on-line research tool for the Public Defender's Office.
4. To fund the annual support for the PD CMS system.
5. To partially fund Investigative, Expert Witness, Transcripts, Training, Books for the Public Defender's Office.

Therefore be it

RESOLVED: That the Assigned Counsel Administrator be authorized to submit the appropriate grant application for the purpose of securing this funding.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 45-18                      *ERRONEOUS ASSESSMENT  
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #1763 in the Town of Barton assessed to Richard L Casterline & Donna Casterline on the 2018 tax roll of the Town of Barton is erroneous in that the incorrect veterans exemption 41131 was applied instead of the correct veterans exemption 41001; be it therefore

RESOLVED: That a refund be issued to Richard L Casterline & Donna Casterline by the Town of Barton Tax Collector as follows:

	Original Bill #234	Corrected Bill #234
County	315.47	0
Recycle	17.01	0
Town Wide	68.23	0
Barton Fire	77.74	77.74
<b>Total</b>	<b>478.45</b>	<b>77.74</b>

And be it further

RESOLVED: That the erroneous town tax of \$68.23 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$17.01 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$315.47 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 46-18 ERRONEOUS ASSESSMENT  
TOWN OF TIOGA

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #825 in the Town of Tioga assessed to Pebble Hill Mobile Home Park on the 2018 tax roll of the Town of Tioga is erroneous in that on January 9, 2018 Hon. Ferris D. Lebous, State of New York Supreme Court Justice, ordered a corrected assessed taxable value of \$40,000.00 for the apportioned parcel #825B. The apportioned parcel #825B belongs to Edengen 215, LLC; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Town of Tioga Tax Collector as follows:

	Original Bill #1397B	Corrected Bill #1397B
County	7,893.42	5,236.09
Recycle	425.57	282.31
Town Wide	3,105.47	2,060.01
Tioga Fire	1,011.31	670.85
<b>Total</b>	<b>12,435.77</b>	<b>8,249.26</b>

And be it further

RESOLVED: That the erroneous town tax of \$1,045.46 be charged back to the Town of Tioga; and be it further

RESOLVED: That the erroneous solid waste tax of \$143.26 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$2,657.33 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$340.46 be charged back to the Tioga Fire.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 47-18                      *ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #10541 in the Town of Owego assessed to Tioga Development Group-I, LLC on the 2018 tax roll of the Town of Owego is erroneous in that on January 23, 2018 Hon. Molly Reynolds Fitzgerald, Supreme Court Justice ordered a corrected assessed taxable value of \$575,000.00; be it therefore

RESOLVED: That a refund be issued to “Hinman, Howard, & Kattell, LLP, as attorneys,” and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Owego Town Clerk as follows:

	Original Bill #8171	Corrected Bill #8171
County	6,176.49	4,647.49
Recycle	333.01	250.57
Town Wide	707.21	564.24
Part Town	1,947.34	1,553.68
Owego Fire	1,570.61	1,210.77
Utilities Re-levy	24.88	24.88
<b>Total</b>	<b>10,759.54</b>	<b>8,251.63</b>

And be it further

RESOLVED: That the erroneous town tax of \$536.63 be charged back to the Town of Owego; and be it further



RESOLVED: That the erroneous solid waste tax of \$82.44 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$1,529.00 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$359.84 be charged back to the Owego Fire.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 48-18                      *ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #10541 in the Town of Owego assessed to Tioga Development Group-I, LLC on the 2017 tax roll of the Town of Owego is erroneous in that on January 23, 2018 Hon. Molly Reynolds Fitzgerald, Supreme Court Justice ordered a corrected assessed taxable value of \$575,000.00; be it therefore

RESOLVED: That a refund be issued to “Hinman, Howard, & Kattell, LLP, as attorneys,” and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #8175	Corrected Bill #8175
County	6,031.20	4,507.49
Recycle	278.61	208.22
Town Wide	697.01	553.75
Part Town	1,874.73	1,489.41
Owego Fire	1,429.50	1,101.99
Utilities Re-levy	195.16	195.16
<b>Total</b>	<b>10,506.21</b>	<b>8,056.02</b>

And be it further

RESOLVED: That the erroneous town tax of \$528.58 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous solid waste tax of \$70.39 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$1,523.71 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$327.51 be charged back to the Owego Fire.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 49-18

*ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2016 indicates that parcel #10541 in the Town of Owego assessed to Tioga Development Group-I,

LLC on the 2016 tax roll of the Town of Owego is erroneous in that on January 23, 2018 Hon. Molly Reynolds Fitzgerald, Supreme Court Justice ordered a corrected assessed taxable value of \$575,000.00; be it therefore

RESOLVED: That a refund be issued to “Hinman, Howard, & Kattell, LLP, as attorneys,” and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #8179	Corrected Bill #8179
County	5,974.57	4,465.17
Recycle	275.99	206.27
Town Wide	696.94	553.69
Part Town	1874.53	1489.25
Owego Fire	1290.40	994.76
Utilities Re-levy	188.20	188.20
<b>Total</b>	<b>10,300.63</b>	<b>7,897.34</b>

And be it further

RESOLVED: That the erroneous town tax of \$528.53 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous solid waste tax of \$69.72 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$1,509.40 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$295.64 be charged back to the Owego Fire.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 50-18      *AWARD CONTRACT  
HAZARD MITIGATION PLAN*

WHEREAS: Tioga County's Multi-Jurisdictional Multi-Hazard Mitigation Plan expires on March 13, 2018; and

WHEREAS: FEMA requires that said document be updated every five years; and

WHEREAS: A Request for Proposal was issued to hire a consultant to prepare the plan and the Tioga County Hazard Mitigation Plan Steering Committee has met to review the four submissions received and has recommended that TetraTech be selected to prepare said plan at a cost of \$40,500; and

WHEREAS: There are sufficient funds in the amount of \$40,500 in account A3360.540140 HMP16 Hazardous Mitigation – Contracting Services; therefore be it

RESOLVED: That Tetrach is hereby selected to prepare Tioga County's Multi-Jurisdictional Multi-Hazard Mitigation Plan Update; the Chair of the County Legislature is authorized to execute a contract between Tioga County and TetraTech setting forth the rights and obligations of the parties consistent with the RFP and the proposal submitted by Tetrach upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 51-18      *AUTHORIZATION TO RENEW THE AGREEMENT WITH TAYLOR GARBAGE TO ACCEPT HOUSEHOLD ELECTRONIC WASTE FROM TIOGA COUNTY RESIDENTS*

WHEREAS: In January of 2015, New York State banned consumers from disposing of certain types of electronic waste in landfills, waste-to-energy facilities, in the trash, or at curbside for trash pickup; and

WHEREAS: Due to this ban, Tioga County entered into an agreement with Taylor Garbage where Tioga County residents can drop off their electronic waste in February 2017; and

WHEREAS: The Department of Solid Waste paid for the recycling costs for household electronic waste brought to Taylor Garbage's transfer station located at 352 Glen Mary Drive, Owego, NY; and

WHEREAS: The said program was very successful collecting and disposing of over 68 tons of electronic waste and at a \$22,214.80 savings; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the said agreement for the years 2018-2020 upon its approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
LEGAL COMMITTEE

RESOLUTION NO. 52-18 *AUTHORIZE MENTAL HYGIENE TO ESTABLISH A  
LEGAL AGREEMENT WITH NEW YORK STATE  
DEPARTMENT OF HEALTH*

WHEREAS: The purpose of a Data Use Agreement (DUA) is a means for Tioga County Mental Hygiene to request access to Medicaid Confidential Data (MCD); and

WHEREAS: New York State Department of Health has recognized the importance of the Local Government Unit (LGU) role and function in providing services; and

WHEREAS: Access to MCD is needed to effectively perform our LGU responsibilities to oversee and plan for the mental hygiene system; and

WHEREAS: Tioga County Mental Hygiene would like to establish a DUA with New York State Department of Health to access such information; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Mental Hygiene to enter into a DUA agreement with New York State Department of Health subject to approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 53-18 *CALLING ON THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR OF THE STATE OF NEW YORK TO PROVIDE STATE FUNDING TO SUPPORT THE TREATMENT AND TRANSITION SERVICES TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS (SUD) WHO ARE INCARCERATED IN COUNTY JAILS,*

WHEREAS: New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

WHEREAS: The State is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS: There remains a significant gap in the treatment and support continuum care being developed by the state and that is the local jail; and

WHEREAS: Individuals who suffer from SUD's frequently come into contact with the criminal justice system; and

WHEREAS: The link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails. Alcohol and drugs are implicated in roughly eighty (80) percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public-order offenses; and

WHEREAS: According to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, County Sheriff's indicated that of the individuals detained in their jail on drug-related charges, sixty-eight (68) percent had been in their jail before; and

WHEREAS: Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS: In NYS, the counties bear the overwhelming portion of the financial burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS: Fifty-one (51) percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and fifty-three (53) percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and

WHEREAS: A New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and

WHEREAS: A comprehensive re-entry and transition plan is critically important to minimizing the possibility of drug use, overdose and recidivism and for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and

WHEREAS: The benefits of providing effective SUD services in the jail setting have proven significant where they occur. A handful of localities in New York State have supported a level of service through local funding and are reaping significant benefits; and

WHEREAS: Albany County the jail-based Sheriff's Heroin Addiction Recovery Program (SHARP) has seen The Albany County Sheriff's Heroin Addiction Recovery Program (SHARP) provides SUD treatment during incarceration and support services after release. The program has resulted in a 28% reduction in the recidivism rate; and

WHEREAS: New York State's own cost-benefit analysis of providing jail-based SUD treatment determined that taxpayers could realize a savings over time of \$2,170 per participant through reductions in recidivism costs which include local and state incarceration costs, community supervision costs, court and prosecutions costs and police/field law enforcement costs; and

WHEREAS: The same New York State analysis determined that SUD treatment in the jails would save \$676 per participant in costs incurred by victims which include medical expenses, mental health care, damage to personal property and lost earnings due to harm or injury; and

WHEREAS: A dedicated State funding stream to counties is desperately needed to provide SUD treatment services in the jails, including screening and assessment at entry, education and counseling services, peer support,



medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS: Counties are requesting funding of \$12.8 million annually to the LGUs to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers , and reduce recidivism and victimization; now therefore be it

RESOLVED: That Tioga County calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 54-18      *DEFERRED COMPENSATION EXTENSION  
AGREEMENT*

WHEREAS: Tioga County currently use the services of Nationwide Retirement Solutions to administer the deferred compensation program, 457 plan, available to all employees; and

WHEREAS: The contract with Nationwide Retirement Solutions expires on March 8, 2018; and

WHEREAS: The County has the option of renewing the contract for 2 one year periods; and

WHEREAS: All terms and provisions of the original contract will remain in full force and effect; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute the necessary documents, subject to review by the County Attorney, to extend the services of Nationwide Retirement Solutions as our deferred compensation administrator for the period of March 8, 2018 through March 8, 2019.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

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. 55-18 ABOLISH POSITIONS  
PUBLIC HEALTH

WHEREAS: Legislative approval is required for the abolishment of any position within Tioga County; and

WHEREAS: The Public Health Director has determined that the level of services performed by the Nurse Practitioner staff is no longer needed; therefore be it

RESOLVED: That two (2) part-time Nurse Practitioner positions (\$27.11 per hour) within the Public Health Department be abolished effective February 14, 2018; and be it further

RESOLVED: That due to the title's competitive classification under civil service, the two employees impacted by the lay-off shall be placed on a preferred eligible list; and be it further

RESOLVED: That the Public Health Department's authorized part-time headcount for 2018 shall be reduced from 9 to 7.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 56-18 SALARY ADJUSTMENT FOR NEW FULL-TIME DEPUTY  
SHERIFF  
SHERIFF'S OFFICE

WHEREAS: Tioga County Resolution 211-99 requires legislative approval for any appointments made above an established base salary amount; and

WHEREAS: On February 17, 2018, the Sheriff intends to fill a vacant, budgeted full-time Deputy Sheriff position with Brenda Kemp-Yaeger, who is both eligible for and willing to accept appointment from a duly certified civil service list; and

WHEREAS: Mrs. Kemp-Yaeger has been employed with the Tioga County Sheriff's Office as a full-time Correction Officer since January 2007; and

WHEREAS: The Sheriff received approval from the TCLEA to hire a new, full-time Deputy Sheriff with several years of related law enforcement experience at the 2018, 1 Year Rate or \$51,852; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the base salary for Brenda Kemp-Yaeger be set at \$51,852 effective February 17, 2018; and be it further

RESOLVED: That Mrs. Kemp-Yaeger shall be credited with 11 years of service for longevity pay according to the provisions of the TCLEA contract.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 57-18 *ABOLISH AND CREATE CLASSIFICATIONS  
DEPARTMENT OF PUBLIC WORKS*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: After conducting a review of the Materials Recovery Manager classification (Non-union salary) within Department of Public Works, the Personnel Officer has determined a need to retitle and amend said classification in order to more accurately reflect the nature of the work performed; therefore be it

RESOLVED: That for the purpose of retitling and amending a classification, the Tioga County Legislature authorizes the abolishment of the Materials Recovery Manager and authorizes the creation of Sustainability Manager within the same Non-union salary range as Materials Recovery Manager effective February 14, 2018; and be it further

RESOLVED: That the current incumbent, Ellen Pratt, shall retain her permanent competitive class status by being appointed from the appropriate civil service eligible list for Sustainability Manager.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 58-18 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; and

WHEREAS: If an employee's work load substantially increases or decreases at any time during their term/appointment, the employee should complete a new three month record of activities; 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)
Elected Officials					
Legislator	Martha Sauerbrey	6	1/1/16-12/31/18	N	25.20
Appointed Officials					
Youth Bureau Director	Maureen Hawley	7	1/1/16-12/31/18	N	6.10

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the thirteenth day of February, 2018 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this thirteenth day of February, 2018.

\_\_\_\_\_  
Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on February 13, 2018 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at [www.tiogacountyny.com](http://www.tiogacountyny.com)
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at \_\_\_\_\_

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 59-18

*RESOLUTION TO DECLARE WORK DAY  
STATUS FOR ELECTED AND  
APPOINTED OFFICIALS (ECONOMIC  
DEVELOPMENT AND PLANNING)*

WHEREAS: Resolution 206-09, 127-16, 230-17, and 30-18 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: Resolution 317-17 created a new part-time Economic Development Specialist position; and

WHEREAS: A standard work day needs to be established for new positions; therefore be it

RESOLVED: That the Tioga County Legislature hereby establishes as a standard work day for this new position for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, seven hour day: Economic Development Specialist

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell 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 Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE  
PERSONNEL COMMITTEE  
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 60-18 AMEND EMPLOYEE HANDBOOK

WHEREAS: Several sections of the Employee Handbook need to be amended; and

WHEREAS: The Legislature is desirous of amending the Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook shall be amended as follows:

1. Section II – Ethics Rules (formerly Policy #26) amend Section IV. Disclosure of Interest, paragraph C to state the following:

“C. The list of positions required to provide a financial disclosure shall be known as Schedule A and will be posted on the County’s Intranet under “Employee Handbook – EH Forms”. Said list may be amended from time to time by the “Chief Elected Official” in accordance with Article 18 of the New York State General Municipal Law to reflect current County staffing positions.”

2. Section IX – Building and Vehicle Procedures c. Assignment and use of County vehicles (formerly Policy #39) amend Section IX Accident Reporting to state the following :

- “A. The police must be notified for all accidents involving County vehicles, regardless of severity or fault, excepting very minor accidents of Public Works vehicles which involve only damage to a vehicle of less than \$1000 and which occurred entirely on County property. When reporting an accident, obtain the name of the investigating officer and the report number.
- B. Employees are also to report the nature and extent of all vehicle accidents to their direct supervisor and Department Head. Such information shall also be reported to the County Law Department and County Mechanic as shall all vehicle accidents involving Department Heads and elected officials. An Incident Claim, which can be obtained on the Tioga County Intranet under County Attorney Forms, must be filed with the Tioga County Attorney’s Office as soon as possible, but no later than the close of the next business day.
- C. In accordance with New York state law, accidents involving damage over \$1000 to the property of any one person, personal injury, or a fatality must be reported to the police and an MV104 form must be filed with the Department of Motor Vehicles. The MV104 form can be found on the County’s Intranet “Employee Handbook-EH Forms” or under Forms on the County Intranet, or obtained and/or filled out on the DMV website at <https://www.dmv.org/ny-new-york/forms.php>. It is the responsibility of the employee involved in the accident to file this form with the Department of Motor Vehicles.”



3. Section IV - Personnel Rules a. Positions/Leave Time/ Vacancies (formerly policy #1) amend Section V Leave Time paragraph E is hereby deleted and paragraph C is hereby amended to state the following:

"In accordance with Section 159-b of the Civil Service Law (amended as of March 18, 2018, all County employees (male, female, full-time, temporary or permanent) are allowed up to four (4) hours of paid leave time per calendar year annually for cancer screening(s). Leave for cancer screening(s) is not cumulative and expires at the close of business on the last day of each calendar year. Travel time to and from the screening(s) is included in the four hours. Absence beyond the four hours must be charged to other leave time. Employees who undergo the screening(s) outside their regular work schedule do so on their own time. Employees are not granted compensatory time off for cancer screening(s) that occur on days off or holidays. Employees are required to provide satisfactory medical documentation that their absence was for the purpose of screening for cancer. The documentation should be attached to the employee's time sheet or presented to the Department Head."

And be it further

RESOLVED: That the remainder of the Employee Handbook is in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:35 P.M.

*Second Special Meeting  
February 22, 2018*

The Second Special Meeting of 2018 was called to order by the Chair at 10:11 A.M. Seven Legislative members were present, Legislators Huttleston and Roberts being absent.

Chair Sauerbrey gave the prayer. "I ask for God's blessing on this Nation, on its Leaders, and pray for peace in our Nation, and guidance on how to deal with these terrible tragedies that have happened, and we ask for your help and guidance on this Legislature."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 10 people in attendance.

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

REFERRED TO:                                   ADMINISTRATIVE SERVICES COMMITTEE  
  PERSONNEL COMMITTEE

RESOLUTION NO. 61-18                    *APPOINT DEPUTY ELECTION COMMISSIONER  
  BOARD OF ELECTIONS*

WHEREAS: The position of Deputy Election Commissioner (Democrat) will become vacant on February 24, 2018, due to retirement; and

WHEREAS: The Democratic Election Commissioner has selected a candidate to backfill the vacancy; therefore be it

RESOLVED: That Emily Price shall be appointed as Deputy Election Commissioner effective February 26, 2018, at the 2018 annual non-union salary of \$34,156.

## ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Hollenbeck, Monell, Mullen, and Sauerbrey.

No – None.

Absent – Legislators Huttleston and Roberts.

## RESOLUTION ADOPTED.

The meeting was adjourned at 1013 A.M.

*Public Hearing  
Annual Agricultural District Inclusion  
March 8, 2018*

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2018 was called to order by the Chair at 1:00 P.M. All Legislative members were present.

There were six people in attendance.

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

Elaine Jardine, County Planning Director spoke. "This year we received two requests, both from the Town of Nichols for 122 acres active dairy land, so it is viable agriculture. The Ag and Farmland Protection Board has met and recommended to the County Legislature to approve this modification."

There being no further comments, the hearing was adjourned at 1:01 P.M.

*Third Regular Meeting  
March 13, 2018*

The Third Regular Meeting of 2018 was held on March 13, 2018 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we pray that you guide us as we conduct the business of the citizens of Tioga County and we thank you that we are born and live in a free country, United States of America."

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

There were 4 people in attendance.

Legislator Huttleston read and presented the following Proclamation on Welcome Home Vietnam Veterans Day in Tioga County to John Holton, Veterans' Services Director.

PROCLAMATION  
WELCOME HOME VIETNAM VETERANS DAY

WHEREAS: March 29, 2018 is National Welcome Home Vietnam Veterans Day; and

WHEREAS: More than 500,000 members of our Armed Forces served in Vietnam, with 58,272 giving the ultimate sacrifice for their Country. Tioga County has 4,623 veterans living here in Tioga County, many of whom are Vietnam Era veterans; and

WHEREAS: To recognize their service and sacrifice and the failure of our nation to offer them proper respect and gratitude when they returned home at the end of the Vietnam War; therefore

THAT THE TIOGA COUNTY LEGISLATURE does hereby proclaim

March 29, 2018 as  
"Welcome Home Vietnam Veterans Day" in Tioga County

and encourages Tioga County citizens to honor Vietnam Veterans Day in appreciation of our Tioga County Veterans who have served.

Legislator Huttleston spoke. "As you all know we have a new Director of Veterans' Administration, John Holton, which the reports I get is he is doing a real good job. It is a blessing that you get somebody finally in office that can do these things that need to be done in the County. I appreciate all you are doing and I know the Legislature does. Thank you."

John Holton, Veterans' Service Director spoke. "Thank you very much. It is an honor to serve and I have no prepared notes. I myself am a Vietnam Era Veteran and on behalf of my brothers and sisters who served, those veterans present, and all those who have gone before us and who continue to serve. I personally thank this body for its support for the veterans. I am grateful. Thank you very much and bless you all."

Legislator Standinger spoke. "I just want to say I missed the Vietnam Era by a matter of months. I enlisted in 1976 after things were pretty much shut down, so I did not have to go over to that foreign land. I know a lot of my friends and coworkers when I was in the Military did and I am pleased that we put that Proclamation out there."

Legislator Standinger read and presented the following Proclamation on Rabies Prevention and Awareness Month to Lisa McCafferty, Public Health Director.

County of Tioga  
Executive Proclamation

WHEREAS: Rabies is a contagious and fatal virus that is spread among dogs, cats, bats, raccoons, foxes and other mammals, including humans; and

WHEREAS: It is vital to notify Tioga County Public Health of all animal bites and wild animal exposures, including bats, due to the potential risk of rabies; and

WHEREAS: If left untreated in humans rabies has a 100% fatality rate; and

WHEREAS: With animal vaccination, rabies is preventable; and

WHEREAS: New York State law requires all dogs, cats, and ferrets get their first rabies vaccination no later than four months of age and their second rabies shot within one year. Thereafter, a booster shot is required every three years; and

WHEREAS: Tioga County Public Health hosts numerous rabies vaccination clinics throughout the county, including one on March 22 at the Waverly Village Barn; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of March 2018 as

RABIES PREVENTION & AWARENESS MONTH

and urges all the citizens of our County to vaccinate their pets against rabies.

Legislator Standinger spoke. "The Public Health Department has been very proactive in regards to rabies vaccinations with these clinics and it is a pretty painless operation to go and get your dog shots. Hopefully people will comply."

Lisa McCafferty, Public Health Director spoke. "Thank you very much for your support. All I can say is as an Environmental Sanitarian and Public Health Director this is one of the best things a community can do to control rabies and your wildlife population. Thank you."

Legislative Chair gave the state of the county address.

"If you read the newspaper or listen to the news you begin to wonder what this world is coming to. I am concerned every time I listen to the news about our County and I think about how we can change the direction we are going in.

"Mother Teresa said, "If you want to make the world better - go home and love your family".

"My immediate family is my husband, my children and my grandchildren. My family is also each and every citizen of this county. As a leader, I ask myself what can I do to make this county better. I believe that we have the tools to be better and to succeed with our dedicated and talented workforce and we need to continue to be open to new ideas and look for better ways of doing things.

"We have made progress. Tioga County has streamlined their process and become the third county in the State to implement a mobile management system for Child Welfare Workers. Through an iPad based system, casework staff can more efficiently administer their responsibilities and increase the amount of time devoted to true casework versus mandated paperwork requirements.

"This year the District Attorney's Office started a new Traffic Safety Diversion Program. The program allows qualified motorists to take a six hour driving class in lieu of their traffic ticket being prosecuted and this program is expected to improve traffic safety.

“Economic Development and Planning continues to bring jobs and opportunity to our communities. It often takes years to develop a project, however last year we saw the completion of several projects opening being Crown Cork and Seal, Owego Gardens Housing and the new Fed Ex operation. Tioga Downs opened their new hotel and began operating as Tioga Downs Casino Resort and Events Center. Ongoing projects include the Owego Gateway, Waverly Main Street Development and the Owego Parkview Anchor grant along with other projects that are in early stages of development.

“A recent Housing & Economic Impact Study was completed through collaboration with the Tioga County Economic Development and Planning Team, the Tioga County IDA and Tioga Opportunities. This information will help us create an overall housing strategy that identifies our housing needs in Tioga County and then will help us to develop strategies as we move forward.

“The Tioga County Property Development Corporation (Land Bank) was recently established to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned, tax foreclosed and underutilized residential and commercial properties.

“As part of our Regional Economic Development Council award, Tioga County received a \$300,000 grant to purchase a new mobile dental vehicle. Since 2003, our Mobile Dental Program has served 10,000 Tioga County children and adults throughout the county at schools and community centers. After 14 years in upstate New York weather, our current dental trailer is rusty and identified as in need of replacement. We expect the arrival of our new Dental Vehicle in early 2019.

“Our Veterans Service Department had an exceptional year offering a focused outreach throughout the county to increase awareness of the services they provide. In January, our part time Veterans Service Officer became a full time employee, which allows for extended hours and more programs. These gentlemen have done an amazing job of reaching out to our veterans, bringing new resources and providing needed support to our veterans. They have successfully collaborated with other county departments and outside agencies to bring services that were never offered in the past.

“The bulk of Tioga County's 347 full-time employees are represented by three labor unions and last year all three union contracts were negotiated and completed. Personnel and negotiation teams put in a significant amount of time and thoughtfulness to the collective bargaining process.



“It is a sad day when a long time employee retires and last year we honored our County Attorney Judy Quigley as she retired after 30 years of government service. We hired Peter DeWind as our new County Attorney and when he arrived he hit the ground running. Peter has his hands full since he arrived with new challenges including he is the advisor for the Shared Services Program.

“Last year the Governor instituted a Shared Services Initiative wherein he required the Chief Executive Official of each county, excluding New York City, to establish a Shared Services Panel that would include the mayor of each city and village and the supervisor of each town. The objective was to develop a Property Tax Savings Plan through shared, coordinated and more efficient services between local governments within the county. We had four meetings last year with 100% participation at our first meeting. We also had three public hearings as required. Despite the cooperation and the numerous meetings we did not identify a plan that showed savings. What we did learn was that our towns and villages have been cooperating with each other and sharing services for many years. We are required to continue this year and we will do so in an effort to find a shared service that saves taxpayer dollars and as a side note we think we have found it and we will keep you in tune.

“Tioga County is financially sound thanks to the Legislators conservative approach on spending. We continued to stay under the tax cap in 2017 with a zero increase in county property taxes. Sales tax revenue increased by 7.5% and our fund balance is estimated to be 21 million dollars. We received 1.1 million in casino revenue, which was transferred to our Capital Reserve Account to be spent on future capital projects that will benefit all Tioga County residents.

“What is concerning is that for the past few years we have seen a dramatic increase in the number of community members addicted to opiates. Drug and Alcohol abuse not only affects immediate families, but our communities as well. This impacted our finances by the increased need for county services. We have experienced a greater need for foster care homes along with mental health services. Jail costs have increased with an estimated 75% of the people that are incarcerated are there due to drug or alcohol related crimes. The number of people on probation is increasing, but some of them are going to a Drug Treatment Court. The District Attorney’s office works with the Sheriff’s office and area police departments to stop the flow of drugs to our communities. The Public Health Department provides Tioga County Emergency Services and Law Enforcement with trainings and the opioid overdose prevention kits called Narcan. Almost all of our county departments are impacted in one way or another.

"The Tioga County Allies and Substance Abuse Prevention (ASAP) Coalition was organized over a year and a half ago and is made up of community members, government agencies, and professional organizations working for a healthy county free from the effects of substance abuse. Last year this organization hosted several projects; a Community Picnic to engage and educate the public about the dangers of drug abuse and a "Do 1 Thing Event" to encourage the community and increase individual involvement.

"2017 was the 100th Anniversary of the Women's Right to Vote in New York State. With the help of our County Historian and many volunteers throughout the county we honored those women who fought for the right to vote in Tioga County. Events were held throughout the county and a special daylong event was held at the Tioga County Court House.

"New regulations have come from the State regarding Raise the Age and Attorney at Arraignment and have required much time and attention by our departments to address these requirements. We are a rural county and many of these programs address the needs of bigger counties and do not necessarily apply to smaller counties.

"Succession Planning is important in any organization and for the last year and a half we have been taking a hard look at the future of our workforce. A Succession Planning Committee was formed to address the issue of our aging workforce and possible loss of historical knowledge. We found that over 100 essential employees, of those nearly 40% of them were eligible for retirement. We quickly went to work developing a plan and during this past year the committee did a great deal of work identifying key positions and developed a yearlong five session training curriculum that contained key components for developing leaders in a preemptive attempt to retain younger employees with leadership potential. The Institute for Advancement kicked off its first meeting in January with a presentation on County Government 101. Nineteen of our county employees are participating in the program.

"Last year the Legislature reorganized the Office of Emergency Management with the Bureau of Fire creating the Office of Emergency Services in an effort to improve efficiency and provide better services. Working together we have redesigned the department, enhanced with a full time employee dedicated to providing emergency services throughout the county. As we grow into this new way of doing things each day provides better service.

"Safety of our employees is a high priority and last year the Legislature enacted an Active Shooter Policy, which is providing employees with valuable information on how to survive an active shooter incident. We also installed an

Active Shooter Alarm system and held several drills in the Health and Human Services Building.

"The Sheriff's Office and the Office of Emergency Services are working with the community and schools to raise awareness and develop preparedness plans in case of unwanted incidents.

"This year we held our Fourth Annual Tioga County Job Fair on March 7<sup>th</sup> with 109 businesses registered. The effort is supported by the Tioga County Business Services Team, which was formed prior to the First Annual Job Fair and they continue to provide services to new and existing businesses. This year over 450 people attended.

"Challenges and difficulties will always be with us. It is how we handle them that make a difference in the outcome. In New York State counties deliver vital programs and services to the citizens of their communities. We are the heart of the state, working directly with and for our residents. I am confident that the leadership of this county will continue to make thoughtful decisions and together with our workforce we will continue to find better ways of providing services to the public.

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of February 13 and 22, 2018, seconded by Legislator Monell, 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 Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 62-18 APPOINT CERTIFYING OFFICER FOR  
ENVIRONMENTAL REVIEW  
PUBLIC HEALTH

WHEREAS: Tioga County has been awarded Community Development Block Grant (CDBG) funds from New York State for the replacement of the Tioga County Mobile Dental Van; and

WHEREAS: Projects that include CDBG funds must be assessed in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFR Part 58; and

WHEREAS: A Certifying Officer must be identified to do an environmental review to determine that there are no unanticipated impacts nor impacts not adequately addressed in the program review related to the environment; therefore be it

RESOLVED: That Todd Kopalek, Supervising Public Health Sanitarian, shall be designated as the Certifying Officer for Tioga County CDBG Project Number 1142PF59-17 and will be responsible for all activities associated with the environmental review process.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 63-18 *RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Beth Johnson expires as of March 31, 2018; and

WHEREAS: Beth Johnson has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Beth Johnson for another three-year term of 4/1/18 – 3/31/21.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 64-18 *RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Sonny Dewitt expires as of March 31, 2018; and

WHEREAS: Sonny Dewitt has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Sonny Dewitt for another three-year term of 4/1/18 – 3/31/21.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 65-18 *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:

	TERM
Ex-Offender	4/1/18-3/31/19
Crime Victim	4/1/18-3/31/19
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/18-3/31/19

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 66-18                      *CREATE A COUNTY ANIMAL RESPONSE TEAM (CART) OFFICE OF EMERGENCY SERVICES*

WHEREAS: Any disaster that impacts humans also impacts animals as they rely on human intervention to ensure their safety. To meet the needs of animals, New York State has adopted the Empire State Animal Response Team (ESART); and

WHEREAS: Since disaster response begins and ends at the local level, ESART supports the creation of County Animal Response Teams (CART) to develop, train, and resource coordination during such events; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services is authorized to create a County Animal Response Team (CART).

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 67-18

*AMEND COMPREHENSIVE EMERGENCY  
PLAN (CEMP)  
TO INCLUDE ANIMAL  
EMERGENCY PLAN  
EMERGENCY SERVICES*

WHEREAS: Resolution #140-13 approved the revision of the Comprehensive Emergency Management Plan (CEMP), and

WHEREAS: The Director of Emergency Services would like to add an annex to include an Animal Emergency Plan; therefore be it

RESOLVED: That the current Comprehensive Emergency Management Plan (CEMP) be revised to include the Animal Emergency Plan.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
AGRICULTURE COMMITTEE

RESOLUTION NO 68-18                    *AUTHORIZE 2018 REQUESTS FOR INCLUSION OF  
LANDS IN AGRICULTURAL DISTRICTS*

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 located within the Owego/Nichols Agricultural Districts totaling 122 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have “little likelihood of significant adverse environmental impact...” via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; 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 makes a SEQR Negative Declaration and approves the 2018 requests for inclusion of land listed in said report into the Owego/Nichols 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; and be it further



RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Owego/Nichols Agricultural Districts effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 69-18                      *AMEND RESOLUTION NO. 279-17  
TO STATE CORRECT BID PRICE*

WHEREAS: It appears necessary to amend resolution number 279-17 wherein the Tioga County Legislature authorized the sale of property identified as Tax Map number 62.00-1-17.111 to Thomas D. Darpino and Deborah A. Darpino for a purchase price of \$45,000; therefore be it

RESOLVED: That resolution number 279-17 be and hereby is amended to state a purchase price of \$22,500.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 70-18      *RESOLUTION REINSTATING THE  
TAX ENFORCEMENT OF THE  
COLLECTION OF REAL PROPERTY  
TAXES AND FUTURE TAXES OF  
CERTAIN PROPERTY PURSUANT TO  
ARTICLE ELEVEN OF THE REAL  
PROPERTY TAX LAW*

WHEREAS: The Tioga County Legislature canceled the enforcement of collection of delinquent taxes and future taxes on property listed below pursuant to Resolution #24-15; and

WHEREAS: The impediments that caused the property to be withdrawn and the tax canceled have been resolved. The Tioga County Treasurer recommends that the parcel be removed from the exempt section of the tax assessment rolls and reinstated for the future collection of real property taxes; therefore be it

RESOLVED: That the Tioga County Legislature has determined that the property be removed from the exempt section of the tax assessment rolls and reinstated for the future collection of real property taxes. The Legislature further directs the enforcing officer to issue a certificate of reinstatement and file a copy of certificate with the County Director of Real Property Tax Services and with the Assessor of the assessing unit in which the parcel is located.

<u>FORMER ASSESSED OWNER</u>	<u>TOWN/VILLAGE</u>	<u>TAX MAP #</u>
Northern Tioga Enterprises LLC Current Owner: Leroy Eiklor	Newark Valley	64.19-3-32.2

ROLL CALL VOTE

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

No – None.

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. 71-18 *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 \$126,528.00 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 \$126,528.00 for the period of April 2018 – April 2019; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$10,544.00 at a total annum amount of \$126,528.00.

ROLL CALL VOTE

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

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. 72-18 *APPROPRIATION OF FUNDS AND AMEND 2018 BUDGET PUBLIC HEALTH*

WHEREAS: Tioga County Public Health has been awarded additional grant funding from the New York State Department of Health; and

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

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

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:

From: A4011 434010 State Aid	\$ 1,498
To: A4011 540640 Supplies	\$ 1,498

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 73-18 *FUND SHERIFF'S GRANT –NYS POLICE TRAFFIC SERVICES GRANT*

WHEREAS: The Sheriff's Office has been awarded a NYS Police Traffic Services Grant (PTS-2018-Tioga Co SO-00106-(054) in the amount of \$17,775; and

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

RESOLVED: That the NYS Police Traffic Services Grant be appropriated as follows:

Expense Account: A3110.510030 Overtime/Other \$17,775

State Aid Revenue Account: A3110.433900 \$17,775

ROLL CALL VOTE

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

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. 74-18 BUDGET MODIFICATION  
YOUTH PROGRAMS

WHEREAS: The Youth Bureau Director has resigned; and

WHEREAS: The salary related administrative functions of the Youth Bureau will be done within Social Services allowing for more funds to be awarded to programs and non-salary administrative expenses; and

WHEREAS: Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A7310.510020 Part Time/Temporary	\$ 6,287
To: A7310.541540 Reimbursements	\$ 6,287

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 75-18

*RESOLUTION TO APPROVE  
CONTINUED MOU BETWEEN TIOGA COUNTY  
PROBATION DEPARTMENT AND SMART  
START*

WHEREAS: The Tioga County Probation Department must supervise offenders who are sentenced to probation supervision by Tioga County courts for drink and driving behavior ; and

WHEREAS: Many probationers divest themselves of their motor vehicles pre or post sentencing so that they do not have to install an ignition interlock device (IID). The Smart Start company markets a hand held IID, similar to an IID, that will allow defendants to blow into the device at assigned times and have their BAC calculated, a photo taken and a GPS location established; and

WHEREAS: The Smart Start company has partnered with Tioga County since 2015 to provide these devices at the rate of \$3.10 per day via an MOU that is renewable automatically each year and would like to continue the program in 2018; and

WHEREAS: Tioga County Probation has budgeted funds for Clinic Supplies for testing of probationers in the amount of \$4,250 in account number A3140 540080 and there is one time 2018 STOP-DWI funding available in the amount of \$3,977 for this service; therefore be it

RESOLVED: That the Tioga County Legislative Chair is approved to contract with Smart Start, upon approval by the County Attorney, to provide hand held alcohol testing devices for the year 2018.

## ROLL CALL VOTE

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

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. 76–18 *AUTHORIZE LEASE FOR RURALNET*

WHEREAS: The Tioga County Legislature recognizes the importance of quality Internet services for businesses and residents within the county borders; and

WHEREAS: The ITCS department has helped facilitate that development through work with Southern Tier Network, providing a “POP” (Point of Presence) location in the County data center that can be utilized by providers to connect to the Southern Tier Network middle-mile fiber optic network; and

WHEREAS: The provider RuralNet has approached the County to lease space to place a data rack and establish a connection to Southern Tier Network at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: A contract has been submitted, reviewed and approved by ITCS and the County Attorney for the above service; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to sign the associated lease agreement with RuralNet at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 77-18

*SALARY ADJUSTMENTS FOR PUBLIC  
DEFENDER'S OFFICE  
PUBLIC DEFENDER*

WHEREAS: Legislative approval is required to adjust the salary of non-union employees; and

WHEREAS: Per Resolution 44-18, Tioga County will receive grant funding from the New York State Office of Indigent Legal Services (ILS) which will be used to fund salaries in the Public Defender's office; therefore be it

RESOLVED: That the following 2018 non-union salaries shall be adjusted as follows and shall be effective retroactive to 01/01/2018:

Mari Townsend, Assistant Public Defender, from \$60,708 to \$66,208 annually;

Todd Miller, 1<sup>st</sup> Assistant Public Defender, from \$40,553 to \$42,553 annually;

Thomas Cline, 2<sup>nd</sup> Assistant Public Defender, from \$39,379 to \$41,379 annually;

Stacey Reynolds, Secretary to the Public Defender, from \$11.92/hour to \$12.49/hour;

and be it further



RESOLVED: That with said salary adjustments, the Treasurer's Office shall be reimbursed by the ILS grant for only those fringe benefits which are associated with the salary increase.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Mullen and carried.

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

REFERRED TO:	ADMINISTRATIVE SERVICES COMMITTEE
RESOLUTION NO. 78-18	<i>MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO FULLY FUND EARLY VOTING OPERATIONS</i>

WHEREAS: Under State Law, counties in New York State manage, operate, and fund elections in New York State; and

WHEREAS: In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and

WHEREAS: The proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and

WHEREAS: Counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan county Board of Elections and subject to standards of accessibility and convenience; and

WHEREAS: County Boards of Elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and

WHEREAS: These proposals will significantly increase costs to county Boards of Elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and

WHEREAS: Under New York State Law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and

WHEREAS: The cost of early voting has been estimated at \$6.4 million per year; and

WHEREAS: The State-imposed property tax cap makes it difficult for local governments to absorb new costs of any kind; therefore be it

RESOLVED: That the Tioga County Legislature calls upon the State to fund all costs associated with early voting; and be it further

RESOLVED: That the State consider removing the early voting requirement unless they are able to provide full funding; and be it further

RESOLVED: That certified copies of this resolution be sent to Honorable Andrew M. Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, and New York State Association of Counties.

Legislator Standinger spoke. "I would like to address this early voting issue because it really is a cure to a nonexistent problem. We have absentee ballots available, which if the person cannot vote on the day of the election they have the option of an absentee ballot, so to put an added burden on the staff and the finances of the County to conduct early voting to cure a problem that does not exist does not make any sense to me. Unfortunately that is not the case with the individuals in Albany who came up with this idea."

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 79-18 *AUTHORIZE REIMBURSEMENT TO  
DARYL WILLIAMS*

WHEREAS: Daryl Williams was employed by the Tioga County Sheriff's Department before retiring in 2009; and

WHEREAS: Daryl Williams has made a claim that he has been underpaid for past due employee benefits through no fault of his own; and

WHEREAS: The Tioga County Legislature wishes to reimburse Daryl Williams for such underpaid benefits and adjust his claim through April 2018; therefore be it

RESOLVED: That the Tioga County Legislature authorizes payment to Daryl Williams in the amount of \$72,500, which shall be paid from the Liability Insurance Fund, Account No. CI120000 contingent upon entering into a settlement agreement with the County as approved by the County Attorney.

Legislator Mullen spoke. "I would just like to thank County Attorney Peter Dewind and Personnel Director Bethany O'Rourke for the monumental amount of hours and taking on this task and making what was a very unfortunate situation and making it right. Thank you Peter."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 80-18 *AUTHORIZE APPOINTMENT OF  
VOTING MACHINE TECHNICIAN  
BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on February 26, 2018; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That Jean Caporal is appointed to the title of Voting Machine Technician effective March 19, 2018 at the established non-union rate of \$16.52 per hour.

Legislator Mullen spoke. "I just want to point out this goes in with what Legislator Standinger just talked about. We have had to increase the hours and training for all of our Board of Elections employees since 2009 and it has grown expeditiously in the last nine years, and this is a direct result of more and more from the state and more and more burden upon the counties in the costs. We have increased costs to the Board of Elections and to the county as a whole that we did not expect and now we have to pay for it."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:30 P.M.

*Fourth Regular Meeting  
April 10, 2018*

The Fourth Regular Meeting of 2018 was held on April 10, 2018 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. "Heavenly Father, we thank you for this opportunity to serve the citizens of Tioga County and we ask today and all days that you help us and guide us in doing what is best for our neighbors."

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

There were 22 people in attendance.

Legislator Standinger read and presented the following recognition resolution to Kimberly Clark 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. 81-18      *RECOGNIZE KIMBERLY A. CLARK'S  
33 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Kimberly A. Clark began her career with the Tioga County Department of Social Services as a Community Services Worker in January 1985. In October 1987, Kim was promoted to Social Welfare Examiner, in August 1990 met the qualifications to transition to the position of Employment Specialist, Kim was promoted to Principal Social Welfare Examiner in December 1997 where she currently leads the HEAP and Energy programs within the Employment and Transitional Supports Unit; and

WHEREAS: Kimberly A. Clark has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Kimberly A. Clark has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Kimberly A. Clark will retire on April 28, 2018; 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 Kimberly A. Clark for her thirty-three 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, Kimberly A. Clark.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standingier.

No – None.

Absent – None.

#### RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standingier spoke. “With that being said I know Shawn is probably going to try and recruit you for the seasonal HEAP employment, so I hope you are receptive to that because it would certainly make his life easier.”

Shawn Yetter, Commissioner of Social Services spoke. “Thank you Legislator Standingier. It is always a bitter sweet moment when you wish someone well in their retirement, especially after so many years of dedicated service that Kim has had. Kim actually began her career in 1984 with the Department as a temporary Clerk-Typist, so I thought well 1984 that is an interesting year because in 1949 when George Orwell wrote 1984 that seemed like a long long way away. Now 1984 it seems a long time ago and it should fill you with a sense of some emotion that a lot of our employees were not even born yet, but that is okay, with age comes wisdom.

“Early on in her career it was evident that Kim was an employee that was held in high esteem. I will give you just a couple of blasts from the past Kim. In 1987 Eleanor Monroe wrote in one of Kim’s evaluations, “Kim is meticulous in many areas. Her personal qualifications reflect Kim as a valuable resource.” In 1992 Mary Ellen Middleton wrote, “Kim’s work performance can be ranked as extremely excellent” and in 2000 Natalie Thompson wrote, “Deals with many who are not satisfied with the answers they get” and I think that pretty much sums up your career, whether it be finance or employees.

“On a bit of a personal note, when I first returned as Commissioner in 2003 Kim was being challenged by a situation at work and it was a challenge for me to try to help bring that situation to a successful resolution, which happened, but it had very little to do with me. It happened because of Kim’s resolve and her willingness to keep looking forward. The resolution detailed Kim’s history with our department with her promotion to her current title of Principal Social Welfare Examiner coming in December of 1997.

“Kim spent the first 15 years or so of her career honing her skills and learning how to deal with those folks who often are not satisfied and for the past 20+ years Kim has been a Supervisor of the highest caliber at the department. It is because of both of those two phases of experience for Kim that she is such a valued asset and why she will be such a loss. It is because of the skills, competence, and compassion that public servants like Kim Clark possess that we can maintain a high level of respect in the community for both the people we serve and with our partners throughout the County who work with us. Kim has successfully supervised our HEAP Energy Unit for many years and it may sound simplistic, but she lives and breathes our mantra that no one in Tioga County will ever suffer for the lack of heat under our watch. Thank you Kim for your many years of dedication to the people of Tioga County and we all join in wishing you a long healthy happy retirement.”

Kim Clark spoke. “Thank you. Working at Social Services is not for sissies that is for sure. I appreciate the work of my fellow workers and supervisors that are going to carry on the torch. Thank you very much.”

Legislator Standinger read and presented the following Proclamation on Earth Awareness Week to Lisa McCafferty, Public Health Director and Ellen Pratt, Sustainability Manager.

Legislator Standinger spoke. “Regarding this I know there was a little dissension about it and I will kind of address that a little bit. This is a pretty conservative County and I know that Earth Day has a different connotation than places like Ithaca. Saying that, this proclamation is basically the result of Earth Day and the fact that we do live on a planet that we need to care for so further generations will have the opportunity to enjoy it and Tioga County is an awful doggone nice place to live.”

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: Educating residents about the benefits of reducing waste, reusing and recycling efforts are essential elements in attaining sustainable community; and

WHEREAS: Educating on improper disposal of household wastes, such as chemicals, and how it increases the risk of water resources being polluted; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors and practices by learning how we can reduce waste, reuse and recycle; and

WHEREAS: Earth Day is a worldwide event that provides an opportunity for our county to learn about waste reduction, reuse and recycling opportunities and success stories that are vital to economically and environmentally healthy communities; and

WHEREAS: Both the Tioga County Sustainability Manager and Tioga County Public Health support these initiatives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 15-22, 2018 as

#### EARTH AWARENESS WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of reduction, reuse and recycling in the environmental and economic health of our community.

Legislator Standinger spoke. "I just want to say this young lady (Ellen Pratt) to my right has been very good at providing a recycling program in Tioga County and I appreciate your efforts on that behalf. Thank you."

Ellen Pratt, Sustainability Manager spoke. "I want to thank the Legislature for this Earth Day awareness week. It is both important environmentally and economically, especially since Tioga County does not have a landfill. Everything we throw away we have to pay and that money leaves the County, so it is really important that we reduce our waste and recycle and reuse where we can. Thank you."



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, and learning about prevention of deadly diseases; 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 County 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 diseases, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

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

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of

April 2-8 2018, as  
PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

Chair Sauerbrey read and presented the following Proclamation on Military Appreciation Month to John Holton, Veterans' Service Director.

PROCLAMATION  
MAY 2018 AS MILITARY APPRECIATION MONTH IN TIOGA COUNTY

WHEREAS: May is National Military Appreciation Month; and

WHEREAS: Tioga County has 4,623 veterans living here who contribute significantly to the economy of said County in that they receive \$17,919,000 in Veterans Administration benefits annually; and

WHEREAS: We currently have many young men and women from Tioga County serving in the Reserves and National Guard and on active duty in the Armed Forces of the United States in addition to the veterans living here; and

WHEREAS: To recognize their service and sacrifice by the wearing of red on Fridays in the month of May which stands for "Remember Everyone Deployed"; therefore

THAT THE TIOGA COUNTY LEGISLATURE does proclaim

May 2018 as Military Appreciation Month in Tioga County

and further proclaim that

Fridays in May as "Wear RED Fridays"

and that County employees be encouraged to wear Red as our way to honor and thank all Veterans, Active Duty, Reservists and Guardsmen for their service to their Country.

John Holton, Veterans' Director spoke. "Very briefly ladies and gentleman, as of this morning the Department of Defense reported that we currently have over 1.3 million active duty personnel doing our work at home and overseas, and in addition to that there are over 800,000 reservists ready to stand in the stead for us. In addition to that there are currently over 48,000 New York State people on active duty. It is humbling to think of those numbers standing in our stead. Thank you very much."

Chair Sauerbrey noted the following Proclamation on Child Abuse Prevention Month.

### CHILD ABUSE PREVENTION MONTH PROCLAMATION

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WHEREAS: The Tioga County Department of Social Services received 1,154 reports of alleged abuse/neglect involving 2,396 children in 2017; 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, Catholic Charities, Hillside's Regional Permanency Center, 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: 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 2018 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 ensure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of March 8 and 13, 2018, seconded by Legislator Monell, 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 Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 82-18

*AUTHORIZATION TO SUBMIT APPLICATION TO NEW YORK HOMES AND COMMUNITY RENEWAL FOR FUNDING AND TO ADMINISTER A 2018 NEW YORK MAIN STREET PROGRAM FOR THE 2018 OWEGO – NORTH AVENUE REVITALIZATION PROGRAM*

WHEREAS: Per Resolution 94-14, Tioga County Economic Development and Planning desires to apply for up to \$500,000.00 in financial assistance through the 2018 Consolidated Funding Application under the 2018 New York Main Street Program; and

WHEREAS: The application proposes funding to assist property owners to complete interior and exterior building renovations to targeted, contiguous downtown “main street” buildings including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; and

WHEREAS: The proposed funding will contribute to the ongoing community revitalization efforts; and

WHEREAS: The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality making application and in which the project will be located; and

WHEREAS: The Village of Owego is in support of this application to the 2018 New York Main Street program for revitalization of commercial and residential properties that make up the “Main Street” including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; therefore be it

RESOLVED: That the Tioga County Legislature approves and endorses the 2018 New York Main Street Program grant application for assistance prepared and to be submitted by the Tioga County Economic Development and Planning Office.

## ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts and Standingger.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 83-18

*APPROVE ALTERNATIVES TO  
INCARCERATION 2018-2019  
SERVICE PLAN AND APPLICATION FOR  
FUNDING*

WHEREAS: The Alternatives to Incarceration Service Plan for 2018 -2019 will be presented to the Alternatives To Incarceration Board on April 19, 2018; and

WHEREAS: The Alternatives to Incarceration Programs in Tioga County for PreTrial Release and Community Service have a long standing tradition of being an effective tool to reduce the amount of inmates in the Tioga County Jail; therefore if the ATI Board approves the proposed plan, the Tioga County Legislature will also support it; therefore be it

RESOLVED: That the Tioga County Legislature approves the Alternatives to Incarceration Service Plan for the time period of 7/1/2018 to 6/30/2019 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized Treatment.

Legislator Standingger spoke. "I think that the program we have in this County is responsible for a lot of good including picking up trash along the highway, working to clean up fire trucks and beautify certain areas of the County. This is a very worthwhile program."

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 84-18 *APPROVAL OF TIOGA COUNTY IGNITION INTERLOCK PLAN FOR COMPLIANCE WITH LEANDRA'S LAW*

WHEREAS: The provisions of Vehicle and Traffic Law Section 1198, and 9 NYCRR Section 358 known as Leandra's Law, requires additional county services for the monitoring of ignition interlock devices for all DWI convictions; and

WHEREAS: Tioga County originally submitted a plan on June 3, 2010 to be in compliance with the rules and regulations of New York State Office of Probation and Correctional Alternatives that requires all Counties to establish an Ignition Interlock Program Plan; and

WHEREAS: Article 9 NYCRR Section 358 was amended in November 2017, now Tioga County has modified our plan to come into compliance with the changes in the statute; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the Tioga County Ignition Interlock Addendum plan created in January 2018 and effective on April 2, 2018.

## ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, 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: INFORMATION TECHNOLOGY

RESOLUTION NO. 85-18 *AUTHORIZE LEASE FOR PLEXICOMM*

WHEREAS: The Tioga County Legislature recognizes the importance of quality Internet services for businesses and residents within the county borders; and

WHEREAS: The ITCS department has helped facilitate that development through work with Southern Tier Network, providing a "POP" (Point of Presence) location in the County data center that can be utilized by providers to connect to the Southern Tier Network middle-mile fiber optic network; and

WHEREAS: The provider Plexicomm has approached the County to lease space to place a data rack and establish a connection to Southern Tier Network at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: Plexicomm has also approached the County to lease one pair of fiber optic cable strands owned by the County between the 56 Main Street building at Ballou Road communications tower, where Plexicomm has existing equipment in place, at a rate of \$100 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: A contract has been submitted, reviewed and approved by ITCS and the County Attorney for the above service; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to sign the associated lease agreement with Plexicomm at a rate of \$300 per month for a lease term of 15 years in accordance with Local Law 4 of 2001.

ROLL CALL VOTE

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

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. 86-18

*AUTHORIZE CHAIR OF LEGISLATURE TO SIGN  
MEMORANDUM OF UNDERSTANDING  
"RAISE THE AGE" COMPLIANCE COALITION  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: On April 10, 2017, Governor Cuomo signed into law "Raise the Age" legislation that was included as part of the State Budget; and

WHEREAS: The vast majority of cases of 16 and 17-year-olds charged with criminal offenses will ultimately be heard in the Family Court, either originating there or being transferred there from a new Youth Part of the adult criminal court/superior court; and

WHEREAS: These "Raise the Age" detention provisions will create challenges for the counties of New York State, in attempting to comply with the edicts of same; and

WHEREAS: The municipalities share a common interest in developing "Raise the Age" Compliance resources, procedures and protocols; and

WHEREAS: The Municipalities are acting in accordance with section 119-o of the New York State General Municipal Law, to cooperatively create a "Raise the Age" Compliance Coalition for fulfilling their respective public purposes, needs, objectives and programs; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of Tioga County to sign the Memorandum of Understanding with the intention of working collaboratively on the following project of mutual benefit: Retention of expert professional consulting services and identification of proposed contract deliverables, fees and expenses for the municipalities related to compliance with the detention mandates created by the "Raise the Age" legislation; and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the "Raise the Age" legislation, subject to the approval of the County Attorney.



Legislator Standinger spoke. "Unfortunately in New York State the individuals in Albany have decided that they are changing the way that juveniles are prosecuted in New York State and as a result of that there is an undue burden placed on the counties. This resolution is for us to try and deal with that unfunded mandate from Albany."

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, 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: ED&P COMMITTEE

RESOLUTION NO. 87-18      *APPOINT MEMBER TO THE  
TIOGA COUNTY LOCAL  
DEVELOPMENT CORPORATION*

WHEREAS: Eva Mae Musgrave's term on the Tioga County Local Development Corporation expires as of March 31, 2018; and

WHEREAS: Eva Mae Musgrave has expressed her desire to resign from the Tioga County Local Development Corporation as of March 31, 2018; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found David Astorina willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints David Astorina to fill said vacancy and serve a 3 year term of 04/01/18 - 03/31/21.

## ROLL CALL VOTE

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

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. 88-18 RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Christine Schweitzer's appointment to the Community Services Board will expire on March 31, 2018; 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, 2018 and ending March 31, 2022.

## ROLL CALL VOTE

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

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. 89-18 *RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Denise Brown's appointment to the Community Services Board will expire on March 31, 2018; and

WHEREAS: The Community Services Board has recommended Denise'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 Denise Brown be reappointed to the Community Services Board, for term starting April 1, 2018 and ending March 31, 2022.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, 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 COMMITTEE*

RESOLUTION NO. 90-18 *AWARD DESIGN SERVICES TO  
MCFARLAND JOHNSON FOR  
PHASE 4 OF BRIDGE PREVENTATIVE  
MAINTENANCE PROJECT PIN 9754.28*

WHEREAS: The Preventative Maintenance Bridge Program has been placed on the FHWA Program and will have several phases; and

WHEREAS: McFarland Johnson, Binghamton NY did the design for Phase I, Phase 2, and Phase 3 for this project; and

WHEREAS: The Commissioner of Public Works received a Phase 4 proposal for design services for this project from McFarland Johnson, Binghamton NY; and

WHEREAS: The proposal for this bridge came in at \$29,372; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract for Phase 4 of the Preventative Maintenance Project to McFarland Johnson, Binghamton NY not to exceed \$29,372 to be paid out of the Bridge Projects Account D5110.540050.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, 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 COMMITTEE

RESOLUTION NO. 91-18

*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*

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 4 - (2018), PIN 9754.28 (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 Preliminary Engineering / Design work;

NOW THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby 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 Preliminary Engineering / Design work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$40,000 is hereby appropriated from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby 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 notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga 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 advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 92-18 ACCEPTANCE OF STATEWIDE  
INTEROPERABLE COMMUNICATIONS  
GRANT 2017 AND  
APPROPRIATION OF FUNDS  
AND AMEND 2018 BUDGET  
EMERGENCY SERVICES

WHEREAS: The Office of Homeland Security has issued a Statewide Interoperable Communications Formula-Based Grant to Tioga County which will be used for upgrading the radio communications in the county; and

WHEREAS: The Tioga County Office of Emergency Services was authorized to apply for said grant by Resolution #269-17; and

WHEREAS: The Tioga County Office of Emergency Services has been awarded said grant in the amount of \$453,399 and said funds need to be appropriated; therefore be it

RESOLVED: That the grant funds be appropriated and the 2018 budget be amended as follows:

From: A3415 433063 IO17- State Aid Interop Comm Grant \$453,399

To: A3415 520230 IO17 Radio & Equipment \$410,000  
A3415 540140 IO17 Contracted Services \$ 43,399

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 93-18

*AUTHORIZE THE SUBMISSION OF  
TECHNICAL RESCUE GRANT  
EMERGENCY SERVICES*

WHEREAS: The Department of Homeland Security has issued a Technical Rescue Grant; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; and

WHEREAS: The Technical Rescue Grant application needs to be submitted by April 17th; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to apply for this grant.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 94-18                      *AUTHORIZE THE SUBMISSION OF CRITICAL  
INFRASTRUCTURE GRANT PROGRAM  
APPLICATION (CIGP)  
EMERGENCY SERVICES*

WHEREAS: The Department of Homeland Security has issued a grant of \$50,000 to mitigate risk and enhance protection of critical infrastructure sites; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; and

WHEREAS: The Critical Infrastructure Grant application needs to be submitted by April 18th; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY  
FINANCE

RESOLUTION NO. 95-18                      *RE-ESTABLISH PRIOR YEAR  
SHSP 17 GRANT AND AMEND 2018  
BUDGET*



WHEREAS: Prior Year Grants need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; and

WHEREAS: The 25% portion of the SHSP 17 Grant Funds were not re-established or budgeted in the 2018 fiscal year and \$17,495.00 of unspent grant funds are available; and

WHEREAS: The funds for the SHSP 17 need to be expended and are 100% reimbursable; therefore be it

RESOLVED: That the following accounts and amounts be re-established and the 2018 Budget be amended:

SHSP 17	RESO 260-17	Amt to Establish
A3361 433567	SHS17 State Aid Home Land Security	\$ 17,495.00
A3361 520230	SHS17 Radio & Equipment	\$ 17,495.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2018 modified budget.

ROLL CALL VOTE

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

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. 96-18 APPROPRIATE FUNDS AND 2018 BUDGET  
AMENDMENT YOUTH PROGRAMS

WHEREAS: Additional funding has been awarded to Tioga County Youth Programs from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

WHEREAS: Appropriation of funds and budget amendments require Legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2018 Budget be amended as follows:

From: A7310.438200 State Aid-Youth Programs	\$ 30,000
To: A7310.540010 Advertising	\$ 5,000
A7310.540140 Contracting Service	\$ 14,000
A7310.540420 Office Supplies	\$ 750
A7310.540485 Printing/Paper	\$ 1,000
A7310.540487 Program Expense	\$ 3,250
A7310.540733 Training	\$ 6,000

#### ROLL CALL VOTE

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

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  
FINANCE COMMITTEE

RESOLUTION NO. 97-18 *BUDGET MODIFICATION*  
*VETERANS' SERVICE AGENCY*

WHEREAS: Tioga County Department of Mental Hygiene(TCDMH) has reallocated 2018 state aid to be passed through to Tioga County Veterans' Service Agency(TCVSA); and

WHEREAS: The funding is specifically designated for Outreach program deliverables; and

WHEREAS: TCDMH has already allocated this funding in its 2018 budget; yet this will require a 2018 budget modification and transfer of funds within TCVSA; and

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

RESOLVED: That the 2018 Veterans' budget be modified and funding be appropriated as follows:

To:	A6510 540010 Advertising	\$1,000.00
	A6510 540220 Automobile Fuel	\$1,000.00
	A6510 540360 Meals/Food	\$1,000.00
	A6510 540420 Office Supplies	\$ 500.00
	A6510 540485 Printing/Paper	\$ 500.00
	A6510 540640 Supplies (Not Office)	\$1,250.00
	A6510 540733 Training/All Other	\$ 750.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 98-18 *AUTHORIZE PURCHASE OF ANNUITY, TRANSFER FUNDS FROM CONTINGENCY AND AMEND 2018 BUDGET*

WHEREAS: Daryl Williams was employed by the Tioga County Sheriff's Department before retiring in 2009; and

WHEREAS: Daryl Williams made a claim that he was underpaid for past due employee benefits through no fault of his own; and

WHEREAS: Tioga County has examined the claim and wishes to resolve the matter by reimbursing Daryl Williams for underpaid benefits; and

WHEREAS: A payment to Daryl Williams for past benefits was authorized by resolution number 79-18; and

WHEREAS: The Tioga County Legislature wishes to arrange for future payments through a 40 year annuity as set forth in a Settlement Agreement; and

WHEREAS: Transfer of Funds from Contingency Account and Budget amendments requires Legislative Approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the County Attorney to resolve the Daryl Williams claim and reimburse Daryl Williams for past and future underpaid benefits; and be it further

RESOLVED: That the Tioga County Legislature authorizes the purchase of an annuity for Daryl Williams' benefit to resolve future payments and that payment be made to MetLife Assignment Company, Inc. in the amount of \$242,759.41 for the purchase of said annuity; and be it further

RESOLVED: That the following transfers be made from contingency to the Interfund Reserve and from the Interfund Reserve to Judgment and Claims to make said payment and to replenish funds depleted from the liability account:

From: A1990 540715 Contingency Account	\$272,759.41
To: A9901 590715 Interfund Expense	\$272,759.41
From: C11910 450310 Interfund Revenue	\$272,759.41
To: C11930 540270 Judgments and Claims	\$272,759.41

Legislator Mullen spoke. "I just want to say thank you to Peter Dewind our County Attorney and Bethany O'Rourke our Personnel Director, and all my fellow Legislators for their diligent concern in this error and in getting this situation resolved for one of our sheriff deputies who is a personal friend of mine, but also tragically had to retire early from the job back in 2009 when he had a massive heart attack at a domestic where he was engaging with a violent defendant. Mr. Daryl Williams ultimately ended up having to have a heart transplant. Through no fault of his own it came to light that Daryl was inadvertently put in the wrong retirement system upon his retirement and the people in this room took it upon themselves and put in an arduous effort to correct this wrong for Daryl and his family for the rest of his life and his wife's life, and we did that. That is what good government is all about. It is not always about the money, sometimes it is about just doing the right thing for somebody that was inadvertently wronged by the government and this is where we did something

for not just Daryl and his family, but for all of the employees of Tioga County. We do care.

"I can tell you Daryl is a good friend of mine and I went to many complaints with him in our time together. From 1995 to 2009 I worked with Daryl on the road as a State Trooper and I am very proud of the people in this room today and I mean that from the bottom of my heart. Thank you and thank you all for taking care of this, and thank you for taking care of my good friend Daryl Williams and his family."

#### ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, 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  
PERSONNEL

RESOLUTION NO. 99-18

*CREATE TWO (2), FULL-TIME  
TEMPORARY CONSTRUCTION  
INSPECTOR POSITIONS PUBLIC WORKS*

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2018 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2018; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective May 1, 2018 at an hourly range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
PERSONNEL

RESOLUTION NO. 100-18                      *CREATE AND FILL HIGHWAY WORKER  
(SEASONAL) POSITION  
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2018; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective April 28, 2018 through October 12, 2018 at an hourly rate of \$10.40, however no more than 960 hours may be worked April 28, 2018 – October 12, 2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 101-18 AMEND EMPLOYEE HANDBOOK:  
NON-UNION BENEFITS

WHEREAS: The Non-Union Benefits policy stipulates eligibility criteria for non-union staff, as well as employee contribution rates in Section 5; and

WHEREAS: The Public Health Department requested health insurance be offered to part-time Dentists, similar to part-time Attorneys; and

WHEREAS: The Legislature agreed to add part-time Dentists to the policy but at a higher contribution rate than Attorneys; therefore be it

RESOLVED: That Section IV Personnel Rules k. Non-Union Benefits (formerly policy 44) be amended effective May 1, 2018 as follows:

Section 5 Health & Dental Insurance:

“Eligibility: All full-time employees, Elected Officials, part-time Attorneys (except those in the Treasurer’s Office) and part-time Dentists are eligible to participate in the Health/Dental/Vision programs.”

Employee Contributions:

	Contributions (% of Premium)	
	2017	2018
Legislators	15%	15%
Full-time	15%	15%
4 day/week Attorneys	15%	15%
Part-time Attorneys	20%	20%
Part-time Dentists	n/a	25%

And be it further

RESOLVED: That the remainder of the Non-Union Benefits policy is unchanged.

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – Legislators Sullivan, Weston, and Huttleston.

Absent – None.

## RESOLUTION ADOPTED.

The meeting was adjourned at 12:29 P.M.



*Fifth Regular Meeting  
May 15, 2018*

The Fifth Regular Meeting of 2018 was held on May 15, 2018 and was called to order by the Chair at 12:04 P.M. Eight Legislative members were present, Legislator Mullen being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Dear Lord, please assist the powers that be to have the wisdom needed to protect the unfortunate and less privileged children of Tioga County."

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

There were 42 people in attendance.

Chair Sauerbrey at this time asked for a remembrance of Sandra Junker, a past employee who worked in the Veterans' Office.

Sherri McCall of the Tioga Career Center spoke. "Sandy Junker was the Director of Veterans' Service from August of 2008 through August of 2016. Sandy started her career in the military. She was in the Army and served for 21 years. She retired with the rank of E7 and received the rank of Sergeant First Class, which at that time she was among the first females to have achieved that rank. Her service took her throughout the United States and then she returned home upon her retirement to this area. She was raised in the Binghamton area. She then being a Veteran decided to give back to the Veteran community, so she started her career with the Department of Labor; that is where I met her when I first started in 1998.

"Our first encounter was I walked into the Southern Tier Office in Broome County to take over the requirements under the new at that time Workforce Investment Act and this 4 feet 10 inch tall woman comes up to me and literally pushes me against the wall and says "who is providing Veterans' services in Tioga County, they need services in Tioga County". I am like DVOPs and LVRs and she goes "well I am the Disability Veterans' Opportunities Program Rep". I am like okay that is you. She goes "well then I know they are going to get great services" and that was our first meeting and we worked well together for 20 years.

"In 2006 Sandy retired from the Department of Labor and joined Tioga County in 2008. Among other things that she did was she participated in community food banks. She worked soup kitchens on holidays. She was active

in the American Legion and coordinated their parades and special occasions. It is said that twice in your life your light shines the brightest and that is at your birth, when your birth is celebrated, and at your death when you are memorialized by friends and family. Unfortunately there was no public notice of Sandy's passing. There were no services and no military honors, which she earned and so with just a few minutes of your time today we cannot make her light shine, but we can make it sparkle a bit. She represented all that was good in this world. She gave her life to the military and then she gave back for the rest of her life, and even when her health was failing her spirit never did. For that I thank the Legislators for giving me this time to say a little something and for you for listening. Her light should sparkle just a bit today. Thank you."

Legislator Hollenbeck read and presented Employee Recognition and Appreciation Week Proclamation to employees in attendance that have attained 25, 30, 35 and 40 years of County service.

#### 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 and 40 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Gary Howard	Sheriff's Office	40
Diane Rockwell	Sheriff's Office	35
Steven DuVarney	Sheriff's Office	30
Tina Lounsbury	Social Services	30
Doreen Stoughton	County Clerk	30
Bryan Rockwell	Public Works	30
Katherine Garrison	Social Services	25
Gail Perdue	Social Services	25

John Feltey	Public Works	25
Wayne Moulton	Sheriff's Office	25
Robert Blasch	Sheriff's Office	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 14-18, 2018 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 asked for a unanimous motion for the adoption of four recognition resolutions, seconded unanimously and carried.

Legislator Standinger read and presented the following Recognition Resolution to Michele Robins 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. 102-18 *RECOGNIZE MICHELE I. ROBINS  
34 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Michele I. Robins began her career with the Tioga County Department of Social Services as a Clerk Typist in February 1984. In November 1987, Michele was promoted to Account Clerk Typist, and in March 2005 met the qualifications to be promoted to Social Welfare Examiner in the SNAP/Medicaid Unit; and

WHEREAS: Michele I. Robins has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Michele I. Robins has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Michele I. Robins will retire on May 26, 2018; 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 Michele I. Robins 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, Michele I. Robins.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “Michele, Congratulations.”

Shawn Yetter, Commissioner of Social Services spoke. “Over 34 years, over a dozen different Supervisors, one of only a couple of employees left who goes back three Commissioners, two promotions, number two on the seniority list of employees at the Department, and one retirement day just on the horizon. I know you stand here proud of your accomplishments over the past three and a half decades. Please know your colleagues past and present and I also stand here very proud of you for reaching this milestone in your life. I have had the privilege of honoring you at both 25 and 30 year longevity employee recognition ceremonies and with your indulgence I am going to repeat just a couple of things I have said in the past and I picked out just the nice ones.

“Michele is our Department’s unofficial historian. She has spent countless hours of her own time pouring over the history of the County Farm, looking at archives, and appreciating the past regarding the history of Social Welfare in Tioga County from the original poor farm to the present. If I ever needed to ask for help, you are exactly the kind of person I would want to sit across the desk from me. You are real, you are compassionate, you are unpredictable, and you are most importantly a survivor, and I suspect there were days where Michele might have wondered to herself if this milestone was something she even wanted to achieve. Michele, not only have you achieved it, but you have done so with the level of strength and character and determination that helps define who you are and what you have brought to the organization for all these years.

"Now we often think about important moments in time and on June 19, 1984 just shy of 34 years ago you were made permanent. I am going to present you with the original evaluation and it is one page I might point out, just saying, we could go back to that simplicity and just five categories, and the document is signed off by three women you and I both spent a lot of time working with, Betty Forbes, Marilee Rider, and Eleanor Monroe with her handwritten note at the bottom of permanent appointment to be made Eleanor M. Monroe, Director of Administrative Services. I am going to read just a couple of things. Attendance, Michele is rarely absent and always punctual. Personal qualifications, in dealing with the public Ms. Seymour (maiden name) is patient, pleasant, and willing to extend herself when needed. She is anxious to learn everything, not simply things that are job related. She constantly asks questions and seems to absorb the information that she is given. Attitude toward job, Michele seems to look forward to coming to work. She is interested, cooperative, and eager to please and to learn. We recommend a permanent appointment for Michele.

"34 years ago those three women made the right decision. You have proven to be a dedicated employee who came to work every day wanting to do a good job and you succeeded. You are a connection to the past that I personally will miss very much. I will miss daily hellos at lunchtime with you sitting at the puzzle table in the lunchroom. On behalf of all your colleagues and the countless number of Tioga County residents you have served over the years we all wish you the happiest and healthiest of retirements that you have so richly earned."

The following recognition resolution for Bernadette Frenz of the Department of Mental Hygiene 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. 103-18

*RECOGNITION OF  
BERNADETTE A. FRENZ'S 30 YEARS OF  
DEDICATED SERVICE TO THE TIOGA COUNTY  
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Bernadette A. Frenz was hired as a Clinical Social Worker on August 22, 1988 and was appointed to the position of Clinical Social Worker on June 30, 1992, and promoted to Senior Clinical Social Worker in 1995, a position which was reclassified to Supervising Clinical Social Worker in 2004 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Bernadette A. Frenz has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 30 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Frenz will retire on June 7, 2018; 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 Bernadette A. Frenz for her 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, Bernadette A. Frenz.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing read and presented the following Recognition Resolution to Margaret Shuler 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. 104-18

*RECOGNITION OF  
MARGARET SHULER'S 34 YEARS OF  
DEDICATED SERVICE TO TIOGA COUNTY PUBLIC  
HEALTH*

WHEREAS: Margaret Shuler was appointed to the position of Public Health Nurse on October 31, 1983, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: In 2009 Margaret was honored as the Public Health Team Member of the Second Quarter by her peers in Public Health; and

WHEREAS: In 2009, Margaret was named Tioga County Employee of the Quarter, as well as Tioga County Employee of the Year; and

WHEREAS: In 2009, Margaret was included in the New York State 'Public Health Works!' Honor Roll, which is a significant recognition from the New York State Department of Health; and

WHEREAS: Margaret has worked tirelessly for the benefit of the citizens of this county, particularly in the areas of maternal child health and the importance of infant and adult immunizations; and

WHEREAS: Margaret Shuler has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during her 34 years in the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County, as well as within the New York State Department of Health; and

WHEREAS: Mrs. Shuler will retire on May 26, 2018; 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 Shuler for her over 34 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 Shuler.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. "With that being said I think this young lady has stuck a needle in my arm on at least one occasion and now is my chance to get back at her, but since she is a nurse I never know when I might need one I will not do that. When I was a young child and I went to a doctor to get a

measles shot I bit him because it hurt so I warned Margaret of that, but I did not feel a thing, she did a very good job.”

Lisa McCafferty, Director of Public Health spoke. “I guess what I will say is for the short time I have been in Tioga County here Margaret has been a keystone for the County, for public health. It is awesome when I talk to her and reflect on her career and all the stuff she has done, one heck of a valuable person in the County. Kudos to her and I hope you enjoy your retirement.”

Melanie Miller of the Public Health Department spoke. “I did not write a lot because I am not really a public speaker, although I will share that a couple of years ago when I was going through my BSN I had to do a speech in front of my coworkers to learn public speaking and I was just now thinking of how kind Margaret was when she was critiquing me and she said “well Mel is like a beginning driver, she has got the skills down and after some practice she will get good at it”, so I thank you and I am thinking of you now. I just want to say over a year ago I was promoted to Supervising Public Health Nurse and I had the strange experience of becoming Margaret’s Supervisor. It was strange because Margaret had been my mentor over the years and now I was going to be her Supervisor. This felt quite weird at the time, but then Margaret quickly put me to ease and supported me 100%.

“Margaret has been a great support and team player for her coworkers. She shows patience and understanding to both coworkers and clients alike and makes people feel at ease. I have always lovingly referred to her as my vaccine guru. She is like a walking encyclopedia of vaccine information. Margaret has always been 100% focused on her job. She has exemplified what the nursing profession is all about. Margaret has touched the lives of so many. She provided teaching and care in the home to new moms and their babies and provided care for many years here in our Clinic. Her vaccine competency and knowledge assured that people got the right vaccines at the right intervals. She has been the vital person behind the scenes, assuring our vaccine inventory and clinic operations were up to speed. Her tireless effort to increase our county’s vaccine coverage has made her a true immunization champion.

“Margaret, I thank you for all you have done for this county, our Health Department and for me. You truly are a gift to our profession and you will always be a part of my greatest memories here. Thank you so much.”

Sue Haskett, Information Security Office for the County spoke. “I have a job description, serves patients by visiting homes, determines patient and family needs, develops healthcare plans, provides nursing services and treatments, refers patients with social and emotional problems to other community agencies. Tioga County has been fortunate to have Margaret as one of their



best public health nurses. Public Health nurses devote themselves to the health and wellbeing of the communities they serve by educating them in beneficial health practices and disease prevention. This is Margaret.

“Here is a quote. “People would come to us for all kinds of things and Margaret would move heaven and earth to help them. She found things under rocks for people and it is a good feeling to give people what they need.” Again, Tioga County has been fortunate to have Margaret here. Margaret is the type of person who can meet someone and instantly find something positive about that person and let others know. Did you know, if you have recently had your pet at a rabies clinic, Margaret is there prepping the vaccines. I am going to give you a few adjectives. Comforting, kind spirit, amazing, caring and a beautiful friend, wise, smart, amazingly inspiring woman, does not just live life, but she lives it well. Dignity, grace, service, and devotion is the rock dedicated to public service. These words among others describe Margaret. Congratulations on your retirement. You will be missed by those people and pets you touched through Public Health.”

Legislator Monell left at 12:30 p.m.

Margaret Shuler of the Public Health Department spoke. “It is pretty overwhelming to hear so many wonderful things about yourself, but the reason I wanted to speak today is because I do not think it is so much what I have done for the County and the Health Department as it has been what the Health Department and the County has done for me. Really when you think about it, I do not what the big deal about 34 years is because after all you were paying me and I was getting a very nice benefit package in addition, and the third advantage was I got to work with an unbelievable staff. My coworkers are amazing people who do not just do a fantastic job on the job, they have all these wonderful hidden talents and special characteristics and skills.

“I could look at every one of them and tell you a special characteristic about them that makes them a superb employee, but in addition to all of those things the reason I stayed 34 years is because I did not have a job, I had a career and if someone were to look at my resume this is what they would see. I have been a homecare nurse helping clients adjust to new circumstances and new diagnoses. I have been a diabetic educator nurse. I have been a wound care nurse and I remember going on a home visit with a very experienced older nurse and watching her care for a wound so deep that I could see the hip bone and when we got back in the car I said to her, “we can heal that wound, we can heal that wound without it getting infected” and she looked at me and she said, “yes, if you pay attention to the details and do it correctly every time we will heal that wound without infection” and she was right. Months later I saw that patient walking out in the community, her wound healed.

"I got to be a Hospice nurse before there was Hospice and I got to help people die in comfort and peace and dignity when the hospitals could not offer them anything more. On the other end of the spectrum I got to be a perinatal nurse, helping to run our prenatal clinic and living with the excitement of moms during their pregnancies, deliveries and postpartum times. I got to be a respiratory clinic nurse and learned more than I ever thought I wanted to know about tuberculosis and work with a wonderful respiratory physician. I got to learn to be an HIV counselor and tester and I was taught how to do phlebotomy. I got to be a child health promotion specialist and work with daycare centers and schools to help them get their immunization rates in line.

"I got to be the vaccine coordinator and learn everything you probably do not want to know about vaccine, how you give it, how you store it, how you handle it from beginning to end and the last two things that I got to do was be a communicable disease specialist. I always like the word specialist, it makes you sound more important than you are. I had no idea how much I would enjoy that and how much I would learn during the course of the three years of doing that, and of course the rabies clinic. I call myself the rabies clinic vaccine specialist and I had more fun at those clinics trying to keep up with the Vets as I filled the syringes so they could give them. That is why I stayed because I got to have 13 jobs and that is a career; that is not a job, that is a career and for that I thank the Legislature and the Administrators that have allowed me to be there that long and to experience all those jobs. I did not have to leave and go somewhere else, I could just do something different and be with Tioga County Public Health Department the whole time. Thank you very much all of you who have made it a career for me. Thank you."

The following recognition resolution for Bryan Rockwell of the Department of Public Works was noted.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 105-18

*RESOLUTION RECOGNIZING BRYAN  
ROCKWELL'S 30 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY*

WHEREAS: Bryan Rockwell started his employment with Tioga County as Laborer on May 23, 1988 and worked his way up to Working Supervisor; and

WHEREAS: Bryan Rockwell has been very dedicated and loyal in the performance of his duties and responsibilities during the past 30 years to the Public Works Department; and

WHEREAS: Mr. Rockwell's dedication, conscientiousness and work ethic were made evident by him always arriving on time well in advance of the workday for his entire 30 year career; and

WHEREAS: Mr. Rockwell will retire on May 30, 2018; 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 Bryan Rockwell 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, Bryan Rockwell.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey stated that there are six Proclamations, American Stroke Month in Tioga County, Think Differently, Post Traumatic Stress Disorder Awareness Month, Foster Care Recognition Month, Elder Abuse Prevention Month, and Mental Health Awareness Month and Children's Mental Health Awareness Week. The first three will be read and presented. The last three will be noted in the minutes.

Legislator Standinger read and presented the following Proclamation on American Stroke Month in Tioga County to Lisa McCafferty, Public Health Director. "This proclamation kind of hits me hard because on May 6, 2009 I found out about strokes firsthand and I will tell you this they are not pleasant, they are not a good thing, and if you have one you are doggone lucky if you are still breathing, so I guess I was pretty lucky."

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 140,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 20.5% between 2012 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 158% from \$71 billion in 2012 to \$183 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: Studies show that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS; 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

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2018 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. "With that being said, there is an acronym that is very useful, it is called FAST, face, arms, speech and time, and what they stand for is if you are suffering from a stroke there is a good chance you are going to have weakness in one side of your face and if you are asked to raise your arms, one arm will drop. Speech, your speech might be slurred and time is if you do not get help you are going to lose brain cells, which is not a good thing, at least that is what I have been told.

"I was very fortunate when I had mine after a truck hit me in Albany. I was able to use my cell phone and call a friend who came and recognized I was having some kind of a problem and he ended up calling an ambulance for me or directing an ambulance be called, and I remember them taking me out of my car and sticking needles in my arm and telling me that I was having a stroke and I said "no way, only old people have them". Well I was 51 years old so I guess that is a fallacy of old people having strokes. You know I was fortunate that I came out of it as good as I did, but it ended my career with the State Police. I am just glad I am breathing and it is thanks to nurses, EMTs, and someone recognized I was having a problem. It is an important thing."

Lisa McCafferty, Public Health Director spoke. "I just want to reaffirm everything that Legislator Standinger has said, look at the warning signs and if you think you are feeling queasy, take some steps, call the ambulance or turn to a friend and say hey do I look okay."

Jenna Dyer, Early Intervention Coordinator of the Public Health Department read the following Proclamation on Think Differently.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: The "Think Differently" initiative promotes awareness and acceptance of all people, and advocates for the inclusion of all individuals living with special needs; and

WHEREAS: Our state and communities are stronger because of our diversity and differences; and

WHEREAS: According to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS: For some people with special needs, the very thing that makes them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS: Tioga County Public Health serves the local community through multi-faceted Children's Programs founded on meeting the child where they are; and

WHEREAS: It is important to promote and provide guidance to those with special needs on how to access supportive services available to them in the community; and

WHEREAS: The goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS: Tioga County Public Health will serve as a leader in ensuring that individuals and families with special needs have their needs met; and

WHEREAS: Adopting the "Think Differently" initiative is an important statement that our county officials, business owners, and residents can make to show their support for differently-abled children and adults with special needs; therefore

THE TIOGA COUNTY LEGISLATURE does hereby encourage all residents and business owners to adopt the "Think Differently" initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum or have other special needs.

Legislator Sullivan read and presented the following Proclamation on Post Traumatic Stress Disorder Awareness Month in Tioga County to John Holton, Veterans' Service Director.

#### PROCLAMATION

#### June 2018 AS PTSD AWARENESS MONTH IN TIOGA COUNTY

WHEREAS: June is National PTSD Awareness Month; and

WHEREAS: Tioga County has 4,623 veterans living here; and

WHEREAS: The current statistics are that 31% of all veterans have Post Traumatic Stress Disorder (PTSD), 19% have Traumatic Brain Injury (TBI), 7% have both PTSD and TBI, that 42% of all veterans with PTSD and TBI abuse alcohol and drugs, and that 50% of all these veterans do not seek treatment for any of these disorders; and

WHEREAS: Veterans commit suicide at a rate of 22 per day, 660 per month and 8,030 per year; and

WHEREAS: The Tioga County Veterans' Service Agency seeks to raise awareness of these epidemics that affect so many in our veteran community and the need to effect change and better serve our veterans who are plagued by these disorders; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim

### June 2018 as PTSD Awareness Month in Tioga County

and encourages Tioga County citizens to get involved in learning about and raising awareness regarding PTSD, TBI, Substance Use Disorder and Suicide rates amongst our veterans.

John Holton, Veterans' Services Director spoke. "These afflictions that are listed in the Proclamation are invisible, invisible to all of us walking around, however it is a battle, a war being fought within several tens of thousands of veterans among us. In this County the veterans are very fortunate to be represented by a Board that takes veteran services very seriously. Toward that end, in June our office will be sponsoring a round table forum drawing professionals together on June 19<sup>th</sup> so that we can discuss how we can better serve these people. We will be networking with professionals from Syracuse, from Bath, and professionals within our own organizations. On behalf of the veterans who are walking among us with these afflictions I give you their thanks. Thank you."

The following Proclamation on Foster Care Recognition Month was noted.

### **FOSTER CARE RECOGNITION MONTH PROCLAMATION**

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WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem and support for children in Tioga County; and

WHEREAS: There are 28 children in foster care in Tioga County, 23 of these children are in foster homes, with 5 being in relative placements; and

WHEREAS: We have 25 certified foster homes in Tioga County with 5 of them being approved relative homes; 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 2018, 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.

The following Proclamation on Elder Abuse Prevention Month was noted.

**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 or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore



THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2018 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.

The following Proclamation on Mental Health Awareness Month and Children's Mental Health Awareness Week was noted.

**2018 PROCLAMATION**

*Mental Health Awareness Month & Children's Mental Health Awareness Week*

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County 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 2018 as *Mental Health Awareness Month* and May 6th – 12th, 2018 as *Children's Mental Health Week* in Tioga County.

There was no privilege of the floor.

Legislator Hollenbeck made a motion to approve the minutes of April 10, 2018, seconded by Legislator Sullivan, 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 Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 106-18 APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: Jim Tornatore has resigned from the Tioga County Planning Board in an Alternate At-Large position for which his term expires on 12/31/2019; and

WHEREAS: Mike Reynolds is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Mike Reynolds to the Tioga County Planning Board as an At-Large Alternate to fulfill Jim Tornatore's unexpired term of 1/1/2017 – 12/31/19, effective 5/16/2018.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 107-18 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2017 to March 31, 2018 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:

Barton (Town)	\$ 22,037.57
Berkshire (Town)	7,630.15
Candor (Town)	14,941.48
Candor (Village)	2,757.35
Newark Valley (Town)	12,711.83
Newark Valley (Village)	4,180.81
Nichols (Town)	9,991.41
Nichols (Village)	959.87
Owego (Town)	99,620.36
Owego (Village)	24,580.96
Richford (Town)	3,419.01
Spencer (Town)	11,698.47
Spencer (Village)	1,357.24
Tioga (Town)	17,261.56
Waverly (Village)	<u>20,199.77</u>
	\$253,347.84

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

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. 108-18 *APPROPRIATION OF FUNDS AND AMEND 2018 BUDGET PUBLIC HEALTH*

WHEREAS: Tioga County Public Health has been awarded funding from the Pickert-Hickock Fund of the Community Foundation for South Central New York; and

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

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

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:

From: A4053 422800	Grants: Community Health	\$ 5,000
To: A4053 540640	Supplies (not office)	\$ 5,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 109-18 *MODIFY 2018 BUDGET AND TRANSFER FUNDS TO CAPITAL OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution #260-17 awarded the Office of Emergency Services a 2017 State Homeland Security Grant in the amount of \$69,980; and

WHEREAS: The grant budget has been amended to reflect the purchase of a vehicle and an emergency notification system; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:

A3360 433567 SHS17 Homeland Security Grant 2017 Revenue \$41,250

TO:

H3360 433567 SHS17 Homeland Security Grant 2017 Revenue \$41,250

FROM:

A3360 540140 SHS17 Homeland Security Grant Contracted Service \$41,250

TO:

H3360 520060 SHS17 Homeland Security Grant Car/Truck \$41,250

FROM:

A3360.540140 SHS17 Homeland Security Grant Contracted Services \$ 2,000

TO:

A3360 520090 SHS17 Homeland Security Grant Computer \$ 2,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 110-18

*TRANSFER FUNDS/FUND SELF-INSURANCE PLAN RESERVE*

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2017 Tioga County Self Insurance operating budget had surplus funds of \$357,842.07 in the fund balance; and

WHEREAS: The December 31, 2017 Tioga County Self Insurance Plan Fund Balance is \$1,357,842.66; and

WHEREAS: The December 31, 2017 Tioga County Self Insurance Contributed Reserve Fund is \$2,195,478.76; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S390900	\$357,842.07
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To: Self-Insurance Contributed Reserve Fund S375300	\$357,842.07
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ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

*REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE*

*RESOLUTION NO. 111-18 APPROVE FUNDING  
2018 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 2018 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 2018 be approved by the Tioga County Legislature in the amounts indicated:

Cornell Cooperative Extension 4H Summer Youth Enrichment	\$ 5,000
Big Brothers Big Sisters Mentoring	\$ 5,000
Village of Newark Valley Summer Rec	\$ 2,200
Cornell Cooperative Extension Family Resource Center	\$ 7,000
Spencer Van-Etten Schools PAVE	\$ 5,500
Tioga Central Schools Summer Rec	\$ 8,000
Village of Waverly Summer Rec	\$ 5,000
Town of Owego Summer Camp	<u>\$ 3,800</u>
Total Allocations	\$41,500

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 112-18 *AUTHORIZE THE SUBMISSION OF  
PTS (POLICE TRAFFIC SERVICES)  
GRANT APPLICATION  
SHERIFF'S OFFICE*

WHEREAS: The NYS Governor's Traffic Safety Council has announced a FY'18 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2018; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are 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 Weston, Hollenbeck, Huttleston, Sauerbrey, Roberts, Standinger and Sullivan

No – None.

Absent – Legislators Monell and Mullen.

#### RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE AND ED&P COMMITTEE

RESOLUTION NO. 113-18

*AUTHORIZE NYS DOS LOCAL GOVERNMENT  
EFFICIENCY PROGRAM GRANT  
APPLICATION FOR COUNTYWIDE  
INFORMATION TECHNOLOGY AND  
COMMUNICATION SERVICES (ITCS)*

WHEREAS: Tioga County Department of Information Technology and Communication Services (TCITCS) proposes to make application to the NYS Department of State Local Government Efficiency (LGE) Program through the 2018 Consolidated Funding Application cycle; and

WHEREAS: The purpose of said grant is to fund the provision of ITCS services to participating municipalities via the Tioga County ITCS Department, including any equipment and professional services needed; and

WHEREAS: This grant project will test the efficacy, efficiency and cost savings of the Tioga County ITCS Department providing professional ITCS services to each participating municipality; and



WHEREAS: Participating municipalities are not bound by any dollar figures or details in the grant application as the results are all subject to negotiation and vote of each participating municipality's governing board; and

WHEREAS: Said grant application allows for funding up to \$200,000 per participating municipality and is due by July 27<sup>th</sup>, 2018; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes said grant in an amount not to exceed \$3,200,000 and authorizes the Legislature Chair to sign any and all paperwork associated with the application, contingent upon review and approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 114-18                      *REAUTHORIZE CONTRACT  
SUPERIOR GROUP  
TIOGA CAREER 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 Innovation Opportunity Act 2015; and

WHEREAS: The Tioga Career Center continues to have a need for a Resource Room Clerk to assist individuals in the Career 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 to assist Workforce staff and businesses in maintaining current job listings; and

WHEREAS: Superior Group is able to provide such services for the Tioga Career Center, from July 1, 2018 to June 30, 2019, and said contract is to be funded entirely by the Workforce Innovation Opportunity Act; and

WHEREAS: The funds necessary for said contract were included in the WIOA PY 2018 Budget under the WIOA Grant; and

WHEREAS: The Supervisor of the Tioga Career Center is authorized to enter into such contract as indicated; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$13.31 per hour from 7/1/18-12/30/18, and \$14.20 per hour from 12/31/18-6/30/19 at a maximum of 25 hours per week; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Career Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the above bill rate(s) effective July 1, 2018 through June 30, 2019.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGAL/FINANCE

RESOLUTION NO. 115-18

*AUTHORIZE EXECUTION OF  
COOPERATIVE AGREEMENTS  
BETWEEN THE LAW DEPARTMENT,  
ITCS, SHERIFF, PUBLIC HEALTH, DSS,  
AND MENTAL HYGIENE*

WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the ITCS Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 116-18 *AMEND EMPLOYEE HANDBOOK:  
TRAVEL POLICY AND PROCEDURES*

WHEREAS: Section VI. Travel Procedures a. Travel Policy and Procedures Section VI. B. Transportation Expenses Allowed needs to be updated to clarify use of personally-owned vehicles and County-owned vehicles; therefore be it

RESOLVED: That Section VI. Travel Procedures a. Travel Policy and Procedures (formerly policy 11) Section VI. B. be amended effective May 16, 2018 as follows:

Section VI. B. – Transportation Expenses Allowed

“Without department head approval, employees are not permitted to use personally-owned vehicles on official County business and receive reimbursement for such use when the employee has, or has access to, a County-owned vehicle. (Accessibility for government vehicles will be controlled by department heads.) Reimbursement for use of personal automobile to travel on County business will be based solely on the mileage reimbursement rate established by the County Legislature. The mileage reimbursement rate will be allowed for the driver of the vehicle only, regardless of the number of employees traveling in the same vehicle on the same trip. To maximize savings to the County, employees traveling in the same vehicle to the same destination are encouraged to car pool whenever possible.”

And be it further

RESOLVED: That the remainder of Section VI. Travel Procedures a. Travel Policy and Procedures is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 117-18      *AMEND EMPLOYEE HANDBOOK:  
ACTIVE SHOOTER/LOCKDOWN  
POLICY*

WHEREAS: The Tioga County Sheriff's Office personnel have been certified to provide ALERRT CRASE training for County employees; and

WHEREAS: ALERRT CRASE training is a civilian version of Active Shooter training that uses terminology different from the existing Active Shooter/Lockdown Policy; and

WHEREAS: The Active Shooter/Lockdown Policy should be in alignment with the ALERRT CRASE training provided to County employees; therefore be it

RESOLVED: That Section IX. Safety Rules n. Active Shooter/Lockdown Policy IV. Procedures B. Immediate Vicinity Actions be amended as follows:

B. Immediate Vicinity Actions

If you are within the immediate vicinity of an active shooter you must take immediate action in an effort to protect yourself. AVOID, DENY, AND/OR DEFEND.

1. AVOID. Move away from the source of the threat as quickly as possible. If there is an immediate and safe way out, then attempt to evacuate. This is your first and best option. Once you feel you're safe, immediately call 911 or attempt to alert law enforcement. Once you are in a safe place, remain there until instructed to do otherwise by law enforcement.
2. DENY. Keep distance and barriers between yourself and the threat. If evacuation is not possible, find a place to hide which provides immediate cover and concealment from the threat.
  - a. Go to the nearest room. Close and lock or barricade the door if possible.
  - b. Keep concealed and quiet and remain still until directed by law enforcement.
3. DEFEND. As a last resort and only if you can't Avoid or Deny, be prepared to defend yourself. Physically engage the shooter in an effort to incapacitate them or to facilitate your safe evacuation.
  - a. Commit and act with aggression by any means to incapacitate the shooter.

- b. When you can do so safely, immediately call 911 or attempt to alert law enforcement.

And be it further

RESOLVED: That the remainder of Section IX. Safety Rules n. Active Shooter/Lockdown Policy is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

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. 118-18 CREATE AND FILL CLERK (SEASONAL) POSITION  
PUBLIC HEALTH

WHEREAS: Due to scheduled leaves of absences over the next few months, the Public Health Department has identified the need to employ a temporary clerical position during the summer; and

WHEREAS: Public Health has funds available in the 2018 budget due to position vacancies to cover the expenditures of such employment; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to create and fill one (1) temporary full-time Clerk (Seasonal) position effective May 16, 2018 through August 31, 2018 at an hourly rate of \$11.40.

## ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

## 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. 119-18 APPROVE FUNDING FOR ONE (1) FULL TIME PUBLIC  
HEALTH NURSE POSITION  
PUBLIC HEALTH

WHEREAS: Due to retirement, a half-time, benefited Public Health Nurse position (\$38.0070 / hour) will become vacant on 05/26/18; and

WHEREAS: The Public Health Director would like to backfill this vacancy on a full-time basis because the level of nursing services it provides is appropriate for the needs of public health programs; and

WHEREAS: The Department has incurred cost savings earlier in the year with the elimination of (2) part-time Nurse Practitioner positions (\$27.1100 / hour); therefore be it

RESOLVED: That the Public Health Director is authorized to increase the hours and fund the vacant half-time Public Health Nurse vacancy on a full-time basis effective May 29, 2018, at the annual rate of \$52,707 (CSEA salary grade XV); and be it further

RESOLVED: That the Public Health Department's 2018 authorized headcount shall be adjusted to 27 full-time and 6 part-time.

## ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P LEGISLATIVE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 120-18 *ABOLISH/CREATE POSITION AND AUTHORIZE  
APPOINTMENT OF ECONOMIC DEVELOPMENT  
SPECIALIST  
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Per resolution 317-17, the Tioga County Legislature authorized the hire of an Economic Development Specialist (PT) at an annual base salary amount not to exceed \$19,500; and

WHEREAS: The Director of Economic Development and Planning has expressed a desire to adjust the position to full time at an annual 2018 base salary amount of \$42,787; and

WHEREAS: the Tioga County Industrial Development Agency has expressed a commitment to partner with the County by providing funding to fill the budgetary gap in the year 2018 in an amount not to exceed \$10,400 and in the year 2019 in an amount not to exceed \$26,700; and

WHEREAS: The Legislature reserves the right to re-evaluate the need for the position at the time of 2020 budget planning; and

WHEREAS: The Director of Economic Development and Planning has identified a qualified candidate after conducting interviews; and

WHEREAS: The candidate would be hired provisionally until it is determined that he has met the civil service exam requirements; therefore be it



RESOLVED: That one vacant part-time position of Economic Development Specialist be abolished and one full-time position of Economic Development Specialist (Non-Union salary range \$42,787-52,787) be created effective May 31, 2018; and be it further

RESOLVED: That the Director of Economic Development and Planning is hereby authorized to appoint Zackary A. Baker as a full time Economic Development Specialist with a start date not prior to June 1, 2018, at an annual non-union salary of \$42,787; and be it further

RESOLVED: That the Economic Development and Planning Department's 2018 authorized full-time headcount shall be adjusted to 7 and its part-time headcount shall be adjusted to 0; and be it further

RESOLVED: That this appointment is subject to entering into a Memo of Understanding between Tioga County and the Economic Development and Planning Dept. concerning the funding for 2018 and 2019.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 121-18 *CREATE POSITION AND AUTHORIZE APPOINTMENT  
OF FULL-TIME MOTOR VEHICLE EXAMINER  
COUNTY CLERK'S OFFICE*

WHEREAS: The County Clerk's Office, Department of Motor Vehicles had a full-time Motor Vehicle Examiner position that was abolished in December 2015; and

WHEREAS: The County Clerk has expressed a desire to reinstate the full-time position at an annual 2018 base salary amount of \$26,724; and

WHEREAS: The reason for this request is based upon notable increase in the volume of customers at the DMV as well the increase in time required to process the new Federal Real ID and Enhanced Driver's License transactions; and

WHEREAS: The Legislature is supportive of said increase in manpower; therefore be it

RESOLVED: That one full-time position of Motor Vehicle Examiner (CSEA Salary Grade IV \$26,724-27,424) be created with authorization to fill no sooner than May 29, 2018; and be it further

RESOLVED: That the County Clerk's 2018 authorized full-time headcount shall be adjusted to 11 and its part-time headcount shall be 2.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 122-18 *AUTHORIZING SALARY ADJUSTMENT AND LUMP SUM COMPENSATION TO BRITTANY WOODBURN*

WHEREAS: Brittany Woodburn's hire date was December 28, 2015 at the base salary range rate of \$39,779.00; and

WHEREAS: The Tioga County Legislature made an adjustment to increase the base salary range to \$41,370.00 effective January 1, 2016; and

WHEREAS: A similar adjustment was not made to the base rate of Brittany Woodburn; and

WHEREAS: The Tioga County Legislature made subsequent adjustments to the base salary range that were not reflected in Ms. Woodburn's salary in 2017 and 2018; therefore be it

RESOLVED: That the Tioga County Legislature agrees to adjust Brittany Woodburn's annual salary to \$44,768.00 effective June 4, 2018; and be it further

RESOLVED: That the Tioga County Legislature agrees to a lump sum compensation to Brittany Woodburn in the amount of \$3,952.00 to account for the lost salary between January 2016 and June 2018.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
PERSONNEL

RESOLUTION NO. 123-18 CREATE AND FILL HIGHWAY WORKER  
(SEASONAL) POSITION  
PUBLIC WORKS

WHEREAS: Due to an extended leave of absence within the Public Works Department, there is a need for an additional seasonal Highway Worker (Seasonal) for 2018; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill an additional temporary full-time Highway Worker (Seasonal) position effective May 16, 2018 through October 12, 2018 at an hourly rate of \$10.40, however no more than 960 hours may be worked May 16, 2018 – October 12, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

## RESOLUTION ADOPTED.

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 124-18      *CREATE AND FILL TEMPORARY, FULL-TIME  
CLERK (SEASONAL) POSITION  
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Treasurer's Office has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the office; and

WHEREAS: The Treasurer appropriately budgeted for said position in the approved 2018 budget; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Treasurer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2018 established rate of \$11.40/hour; and be it further

RESOLVED: That Marissa Potter shall be hired to fill said position effective May 29, through August 31, 2018.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Monell and Mullen.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:56 P.M.

*Sixth Regular Meeting  
June 12, 2018*

The Sixth Regular Meeting of 2018 was held on June 12, 2018 and was called to order by the Chair at 6:02 P.M. Seven Legislative members were present, Legislators Huttleston and Monell being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless the United States in its effort to denuclearize the Korean Peninsula and hopefully make a safer world."

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

There were 12 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the adoption of the following recognition resolution, seconded unanimously and carried.

Legislator Standinger spoke. "I think I remember talking with this lady on the phone in my prior job many times. I know she does a pretty good job for the County and hopefully she will still part time."

Legislator Standinger read and presented the following Recognition Resolution to Corrine Whitmore 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. 125-18      *RECOGNIZE CORRINE J. WHITMORE  
28 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Corrine J. Whitmore began her career with the Tioga County Department of Social Services as a Social Welfare Examiner in June 1990. In December 1997, Corrine was promoted to Social Services Investigator; and

WHEREAS: Corrine J. Whitmore has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Corrine J. Whitmore has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Corrine J. Whitmore will retire on June 30, 2018; 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 Corrine J. Whitmore for her twenty-eight 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, Corrine J. Whitmore.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. “You are going to have a new best friend and it is the mailman when he brings your check every month. All you have to do is keep breathing and you get it. Congratulations.”

Shawn Yetter, Commissioner of Social Services spoke. “I will be nice. I will not talk about getting stuck on back roads and how you manage to get vehicles unstuck or walking in on naked clients, we will not talk about those kind of things. I looked back at your original application and the comments made about your interview for Social Welfare Examiner, which was held on May 4, 1990 and Patrick Ayres wrote, “she wants to be an examiner as likes to work with people because she relates well with them, likes to make people happy, but would follow the rules”. This statement made 28 years ago before you were even hired sums up the value that you have brought to our Department. You consistently make sure the rules are followed while always applying the human compassion and empathy that makes for an exemplary employee.

“Corrine is also in a position where she had to learn how to be tough when empathy had not been earned. People do not particularly enjoy being questioned about fraudulent activities yet in all my years as Commissioner I

never once received a complaint on how Corrine conducted herself. Over the years because of your strengths I have called upon Corrine to handle some very challenging situations for which I knew she would be the right person. She always took on these assignments without complaint. As I shared when we celebrated her 25<sup>th</sup> year anniversary with the County these out of the box requests can range from stepping in to cover workload needs in other Divisions, to taking on the role of Case Manager and helping a client deal with their darkest days of addiction. Corrine will do whatever is asked and always walks away from the situation having succeeded with the task at hand.

“Corrine has also represented Tioga County very well in her involvement with the New York Welfare Fraud Investigator’s Association serving as an officer and regional representative over the years. She comes from a family where the love of public service and advocacy comes naturally to her and I am grateful that we as an Agency and the people we serve were the recipients of that service for so many years. Thank you for your 28 years of dedicated services to Tioga County and you have earned a long and healthy retirement in which to spoil your grandchildren.”

Corrine Whitmore spoke. “First off it has been an honor working for you guys. Shawn did mention a few of my episodes when I have been out visiting people and it is always a challenge, and just when you think you have seen everything and dealt with everything there is more out there to be seen and done. Working for Shawn has been tremendous. He is so easy to work for and he understands both where I am going from as a Fraud Investigator, but he also understands the clients that we deal with. They are what is first and foremost and then getting your tax money back is definitely the next part of my job. I just want to thank you guys for allowing me this position and I hope to succeed further on.”

Legislator Standinger read and presented the following Proclamation on Lyme Disease Awareness Month to Lisa McCafferty, Public Health Director.

Legislator Standinger spoke. “I just want to say that this Lyme disease issue is pretty prevalent in Tioga County and elsewhere. There is a man seated to my right that experienced it first hand and I am sure he would tell you that it is not a pretty thing to go through.”

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: Public Health reminds you as the weather gets warmer increased outdoor activities begin taking place where ticks abound; and



WHEREAS: People spend time in environments that have tall grass, bushes, and leaf piles where ticks can be found; and

WHEREAS: The Black-legged tick, also known as a Deer tick, carries the bacteria *Borrelia Burgdorferi* that causes Lyme disease; and

WHEREAS: Lyme disease can be spread to humans and other mammals as ticks feed off their blood, with an increased risk of the bacteria being spread after feeding for 48 hours; and

WHEREAS: Lyme disease is the fourth highest reportable communicable disease seen in Tioga County; and

WHEREAS: Preventing Lyme disease can be done by wearing insect repellent, covering up when outdoors, showering soon after coming inside, and completing daily tick checks on yourself and your pets; and

WHEREAS: By knowing the signs of Lyme disease, treatment can be started to avoid long-term complications of Lyme disease; and

WHEREAS: The residents of Tioga County recognize the threat that Lyme disease has on them and their family; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of June as:

#### LYME DISEASE AWARENESS MONTH

And urges all residents to take steps to protect themselves, their families, and pets from Lyme disease and to take immediate action if Lyme disease is suspected.

Legislator Standinger spoke. "A little advice, my understanding is that if you have a tick on you it is best to get preventative medicine from your doctor as a prophylaxis and antibiotics. I have done it several times and I have suffered no ill effects yet that I am aware of."

Lisa McCafferty, Public Health Director spoke. "Thank you for the Proclamation. I guess I do not want to be a downer and say do not go outside at all. The weather is gorgeous and it is just beckoning us to go outside and enjoy everything Tioga has to offer, but if you do go outside be alert and when you come inside the best I can tell you is to strip down, get checked for ticks, and do not take your clothes into the house and stuff like that because the little critters once they are in your house they kind of do

their thing too. People seem to think they can walk in and it is okay, but just strip in the foyer and also check your pets please because your animals will carry ticks inside. Enjoy Tioga County, enjoy being outside. Thank you.”

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of May 15, 2018, seconded by Legislator Sullivan, and carried with Legislators Huttleston and Monell being absent.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 126-18 *APPOINT MEMBER TO THE TIOGA COUNTY  
PROPERTY DEVELOPMENT CORPORATION  
BOARD*

WHEREAS: Steve May as Village of Owego Mayor was appointed as a Tioga County Property Development Corporation Board Member conditioned by his holding of that office for which his term expires on 12/31/2019, and

WHEREAS: Steve May no longer holds the office of Village of Owego Mayor, and

WHEREAS: Michael Baratta, current Village of Owego Mayor is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Michael Baratta, Village of Owego Mayor to the Tioga County Property Development Board Corporation as a Board Member to fulfill Steve May's unexpired term of 01/01/2017 – 12/31/19, effective 06/13/2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 127-18                      *APPOINT MEMBER TO THE TIOGA COUNTY  
PROPERTY DEVELOPMENT CORPORATION  
BOARD*

WHEREAS: Chris Brewster has resigned from the Tioga County Property Development Corporation Board as a Board Member position for which his term expires on 12/31/2019; and

WHEREAS: Patrick Ayres, Village of Waverly Mayor is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Patrick Ayres, Village of Waverly Mayor to the Tioga County Property Development Corporation Board as a Board Member to fulfill Chris Brewster's unexpired term of 01/01/2017 – 12/31/19, effective 06/13/2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 128-18                      *APPOINT MEMBER TO THE TIOGA COUNTY  
PLANNING BOARD*

WHEREAS: Chris Curry has resigned from the Tioga County Planning Board in an Alternate At-Large position for which his term expires on 12/31/2018; and

WHEREAS: Chelsea Robertson is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Chelsea Robertson to the Tioga County Planning Board as an At-Large Alternate to fulfill Chris Curry's unexpired term of 4/12/16-12/31/18, effective 6/13/2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standing, and Weston.

No – Legislator Sullivan.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 129-18      *RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Dr. John Bezirgianian has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended John'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 Dr. John Bezirgianian be appointed a new member to the Community Services Board, for term starting June 1, 2018 and ending May 31, 2022.

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and 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. 130-18      *RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Rose Mumbulo has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Rose'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 Rose Mumbulo be appointed a new member to the Community Services Board, for term starting June 1, 2018 and ending May 31, 2022.

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 131-18 *MODIFY 2018 BUDGET AND TRANSFER FUNDS  
2016 STATE INTEROPERABLE GRANT  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution # 132-17 awarded the Office of Emergency Services a 2016 State Interoperable Communications Formula-Based Grant in the amount of \$442,981; and

WHEREAS: The grant budget has been amended to reflect the costs associated with the Waverly tower improvement project; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:		
A3415 540140 IO16 State Interoperable Grant 2016		
(Contracting Services)		\$67,522.24
TO:		
A3415 520230 IO16 State Interoperable Grant 2016		
(Radio Equipment)		\$66,534.44
A3415 540640 IO16 State Interoperable Grant 2016		
(Supplies – not office)		\$ 987.80

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 132-18 *AMEND 2018 PD BUDGET AND TRANSFER OF FUNDS FROM CONTINGENCY TO PUBLIC DEFENDER ACCOUNT*

WHEREAS: Tioga County has received two court ordered billings for services rendered for evaluation and trial testimony totaling \$6,500.00; and

WHEREAS: The Public Defender's budget will not have sufficient funds to pay these court ordered fees Pursuant to County Law 722-c; and

WHEREAS: Funds will need to be transferred from Contingency Account to the Public Defender's Account to process payment of the court ordered billings; therefore be it

RESOLVED: That the Tioga County Legislature authorizes an amendment of Public Defender's Budget and authorizes a transfer from the Contingency account as follows:

From: A1990 540715 Contingency Account \$ 6,500.00

To: A1170 540280 Public Defender Investigations \$ 6,500.00

#### ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

RESOLUTION NO. 133-18      *DECLARATION OF EXCESS PROPERTY AND  
AUTHORIZATION FOR LEGISLATIVE CHAIR TO  
EXECUTE DOCUMENTS FOR SALE OF PROPERTY TO  
TIOGA COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY*

WHEREAS: Tioga County owns real property located on Corporate Drive, Town of Owego, County of Tioga, State of New York identified as tax map number 106.00-3-42.1; and

WHEREAS: The Tioga County Industrial Development Agency has expressed an interest in acquiring a portion of the referenced property for economic development purposes; and

WHEREAS: The Tioga County Industrial Development Agency has obtained a survey and independent appraisal for an approximate two (2) acre portion of the referenced property of interest; and

WHEREAS: The property is of value to the Tioga County Industrial Development Agency due to allowance for proper access to the adjacent developable site; and

WHEREAS: The value assigned to the approximate two (2) acre portion of the identified County owned property is determined to be \$12,900.00; and

WHEREAS: The Tioga County Legislature has determined that there is no legitimate public need for the land as identified by the Tioga County Industrial Development Agency survey; therefore be it

RESOLVED: That the Tioga County Legislature declares the above referenced property to be excess and approves the sale of the excess property to the Tioga County Industrial Development Agency; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute documents as approved by the County Attorney to expedite the sale of the property to the Tioga County Industrial Development Agency at an amount not less than the appraised value as determined by the independent appraiser.



## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

RESOLUTION NO. 134-18      *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON FINGER LAKES WINE COUNTRY TOURISM MARKETING ASSOCIATION AND TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION AGREEMENT AND AUTHORIZING PAYMENT OF ANNUAL FEE 2019-2021*

WHEREAS: The Tioga County Legislature is supportive of the marketing efforts by Tioga Downs in promoting Tioga County as part of the Finger Lakes Wine Country region; and

WHEREAS: Tioga Downs previously expressed interest in participating in the Finger Lakes Wine Country Tourism Marketing Association; and

WHEREAS: Tioga Downs is permitted to partner with the Finger Lakes Wine Country Tourism Marketing Association only if the County is also a partner; and

WHEREAS: The Tioga County Legislature has previously made a verbal agreement with Finger Lakes Tourism Marketing Association to become a participating county; and

WHEREAS: The Tioga County Local Development Corporation is officially designated as the Tourism Promotion Agency for Tioga County; and

WHEREAS: The Tioga County Local Development Corporation is agreeable to acting as the pass through of funding for the Tioga County membership to the Finger Lakes Tourism Marketing Association; and

WHEREAS: The funds will be drawn from the Outside Agency Funding line item; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Agreement between the Finger Lakes Tourism Marketing Association, Tioga County Local Development Corporation and Tioga County; and be it further

RESOLVED: That the Tioga County Legislature authorizes payment of the annual fee of \$60,000 for each of the years 2019, 2020 and 2021 payable to the Tioga County Local Development Corporation for the sole purpose of the Tioga County Local Development Corporation remitting the annual Finger Lakes Wine Country Tourism Marketing Association membership fee.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 135-18      *REQUESTING NEW YORK STATE LEGISLATURE TO  
SUPPORT ACTS TO AMEND THE EXECUTIVE LAW  
IN RELATION TO THE COST OF MAINTENANCE AND  
OPERATION OF VETERANS' SERVICE AGENCIES*

WHEREAS: Legislation has been introduced in the New York State Senate (S.8210) and the New York State Assembly (A.10714) increasing the State share of the Tioga County Veterans' Service Agency maintenance and operating costs to \$20,000 per annum; and

WHEREAS: Pursuant to New York State Executive Law Section 359 (1) counties are entitled to \$10,000 per annum in state revenue, of which Tioga County Veterans' Service Agency is currently receiving \$8,529 per annum; and

WHEREAS: New York State Statute mandates that every county must have a Veteran Service Agency and that such agency is not permitted to charge veterans directly for such services unlike private attorneys who are permitted to charge veterans a percentage of their claim award; and

WHEREAS: The Tioga County Legislature supports and recognizes the services rendered by veterans to our country and is desirous of the New York State Legislature amending Executive Law Section 359 (1); therefore be it

RESOLVED: That the Tioga County Legislature requests the New York State Legislature to adopt Senate Bill (S.8210) and Assembly Bill (A.10714) to amend Executive Law Section 359 (1) increasing the State share of the Tioga County Veterans' Service Agency operation and maintenance to \$20,000 per annum; and be it further

RESOLVED: That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the New York State Association of Counties and all others deemed necessary and proper.

Legislator Mullen spoke. "I would like to say one thing about this is I want to say to John and Mike from our Veterans' Office you have done tremendous work and this is an example of that, and what Mike and John have been able to accomplish in getting the proper funding from the State for our Veterans is something that I wholly support and I know that is carried by my fellow Legislators here. I want to thank you for that hard work and I wholly support this effort."

#### ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 136-18      *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY ACCEPT DONATION OF A MAUSOLEUM FOR BURIAL OF INDIGENT VETERANS*

WHEREAS: New York State law requires County Veteran Service Agencies to be financially responsible for the burial expenses of indigent veterans to include funeral and interment costs; and

WHEREAS: A private citizen, Therese Lee Campfield, who wishes to help veterans with their final resting place, is wanting to donate to the Tioga County Veterans' Service Agency a mausoleum that she currently owns in Riverhurst Memorial Park, Endicott, NY; and

WHEREAS: The acceptance of this generous donation would enable the Tioga County Veterans' Service Agency to have access to burial space for indigent veterans, should the need arise and this donation would significantly lower the costs associated with said burials, and in keeping with our purpose of treating all veterans with dignity and respect; and

WHEREAS: The Director of Tioga County Veterans Services would retain sole discretion in the use of said mausoleum for the sole purpose of interring the remains of indigent veterans; therefore be it

RESOLVED: That the Tioga County Legislature accept ownership of the mausoleum through a deed transfer from Therese Lee Campfield to Tioga County Veterans' Service Agency for the purpose of providing a final resting place for indigent veterans from Tioga County.

Legislator Mullen spoke. "I just want to say again that is an example of what Mike and John have done. This is something that we have for veterans. When they are indigent we have to pay for their final arrangements and this is a tremendous gift given to the County and I am very very pleased that we are able to do this."

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 137-18

AWARD CONSTRUCTION  
KELSEY ROAD BRIDGE  
BIN: 3218430

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the rehabilitation of the Kelsey Road Bridge BIN: 3218430; and

WHEREAS: The Commissioner of Public Works received sealed bids on May 24, 2018 and the bids came in as follows:

Economy Paving Company, Inc.	\$539,539.00
R. DeVincentis Construction, Inc.	\$630,000.00
Procon Contracting, LLC	\$707,000.00
Vector Construction Corp.	\$708,021.40

and

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Economy Paving, Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Economy Paving, Cortland, NY not to exceed \$539,539.00 to be paid out of the following accounts:

H5110.540002.H1802 – Kelsey Road Bridge – BIN 3218430	\$539,539.00
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## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 138-18

*APPROVE SUPPLEMENTAL  
AGREEMENT FOR DEAN CREEK ROAD  
BRIDGE – CONSTRUCTION SUPPORT  
SERVICES*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Dean Creek Road Bridge over Dean Creek BIN: 3334820 is a bridge in the bridge bond program; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 21-18; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the project, along with unforeseen extra design costs; and

WHEREAS: Delta Engineers, Endwell, NY has submitted a supplemental proposal of \$23,825; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support Services and additional design services not to exceed an extra \$23,825, for a new total of \$42,381 to be paid out of the following account:

H5110.540002.H1803 – Dean Creek Road Bridge – BIN 3334840

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and 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. 139-18      *AWARD BID FOR MOBILE DENTAL VEHICLE  
PUBLIC HEALTH*

WHEREAS: Proposals have been solicited and received for the replacement of current dental trailer for a mobile dental vehicle; and

WHEREAS: Proposals were opened on May 11, 2018 at 4:00 pm; and

WHEREAS: Upon review not all proposals met the specifications put forth in supplied Request for Proposals. Acceptable proposals were systematically evaluated; and

WHEREAS: The Mobile Dental Vehicle Selection Committee has determined Medical Coaches' to be the responsible proposer having met specifications, price requirements and is considered to be in the best interests of Tioga County; and

WHEREAS: The Public Health Director is in agreement with this determination from the Mobile Dental Vehicle Selection Committee; and

WHEREAS: Grant funds have been awarded for the replacement of current mobile dental trailer and accepted per Resolutions 39-18 and 40-18; and

WHEREAS: Grant funds were appropriated in Resolutions 39-18 and 40-18 and will be drawn from Account H4064 520130; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Legislative Chair to enter into a contract with Medical Coaches for the design, build and delivery of a mobile dental vehicle not to exceed available grant funds in the amount of \$475,000.

Legislator Standinger spoke. "I would just like to say that Public Health has put a lot of hard work into this project from securing grants to researching proper vehicles, and I think this is a service that is definitely an asset to the Tioga County citizens, especially in the outlying areas. Thank you Lisa and thank your people."

Chair Sauerbrey spoke. "I would add that the process has been extremely thorough and informative, and kept us all up to date and it is appreciated."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

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. 140-18 *AUTHORIZE CHANGE STATUS FOR ONE (1) FULL  
TIME SOCIAL SERVICES INVESTIGATOR POSITION  
SOCIAL SERVICES*

WHEREAS: Due to retirement, a full-time, Social Service Investigator position (\$34,519 - \$35,219; CSEA SG VII) will become vacant on June 29, 2018; and

WHEREAS: The Commissioner of Social Services would like to backfill this vacancy on a part-time basis in order to better utilize staffing resources; therefore be it

RESOLVED: That one (1) vacant Social Services Investigator position shall be reduced from full-time to part-time status effective July 9, 2018, at the rate of \$16.30 per hour; and be it further



RESOLVED: That the Department of Social Service's 2018 authorized headcount shall be adjusted from 86 to 85 for full-time and from 8 to 9 for part-time.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 141-18      *CREATE AND FILL TEMPORARY, FULL-TIME  
CLERK (SEASONAL) POSITION  
PERSONNEL OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer budgeted \$5,500 to employ a seasonal Clerk in 2018 and has recruited for said position; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2018 established rate of \$11.40/hour; and be it further

RESOLVED: That Nancy Leonard shall be hired to fill said position effective June 13, 2018, through September 19, 2018 or until such time the budgeted funds have been exhausted.

## ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 142-18 CREATE POSITION  
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: There is an increased need for a Caseworker position (SG XI \$42,014-\$42,714) in the Children's Services Division due to an increase in Child Protective and Preventive caseloads of 27% over the last three years and a 18 % (15 per month) increase in hotline reports from the State Central Register over the last three years; and

WHEREAS: There will be no additional local share to the Department of Social Services budget due to the combination of a downgrade of a full time Social Services Investigator to part time and additional State and Federal revenue; therefore, be it

RESOLVED: That one (1) position of Caseworker (SG XI) is hereby created effective June 13, 2018; and be it further

RESOLVED: That the Caseworker position shall be filled according to County Policy regarding new hires; and be it further

RESOLVED: That the full-time headcount for the Department of Social Services shall be increased by one (1).

Legislator Standinger spoke. "I would just like to say that this is an evaluation of the Department and the deployment of personnel, and I think it is a very worthy use of personnel, especially given the added burden of hotline reports."

Legislator Mullen spoke. "I would add that in the committee Shawn the data you brought forward absolutely pointed out the need for this and the stark realization that we are up against. Once again thank you for the good work and people are going to be served well by this position being created."

#### ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

#### RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 143-18      *AUTHORIZING SALARY ADJUSTMENT AND LUMP  
SUM COMPENSATION TO LEEANN TINNEY*

WHEREAS: The Tioga County Legislature made an adjustment to increase the base of Non-Union salary ranges effective January 1, 2016, which was greater than the salary increases granted to Non-Union staff; and

WHEREAS: This situation caused recently hired employee's salaries to fall below the base of the hiring range in 2016; and

WHEREAS: This was recently discovered and needs to be corrected as it was not right for an employee to earn less than the base; therefore be it

RESOLVED: That the Tioga County Legislature agrees to adjust Ms. Tinney's annual salary from \$77,265 to \$77,592 effective June 4, 2018; and be it further

RESOLVED: That the Tioga County Legislature agrees to a lump sum compensation to Ms. Tinney in the amount of \$791 to account for the lost salary between January 2016 and June 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 144-18         *AUTHORIZING SALARY ADJUSTMENT AND LUMP  
SUM COMPENSATION TO SUSAN GRAVES*

WHEREAS: The Tioga County Legislature made an adjustment to increase the base of Non-Union salary ranges effective January 1, 2016, which was greater than the salary increases granted to Non-Union staff; and

WHEREAS: This situation caused recently hired employee's salaries to fall below the base of the hiring range in 2016; and

WHEREAS: This was recently discovered and needs to be corrected as it was not right for an employee to earn less than the base; therefore be it

RESOLVED: That the Tioga County Legislature agrees to adjust Ms. Graves' annual salary from \$30,598 to \$31,022 effective June 4, 2018; and be it further

RESOLVED: That the Tioga County Legislature agrees to a lump sum compensation to Ms. Graves in the amount of \$1,171 to account for the lost salary between January 2016 and June 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 145-18 *AUTHORIZING SALARY ADJUSTMENT AND LUMP SUM COMPENSATION TO RITA HOLLENBECK*

WHEREAS: The Tioga County Legislature made an adjustment to increase the base of Non-Union salary ranges effective January 1, 2015, which was greater than the salary increases granted to Non-Union staff; and

WHEREAS: This situation caused recently hired employee's salaries to fall below the base of the hiring range in 2015; and

WHEREAS: This was recently discovered and needs to be corrected as it was not right for an employee to earn less than the base; therefore be it

RESOLVED: That the Tioga County Legislature agrees to adjust Ms. Hollenbeck's annual salary from \$16,396 to \$17,209 effective June 4, 2018; and be it further

RESOLVED: That the Tioga County Legislature agrees to a lump sum compensation to Ms. Hollenbeck in the amount of \$2,420.50 to account for the lost salary between January 2015 and June 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 146-18 *AUTHORIZING SALARY ADJUSTMENT AND LUMP  
SUM COMPENSATION TO WILLIAM KENVILLE*

WHEREAS: The Tioga County Legislature made an adjustment to increase the base of Non-Union salary ranges effective January 1, 2016, which was greater than the salary increases granted to Non-Union staff; and

WHEREAS: This situation caused recently hired employee's salaries to fall below the base of the hiring range in 2016; and

WHEREAS: This was recently discovered and needs to be corrected as it was not right for an employee to earn less than the base; therefore be it

RESOLVED: That the Tioga County Legislature agrees to adjust Mr. Kenville's annual salary from \$27,335 to \$27,714 effective June 4, 2018; and be it further

RESOLVED: That the Tioga County Legislature agrees to a lump sum compensation to Mr. Kenville in the amount of \$1,298 to account for the lost salary between January 2016 and June 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. 147-18 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)
Elected Officials					
District Attorney	Kirk Martin	7	01/01/18 – 12/31/2021	N	31.62
Treasurer	James McFadden	7	01/01/18 – 12/31/2021	N	22.10
Appointed Officials					
2 <sup>nd</sup> Assistant District Attorney	Palmer Pelella	7	01/01/18 – 12/31/2021	N	19.39

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 12<sup>th</sup> day of June, 2018 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 12th day of June, 2018.

\_\_\_\_\_  
 Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on June 12, 2018 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at [www.tiogacountyny.com](http://www.tiogacountyny.com)
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at \_\_\_\_\_

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

Legislator Roberts made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried with Legislators Huttleston and Monell being absent.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 148-18

*AWARD CONSTRUCTION  
 DEAN CREEK ROAD BRIDGE  
 BIN: 3334820*

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 Dean Creek Road Bridge BIN: 3334820; and



WHEREAS: The Commissioner of Public Works received sealed bids on June 7, 2018 and the bids came in as follows:

Economy Paving Company, Inc.	\$399,999.00
R. DeVincentis Construction, Inc.	\$421,000.00
Procon Contracting, LLC	\$424,000.00

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Economy Paving, Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Economy Paving, Cortland, NY not to exceed \$399,999.00 to be paid out of the following account:

H5110.540002.H1803 – Dean Creek Road Bridge – BIN 3334820

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:24 P.M.

*Third Special Meeting  
June 21, 2018*

The Third Special Meeting of 2018 was called to order by the Chair at 10:00 A.M. Eight Legislative members were present, Legislator Huttleston being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless the brave men and women in the public safety area that risk their lives to keep the rest of us safe."

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

There were 8 people in attendance.

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

REFERRED TO:                                    LEGISLATIVE WORKSESSION

RESOLUTION NO. 149-18                    *ADJUST HOURLY RATE FOR HIGHWAY  
WORKER (SEASONAL)  
PUBLIC WORKS*

WHEREAS: Resolution 100-18, set the rate of pay for Highway Worker (Seasonal) at \$10.40 per hour; and

WHEREAS: Due to the lack of applicants, it has been determined that the current hourly rate has and continues to impact recruitment efforts; and

WHEREAS: The Commissioner of Public Works has proposed that an hourly rate which is mid-point between this temporary position's current hourly rate and the hourly rate for Laborer (CSEA Grade 9), \$13.145, would be more appropriate to attract and retain staff; therefore be it

RESOLVED: That the 2018 hourly rate for Highway Worker (Seasonal) shall be increased to \$11.77 effective June 22, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

The meeting was adjourned at 10:06 A.M.

*Seventh Regular Meeting  
July 10, 2018*

The Seventh Regular Meeting of 2018 was held on July 10, 2018 and was called to order by the Chair at 12:01 P.M. Seven Legislative members were present, Legislators Huttleston and Standinger being absent.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "We thank you for this another time that we can meet together and deal with the issues and the dealings with Tioga County. We thank you for all the people that are here today. We pray Lord that you would bless our time, put your hand on us and make us smart with the decisions that we make. Thank you for everything that you do for us and we pray that you will bless this time."

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

There were 27 people in attendance.

Steve Palinosky of the Employee Recognition Committee presented the Employee of the 2<sup>nd</sup> Quarter 2018 to Amy Poff, Benefits Manager in the Personnel Office. "Chair Sauerbrey, County Legislators, our County Personnel Officer, Bethany O'Rourke, leaders, employees and friends of the Tioga County Team on behalf of the Tioga County Employee Recognition Committee it is my honor today to present the award for the County Employee of the Quarter for the second quarter of 2018. Before we present this award I would first like to thank the Legislature for the steadfast support you have shown for the Committee's work in recognizing our outstanding employees.

"We would like to recognize our Employee of the Quarter for the second quarter of 2018, Amy Poff, Benefits Manager with the Tioga County Department of Personnel. Amy has worked with the Tioga County Personnel Department since December of 1997, starting as a Personnel Clerk. She became the Benefits Manager in early 1998 and has held that position now for over 20 years. In this role, she provides invaluable assistance to both County employees and retirees. Amy is one of the first representatives of the County that new employees meet as she conducts the new hire orientations. Subsequently she is responsible for providing continuous assistance to employees with all the County benefit programs.

"In addition to handling her Benefits Manager duties Amy is a true team player within the Personnel Department. She is always considerate of her coworkers and she is willing to assist with administration of weekend Civil Service

exams or any other need that arises. Despite the volume of work, night meetings, phone calls, drop-in visitors needing assistance and the inundation of e-mails she receives daily Amy manages to effectively meet all of her responsibilities while consistently maintaining an impressive level of courteous customer service. Now is the point where I would go on about the special things that Amy does like her secret life as a CIA operative, but I would just like to say that outside of work Amy enjoys spending time with her friends and with her family. It is because of all that she does in support of the Tioga County workforce and her patience and compassion in her conduct that the Employee Recognition Committee has selected Amy as Tioga County's Employee of the second quarter of 2018."

Legislator Hollenbeck spoke. "You are going to hear it all today about Amy, a great pick, asset to the County, team player, and there is probably not any of us here in the whole County that she has not helped in one way or another. We are all proud for Amy and the bottom line is Amy is a quality person too. Congratulations."

Bethany O'Rourke, Personnel Officer spoke. "I of course want to say congratulations to Amy and as you will not be surprised to hear when the Employee Recognition Committee members showed up at our staff meeting to announce to her that she had been named as the second quarter recipient she tried to get them to give it to somebody else. She did not want the award. Although she has been recognized in the past I hope that she will understand how we all believe that she is so deserving of the award yet again and I appreciate her dedication and hard work every day in our office. It is nice that the employees and the retirees have recognized her as well in nominating her for this award. Congratulations."

Amy Poff, Benefits Manager spoke. "I am not a good public speaker so I will try to read between the lines. I think Steve was trying to say I am boring, that is why it was brief about my life outside of Tioga County. I just want to thank you all very much and I think what Bethany was trying to say is I already have the limelight once so it was not necessary to give it to me again, but I appreciate it very much.

"I think I have unfairly stuffed the ballot box because I have the advantage of interacting with all Tioga County employees, like Steve said I meet everybody through orientation so I have a very unfair advantage, everybody knows me. I know there are a lot of other deserving County employees who go unrecognized because a lot of what they do is serving the community or they do not interact with a lot of other employees, so I just want to thank all of those other employees who may not get recognized because they may not be well known by their coworkers. I am very grateful for my job with Tioga County and I

enjoy working with all the employees and coworkers who work so hard for the County. Thank you very much."

Chair Sauerbrey asked for a unanimous motion for the adoption of the following recognition resolutions, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution to Tim Jewell, Captain, Tioga County Sheriff's Office.

Legislator Mullen spoke. "I was going to dress up today, but I wanted to show Tim this is the retirement attire. Missy gave me the honey to do list and that is in a crate in my truck and I will bring it over to you later."

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 150-18                      *RESOLUTION RECOGNIZING  
TIM JEWELL'S  
25 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY*

WHEREAS: Tim Jewell was appointed as Deputy Sheriff on 5/24/93; promoted to Road Patrol Sergeant on 1/1/00; promoted to Investigator on 1/1/2004; and promoted to Captain on 5/1/09; and

WHEREAS: Tim Jewell 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: Tim Jewell will retire from the Tioga County Sheriff's Office on July 27, 2018; 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 Tim Jewell 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, Tim Jewell.

## ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I have known Tim for 25 years and I said this in past retirements of Sheriff's deputies it is one of the great honors of my being a Legislator and being the Chair of Public Safety is I get to say congratulations to a great friend. I love this guy and I do not want to get too emotional, but there are a few times when this man had my life in his hands and I am here today because of Tim. I stand by my memo that you were doing 65 in the jeep when you creamed the deer. I will tell you that it was an honor working with Tim every day and Tioga County is losing a tremendous officer.

"I know Tim on a very personal level and I know he stayed here when he could of left like many have, but Tim is what we all hope to achieve and inspire to. On a lighter side I will say this, what happens at deer camp stays at deer camp. I am not going to sing the deer camp blues today, there is not enough inebriation for that to take place. We are blessed to have Tim have served us for 25 years and on July 28<sup>th</sup> there will be a great chasm in Tioga County, but I know his dedication to service and the inspiration and leader and the guidance he has given to those that are coming up behind him, they will fill that void with giving the respect and honor to the position that Tim has held.

"I am sad to see you go, but I am glad to see you walk away and only a police officer knows what I mean by that because we all saw what happened in Corning last week and it is truly one of the most dangerous jobs we ask these men and women in uniform to go do, to run into things that your average person runs away from and being the Supervisor and have to ask people that you love and know and work with every day to run into those situations is a difficult thing, and I know Tim's leadership and style, it is the same as mine, is you never ask somebody to do something you would not do yourself and I know the dedication and the loyalty the Sheriff's deputies have for Tim, that if Tim Jewell asked you to do something, to do it because you know that Tim would do it for you. I am going to miss you my dear friend."

Undersheriff Mike Jackson spoke. "Congratulations to Tim. As Dennis said I am sad that he is leaving, I think we all are, but I am very happy for him because this is really what he has worked towards. By the way he is going to

another full time job, so it is not like he is just riding off into the sunset too or go to deer camp for which I have never been invited to attend by the way. Unfortunately the Sheriff could not be present here, I know he wanted to, but he has a meeting with the Senator back at the office so I volunteered to say a few remarks and I did promise Tim that I would keep it brief.

“Just a few words about my friend and soon to be fellow co-executive officer, Captain Tim Jewell. To this day I can remember sitting on the interview team back in 1993 when I first met Tim. He was fresh out of college, one of our first deputy recruits at the time with a four-year degree, whoopee, but I was not that impressed initially. He was dressed smartly with a fresh haircut, clean shaven and a really confident smile, but he was not bullshitting anyone. Of course at the conclusion of our interview with him how could we have known that this witty baby face college kid would turn out to be a rising star within our organization.

“Just a few character thoughts about him, really book smart, but equally street smart, well mannered, very polite, humble and allergic to the limelight as you are witnessing here today. He did not even bother to let his family know that he was getting this recognition today, which by the way we are going to let his family know so he can catch holy hell when he gets home. Physically fit and athletic, great social skills, can talk to anyone about anything even in the most stressful situations, which as Dennis will tell you and the rest of the officers here that is really critical. His management style as Dennis said was lead by example, always there for his people, would never ask them to do something he was not going to do for them or with them. Perceptive, an excellent reader of people, knows how to get through to them, how to communicate, one of his greatest skillsets. Great sense of humor if you appreciate flatulence jokes or other practical jokes. Always a lot of laughter around when Tim is here, excellent multitasker, average golfer I am sorry to say, great hunter and a New York Giant freak to a fault, but most importantly I think of all great father and a true family man.

“All in all Tim never met any of our expectations, which were set for him on that interview day all those years ago, he exceeded them and we have got a huge set of shoes to fill. He was an excellent Police Officer, Sergeant, Criminal Investigator and an exceptional Captain of Operations and he is a good friend. Congratulations on an outstanding law enforcement career and good luck in your new career buddy.”

Tim Jewell spoke. “This is not what I am comfortable doing, but I am going to keep it really short because we have talked way too long already. Before I say anything though I do want to say that the Employee Recognition Committee got it right again 100%, Amy is fantastic and when she says that she



stacked it in her favor because she meets everybody, well that is not necessarily true if you do not do your job right, but she has and that is the reason. She may know everybody, but she treats everybody fantastic. They could not have done a better job and a better pick.

"The Sheriff could not be here today, but I do want to thank him and I want to thank the Undersheriff and the Legislature, Dennis. I am humbled needless to say by the words. I am not sure as if I am deserving of all of them. I cannot begin to thank everybody. If I did obviously it would take too long, in 25 years there has been so many people that I have come in contact with as a part of my career and believe me I did not do some of the things I did without them that is for sure. It would be too long and I do not want to forget anybody so I am not going to do that.

"It has been a great 25 years. I am honored to have served the County where I grew up in, I grew up on a dairy farm and raising my family here. I am honored to have that opportunity. In reflection I am thinking I have been here with the Sheriff's Office longer than I was not with the Sheriff's Office, I started at 22. That is an honor in and of itself to have been able to spend 25 years in the same organization. I am fortunate, it has been a great organization, I have only worked for two Sheriffs in all that time, that speaks volumes to this County and to the Sheriff's Office.

"I am excited about the next chapter in my life, but the Sheriff's Office will always be part of who I am and how I am made up. Lastly, I want to thank the Sheriff's Office staff, they have been my extended family for the last 25 years and it is truly a family, friends and family that I have there that I will have forever. I want to thank the Legislature today for the recognition and all that you do. There is a member here, Mr. Weston, I am thankful that he did not get up and speak because he has known me long before I came to work here. He had a hand in who I turned out to be as well. He taught me and also was my football coach. Again, thank you for the opportunity to serve the County."

Legislator Weston spoke. "I have known Tim ever since he played peewee football and all the way through high school, and probably as Dennis said how many times he has saved him, he has almost cost me my life that many times by the antics that he has done and so on. I name a lot of the kids that go through school that I like and thank you very much Mr. Knothead. He got the name from playing linebacker at 145, which now he has changed as far as weight goes and stuff on varsity football and did a stellar job there, the same as he has done throughout the County as a police officer. Tim, thank you very much and I am glad you are going to have a good retirement."

Legislator Sullivan read and presented the following recognition resolution to Edward Barry of the Information Technology and Communication Services Department.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 151-18

*RESOLUTION RECOGNIZING  
EDWARD BARRY'S  
10 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY*

WHEREAS: Edward Barry was hired on 1/10/2008 as a Computer Programmer (Specialist); and

WHEREAS: Edward Barry has been a valuable employee to the Information Technology and Communication Services Department, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Edward Barry will retire from Tioga County on July 20, 2018; 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 Edward Barry for his 10 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, Edward Barry.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck

No – None.

Absent – Legislators Huttleston and Standingr.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Sullivan spoke. "In the last several years you have been faced with a lot of changes in the County. Now you are going on with the biggest change of your life. I am sure you will look forward to it and I wish you all the best."

Douglas Camin, Information Technology and Communication Services Director spoke. "I will just take a second and say a couple things. This is the end of Ed's career, he has only been here for 10 years and I have been here for 5. Those five years have been exceptional. You have been a great asset to the Department. You have been an asset to this County. Ed has been instrumental in helping us with our transitions for various software packages and other things that we are doing in the background, the basement of IT that we all work in here and he has been a very valuable employee and contributor to the team. I am sad to see you go, but I am happy to see where you are going. Ed has got a son who is in the Military and he travels a lot to see him and his family. He is looking forward to the golf course a little bit too. He has got his buddies who are haranguing him about that. I am excited that you have those opportunities and I am glad to have had the time. Good luck in the future."

Edward Barry of the Information Technology and Communication Services Department spoke. "I would like to thank the Legislature for everything they have done for the County and myself, all the people in the County who have worked well with me. I know I am going to be cheered after I go from several people who I am their problem child. Like Doug said, I have friends who call me three times a week, are you ready to play golf and so it is time to go and now I can say yes. Again, thank you very much, I really appreciate it."

Legislator Sullivan read and presented the following Proclamation on Drowning Prevention Awareness Month to Lisa McCafferty, Public Health Director and Kylie Holochak of the Public Health Department.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: Almost 1,000 children die each year from unintentional drownings; and

WHEREAS: More drowning deaths occur in open bodies of water like lakes, ponds, rivers and oceans, than in swimming pools each year; and

WHEREAS: 14 – 18 year olds account for half of all drowning deaths for those 18 years old and under; and

WHEREAS: Males under 18 account for 80% of open water fatalities in children; and

WHEREAS: For every one drowning death for those under 14, there are five emergency department visits for nonfatal drownings; and

WHEREAS: Hidden hazards of open water include dangerous currents, sudden drop-offs, limited visibility, and unknown depths of water; and

WHEREAS: Most importantly these deaths are preventable. Tioga County Public Health asks that adults watch kids while they are in or around water, teach kids how to swim in open bodies of water, and use life jackets appropriate for a child's weight and water activity; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of July as:

### **DROWNING PREVENTION AWARENESS MONTH**

And urges all residents to use extra caution while enjoying water activities this summer.

Legislator Sullivan spoke. "I do not know about you, but it seems to me I am reading more and more, I know it is a seasonal thing, I do not recall reading so many cases of accidental drownings so quickly this time of year. I believe this is very appropriate."

Lisa McCafferty, Public Health Director spoke. "Thank you very much. It is a very somber proclamation and we understand that, but the reality is it only takes a second and whether it be teenagers or little babies it only takes a second and as Legislator Sullivan said it is fast. On that note, this is Kylie Holochak, she is the one that writes a lot of these proclamations, most of the really happy ones plus ones like this."

Kylie Holochak of the Public Health Department spoke. "I just wanted to thank you all for your support, especially with this proclamation. We do understand that it is not the most cheerful proclamation, but we do understand how important it is, particularly at this time of the year. We will continue to bring education awareness around this topic throughout the summer. Thank you."

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of June 12 and 21, 2018, seconded by Legislator Sullivan, and carried with Legislators Huttleston and Standing being absent.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 152-18

*AUTHORIZE THE SUBMISSION OF  
HOMELAND SECURITY GRANT  
APPLICATION (SHSP 18)  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a grant of \$69,980 to the Tioga County Office of Emergency Services. The grant will be used for first responder enhancements and tactical team protective equipment. 25% of the monies will be appropriated to the Sheriff's Office (\$17,495) and 75% to Emergency Management (\$52,485); and

WHEREAS: County Policy # 47 requires that a resolution be approved before any such grant applications are submitted; and

WHEREAS: The Homeland Security Grant application needed to be submitted by June 13th due to the short notification by the State, so verbal legislative approval was received and this resolution is being presented to follow county protocols; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be authorized to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standing.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 153-18                      *AUTHORIZE THE SUBMISSION OF 2018-2019  
HAZARDOUS MATERIALS EMERGENCY  
PREPAREDNESS GRANT APPLICATION  
(HMEP)  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a grant of \$5,172 to Tioga County. The grant will be used to update the County's Hazardous Materials Response Plan. Once the grant is awarded, 20% (\$1,034.40) will be County funded monies; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application. However, due to the short notification period, the Tioga County Emergency Management Office had to submit an application for this funding by June 20, 2018; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given authorization to apply for this grant, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingr.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 154-18                      *AUTHORIZE THE SUBMISSION OF 2019  
PSAP OPERATIONS GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced 2019 PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: Applications for this grant are required to be submitted in June of 2018; 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 Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 155-18      *AWARD CONTRACT  
RADIO CONSULTING SERVICES  
STATE INTEROPERABLE 17 GRANT*

WHEREAS: The Tioga County Office of Emergency Services has a need to upgrade and replace its current radio communications system due to poor performance issues; and

WHEREAS: The Director of Emergency Services would like to contract with Federal Engineering, Inc. at a cost of \$44,866; and

WHEREAS: Federal Engineering, Inc. is listed on the General Services Administration contract; and

WHEREAS: There are sufficient funds in account A3415.520230 IO17 State Interoperable Grant17 Radio & Equipment; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and Federal Engineering, Inc. setting forth the rights and obligations of the parties consistent with the proposal submitted by Federal Engineering, Inc. upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 156-18

*AUTHORIZE THE SALE OF COUNTY OWNED  
PROPERTY LOCATED IN THE TOWN OF  
RICHFORD TO LUANN BEEBE*

WHEREAS: Properties located in the Town of Richford transferred to Tioga County, identified as Tax Map numbers 11.00-2-1.30 & 11.00-2-13, parcel numbers 511 and 917 owes 2016, 2017 and 2018 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by LuAnn Beebe who has made an offer to purchase back their properties for \$8,700 "as is", thereby placing 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 sign and record on receipt of \$8,700.00 and recording costs of \$185.00, a Quit Claim Deed conveying the properties transferred to Tioga County, located in the, Town of Richford, identified on the Town of Richford Tax



Map as numbers 11.00-2-1.30 & 11.00-2-13 parcel numbers 511 & 917 to LuAnn Beebe or assigns.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -18

AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF CANDOR TO CHERYL A. JOHNSON & SEAN PALMER

WHEREAS: Property located in the Town of Candor transferred to Tioga County, identified as Tax Map number 72.00-1-26, parcel number 695 owes 2016, 2017 and 2018 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Cheryl A. Johnson & Sean Palmer who have made an offer to purchase back their property for \$4,500 "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 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the Town of Candor, identified on the Town of Candor Tax Map as number 72.00-1-26 parcel number 695 to Cheryl A. Johnson & Sean Palmer or assigns.

Legislator Monell made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

## ROLL CALL VOTE TO WITHDRAW

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION WITHDRAWN.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 157-18

*AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF RICHFORD TO DIANA PREDMORE & JOHN M. PREDMORE*

WHEREAS: Property located in the Town of Richford transferred to Tioga County, identified as Tax Map number 1.00-1-3, parcel number 227 owes 2016 and 2018 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Diana Predmore & John M. Predmore who have made an offer to purchase back their property for \$8,000 "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 \$8,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Richford, identified on the Town of Richford Tax Map as number 1.00-1-3 parcel number 227 to Diana Predmore & John M. Predmore or assigns.

## ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 158-18 *AUTHORIZE CHAIR OF LEGISLATURE TO SIGN CONTRACT FOR "RAISE THE AGE" COMPLIANCE COALITION DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: On April 10, 2017, Governor Cuomo signed into law "Raise the Age" legislation that was included as part of the State Budget; and

WHEREAS: The vast majority of cases of 16 and 17-year-olds charged with criminal offenses will ultimately be heard in the Family Court, either originating there or being transferred there from a new Youth Part of the adult criminal court/superior court; and

WHEREAS: These "Raise the Age" detention provisions will create challenges for the counties of New York State, in attempting to comply with the edicts of same; and

WHEREAS: The municipalities share a common interest in developing "Raise the Age" Compliance resources, procedures and protocols; and

WHEREAS: The municipalities are acting in accordance with section 119-o of the New York State General Municipal Law, to cooperatively create a "Raise the Age" Compliance Coalition for fulfilling their respective public purposes, needs, objectives and programs; and

WHEREAS: Tioga County adopted resolution 86-18 on April 10, 2018 indicating, that the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the "Raise the Age" legislation, subject to the approval of the County Attorney; therefore, be it

RESOLVED: That the Chair of the Legislature is authorized to sign a contract with Treahy Consultant Services, LLC not to exceed a total of \$100,000 for all services and expenses to all participating counties; and be it further

RESOLVED: That there are currently 11 participating counties creating an amount not to exceed \$9,091 as Tioga County's share; and be it further

RESOLVED: That funding be transferred as follows:

From: A6010.436100 State Aid -Administration	\$ 9,091
To: A6010.541140 Contracting Services	\$ 9,091

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES FINANCE COMMITTEE
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RESOLUTION NO. 159-18	<i>APPROPRIATION OF FUNDS SOCIAL SERVICES</i>
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WHEREAS: The County of Tioga has received Federal 5311 funds granted by the Federal Transit Administration and the New York State Department of Transportation; and

WHEREAS: Federal Transit Administration and New York State Department of Transportation have granted these funds to be used to support mobility management services; and

WHEREAS: Tioga County has a contract with Rural Health Network of South Central New York to provide these services; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

A 5630.430900 State Aid-Transportation	\$ 79,100.00
A 5630.440900 Federal Aid-Transportation	\$ 632,801.00
A 5630.540140 Contracting Services	\$ 711,901.00

## ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 160-18

*CREATE ACCOUNT AND TRANSFER  
FUNDS FOR HARNICK ROAD  
BRIDGE BIN 2218720*

WHEREAS: An inspection of the Harnick Rd. Bridge BIN 2218720 revealed that the steel piles on the existing pier had deteriorated to such a level that the bridge had to be posted at 5 tons; and

WHEREAS: Due to this being an unforeseen issue the Department of Public Works did not budget for this repair; and

WHEREAS: Kelsey Road Bridge is anticipated to be completed significantly under initial budget estimates; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes creating account H5110.540002.H1804 Harnick Rd. Bridge BIN 2218720; and be it further

RESOLVED: That the Tioga County Legislature authorizes a transfer from H5110.540002.H1802 Kelsey Road Bridge in the amount of \$100,000 to H5110.540002.H1804 Harnick Rd. Bridge Account.

## ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 161-18

*AWARD DESIGN SERVICES TO  
DELTA ENGINEERS FOR HARNICK  
ROAD BRIDGE BIN 2218720*

WHEREAS: An inspection of the Harnick Rd. Bridge BIN 2218720 revealed that the steel piles on the existing pier had deteriorated to such a level that the bridge had to be posted at 5 tons; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$11,548; therefore be it

RESOLVED: That the Tioga County Legislature approve Delta Engineers' proposal for the Harnick Rd. Bridge BIN 2218720 not to exceed \$11,548 to be paid out of the Harnick Road Bridge Account H5110.540002.H1804.

## ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 162-18

AWARD CONSTRUCTION  
HARNICK ROAD BRIDGE  
BIN: 2218720

WHEREAS: An inspection of the Harnick Rd. Bridge BIN 2218720 revealed that the steel piles on the existing pier had deteriorated to such a level that the bridge had to be posted at 5 tons; and

WHEREAS: Funding is available for repairs to the Harnick Road Bridge BIN: 2218720; and

WHEREAS: The Commissioner of Public Works received proposals for the repairs and the proposals came in as follows:

Economy Paving Company, Inc.	No Bid
R. DeVincentis Construction, Inc.	\$79,246.00
Procon Contracting, LLC	\$32,000.00
Vector Construction Corp.	No Bid

therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the construction services to Procon Contracting, LLC, Vestal, NY not to exceed \$32,000.00 to be paid out of the following account:

H5110.540002.H1804 – Harnick Road Bridge – BIN 2218720	\$32,000.00
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ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standing.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE
RESOLUTION NO. 163-18	<i>AMEND RESOLUTION #320-02 INCREASE CIVIL SERVICE APPLICATION FEES</i>

WHEREAS: Resolution #320-02 established Application fees of \$15 for non-uniformed titles exams and \$25 for uniformed titles; and

WHEREAS: The Personnel Department will begin offering an on-line Application Portal whereby applicants may submit electronic applications as well as payment of the application fee; and

WHEREAS: The electronic payments will be collected via a PayPal account; and

WHEREAS: PayPal will charge the Personnel Department a fee of 2.9% plus 30¢ per transaction; and

WHEREAS: The Personnel Department wishes to increase the Application fees for on-line Applications to offset the PayPal fees; therefore be it

RESOLVED: That Resolution #320-02 is hereby amended to establish on-line Application fees for non-uniformed titles of \$16 and \$27 for uniformed titles effective upon start of online application portal; and be it further

RESOLVED: That the fees for Applications submitted by mail or in-person shall remain as stipulated in Resolution #320-02.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standinger.

RESOLUTION ADOPTED.



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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 164-18 *ABOLISH ONE (1) VACANT FULL TIME  
ACCOUNTING ASSOCIATE I POSITION AND  
CREATE OFFICE SPECIALIST III  
PUBLIC HEALTH*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: Currently a vacant Accounting Associate I position (CSEA SG IV, \$26,272-\$27,472) exists within the Public Health Department since January 1, 2018; and

WHEREAS: The Public Health Director has assessed both current and long-term needs of the department; and

WHEREAS: The Public Health Director has worked with the Personnel Department to identify an appropriate classification to fill said vacancy; and

WHEREAS: The Public Health Department will be able to capture additional revenue to offset the increase in salary; therefore be it

RESOLVED: That the one (1) vacant Accounting Associate I position shall be abolished and one (1) Office Specialist III position (CSEA SG VII \$34,519-\$35,219) shall be created effective July 11, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standing.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE PERSONNEL COMMITTEE
RESOLUTION NO. 165-18	<i>RECLASSIFY ONE (1) VACANT CORRECTIONS OFFICER (PT) POSITION TO COOK (PT) SHERIFF'S OFFICE</i>

WHEREAS: Legislative approval is required to reclassify any job title within Tioga County; and

WHEREAS: After a review of staffing needs within the jail division, the Sheriff has determined that an additional part-time Cook position is necessary; and

WHEREAS: The Sheriff currently has nine (9) part-time Corrections Officer positions vacant which are compensated at the same 2018 hourly rate (\$14.39) as a part-time Cook (PT); and

WHEREAS: The reclassification of one (1) vacant part-time Corrections Officer position will not adversely impact staffing or recruitment of this title; therefore be it

RESOLVED: That one (1) part-time Corrections Officer position shall be reclassified to Cook (PT) at the 2018 pay rate of \$14.39 per hour effective July 11, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 166-18 *ABOLISH ONE (1) VACANT FULL TIME SUPERVISING CLINICAL SOCIAL WORKER POSITION AND CREATE SUPERVISING PSYCHIATRIC SOCIAL WORKER MENTAL HYGIENE*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: Currently a vacant Supervising Clinical Social Worker position (CSEA SG XVIII, \$59,766-\$60,466) exists within the Mental Hygiene Department since June 7, 2018; and

WHEREAS: The Director of Community Services has assessed both current and long-term needs of the department; and

WHEREAS: The Director of Community Services has worked with the Personnel Department to identify an appropriate classification to fill said vacancy; and

WHEREAS: A new classification has been drafted which addresses both credential and program needs of the department; therefore be it

RESOLVED: That the one (1) vacant Supervising Clinical Social Worker position shall be abolished and one (1) Supervising Psychiatric Social Worker position (CSEA SG XVIII \$59,766-\$60,466) shall be created effective July 11, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standing.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 167-18 *ABOLISH ONE (1) VACANT FULL TIME COMPUTER MAINTENANCE TECHNICIAN POSITION AND CREATE NETWORK ADMINISTRATOR INFORMATION TECHNOLOGY & COMMUNICATION SERVICES*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: Since March 2, 2012, a Computer Maintenance Technician position (CSEA SG X, \$40,296-\$40,996) has been vacant within the Department of Information Technology & Communication Services (ITCS); and

WHEREAS: Due to an upcoming retirement, the Director of ITCS would like to reclassify said current vacancy with a previously used classification in order to better staff the department; therefore be it

RESOLVED: That the one (1) vacant Computer Maintenance Technician shall be abolished and one (1) Network Administrator position (Non-union \$50,378-\$60,378) shall be created effective July 11, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingger.

RESOLUTION ADOPTED.

Legislator Sullivan made a motion to have the following late-filed resolutions considered, seconded by Legislator Monell and carried.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 168-18      *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 Ronald E. Dougherty Tioga County Office Building, 56 Main Street, Owego, New York on August 09, 2018 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

146.19-1-6; Donna M. Mills  
166.19-2-65; County of Tioga

Town of Candor:

72.00-1-26; Cheryl A. Johnson  
63.00-1-25.13; Harold R Vrabel

Town of Newark Valley:

54.00-1-5.20; Harold R. Vrabel

Town of Nichols:

149.00-1-33; Laura E Stempel  
138.00-1-16; Tammac Holdings Corp.

Town of Owego:

129.05-4-12; Nathan J Donnelly & Carolyn B Donnelly  
128.08-1-1.211; Rita Holgate  
129.00-3-64; Ronald L Jayne & Larita R Jayne  
129.13-1-61; JPMorgan Chase, N.A.  
129.05-3-25; Corey W Relyea  
128.08-3-79; Louise A Smith  
128.08-1-62; Alan S Ulrich

Town of Richford:

4.00-1-9; Kenneth J Barnes  
 2.00-2-20; Xuan Zheng

Town of Tioga

136.00-1-28.10; Herbert Sandy Bonilla & Nicole C Chiarello  
 148.00-1-15.10; Phyllis Davies

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
 FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 169-18 TRANSFER OF CAPITAL FUNDS AND BUDGET  
 AMENDMENT PUBLIC WORKS

WHEREAS: Tioga County Public Works has a need to purchase a Skid Steer and associated equipment in the amount of \$69,300; and

WHEREAS: The cost of the unit is more than the 2018 budgeted funds for Capital Equipment line item Skid Steer; and

WHEREAS: Cost savings has been realized in another Capital Equipment line item for Mini Excavator; and

WHEREAS: Transfer of Capital funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That capital budget transfer and modification is as follows:

From: H5130 521939 Road Machinery Mini Excavator	\$4,800.00
To: H5130 521903 Road Machinery Skid Steer	\$4,800.00

## ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Standingier.

## RESOLUTION ADOPTED.

Chair Sauerbrey spoke. “Before I close this meeting I just wanted to say obviously for those in attendance that are still here, you can see that we have experienced a lot of retirements and so this is happening across the Nation, but fortunately we have identified that early. Last year we started a program called “Succession Planning”, which is an endeavor to bring forth leaders into the future for your Departments like those two individuals that you saw leaving today. We hope that we have identified the problem and are working towards the result, but it is very difficult to lose these talented people.”

The meeting was adjourned at 12:42 P.M.

*Eighth Regular Meeting  
August 14, 2018*

The Eighth Regular Meeting of 2018 was held on August 14, 2018 and was called to order by the Deputy Chair at 12:03 P.M. Four Legislative members were present, Legislators Huttleston, Mullen, Roberts, Sauerbrey and Weston being absent. Deputy Chair Hollenbeck stated due to the fact that there is not a quorum the meeting is hereby adjourned at 12:04 P.M.



*Fourth Special Meeting  
August 17, 2018*

The Fourth Special Meeting of 2018 was held on August 17, 2018 and was called to order by the Chair at 1:15 P.M. Five Legislative members were present, Legislators Huttleston, Monell, Mullen and Roberts being absent.

Chair Sauerbrey asked for a moment of prayer. "Lord, I want to thank you for our physical safety that we have survived this week with flooding and no lives were lost, however I do ask that you watch over and protect our residents in our counties and across the state, especially have mercy on those folks that had damage in their homes. I also want to remember today the passing of Marian Huttleston who is the wife of Dick Huttleston and we ask for grace and healing on that family."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 5 people in attendance.

Legislator Standinger read and presented the following Proclamation on Overdose Awareness Day to Kylie Holochak of the Public Health Department.

Legislator Standinger spoke. "It would not be a meeting without a Proclamation from the Health Department. We have two this time, one is going to be read and one is not. One is immunizations, which are very important because people sometimes do not participate in immunizations, and the one that is being read is a County of Tioga Executive Proclamation."

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Drug overdoses are killing more Americans each year than car crashes, homicides, and falls with over 64,000 people dying from drug overdoses in 2016 alone; and

WHEREAS: Overdoses occur when too much of a substance or mixture of substances are ingested, smoked, absorbed, snorted, or injected into the body and the body is overwhelmed and unable to function properly; and

WHEREAS: All drugs whether they are legal or illegal can cause an overdose including opioids, depressants like barbiturates, benzodiazepines, or alcohol, and stimulants like cocaine, meth, caffeine, or ecstasy; and

WHEREAS: 66% of the overdoses that occurred in the United States in 2016 involved opioids like prescription opioids, heroin and fentanyl; and

WHEREAS: Opioid overdoses are reversible by using Naloxone to block the opioid receptors in the brain to allow respiration to continue in the body; and

WHEREAS: Naloxone was administered over 140 times from 2014 – 2017 in Tioga County by first responders and law enforcement allowing several individuals a second chance at life; and

WHEREAS: Agencies within Tioga County like Tioga County Public Health, Tioga County Mental Hygiene, CASA-Trinity Prevention, CASA-Trinity COTI, ACBC COTI, and several community partners offer services to those dealing with an addiction and continue to work together as the Tioga County Allies in Substance Abuse Prevention Coalition; and

WHEREAS: Individuals who know someone who is currently struggling with an opioid or other substance addiction are encouraged to learn about the resources available to them within Tioga County; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim August 30, 2018 as:

#### **OVERDOSE AWARENESS DAY**

and urges the citizens of our County to educate themselves on drug addiction, learn the signs of an overdose, and learn how to administer Naloxone.

Legislator Standinger spoke. "That word (Naloxone) kind of threw me off because it is called "Narcan".

Kylie Holochak of the Public Health Department spoke. "Thank you Bill and thank you all for your continued support. The Tioga County Coalition will be holding a candlelight vigil on August 30<sup>th</sup>, that is going to be downtown at the Gazebo and that will be from 6:30 to 8:30 and that is open to the entire community. We also will be accepting names for families to submit of people who have either survived an overdose or who they have lost that we can support. Thank you for your support."

Chair Sauerbrey stated that the following Proclamation on Immunization Awareness Month will just be noted.

#### **COUNTY OF TIOGA EXECUTIVE PROCLAMATION**

WHEREAS: August is National Immunization Awareness Month with immunizations representing one of the greatest public health accomplishments of the 20<sup>th</sup> century; and

WHEREAS: Vaccines give parents the safe, proven power to protect their children from serious diseases by following the recommended immunization schedule – giving their child the vaccines they need, when they need them; and

WHEREAS: Child care facilities, preschool programs, schools and colleges are prone to outbreaks of infectious diseases due to poor hand washing, not covering coughs, and other factors such as interacting in crowded environments; and

WHEREAS: When a child comes down with a disease such as whooping cough or the flu, they may miss several days of school while recovering and a parent may have to miss work or other important obligations; and

WHEREAS: Vaccines are an important part of a healthy pregnancy and allows the mother to pass some protection on to her baby. Women should be up to date on their vaccinations before becoming pregnant and should receive vaccines against both flu and whooping cough during pregnancy; and

WHEREAS: All adults should get vaccines to protect their health. Even healthy adults can become seriously ill and pass diseases on to others. Everyone should have their vaccination needs assessed at their primary care provider's office; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of August 2018 as:

#### **IMMUNIZATION AWARENESS MONTH**

and urges the citizens of our County to educate themselves on the recommended vaccines for themselves and their children to prevent the spread of preventable diseases.

Legislator Standinger read and presented the following Proclamation on Suicide Prevention Awareness Month to John Holton, Veterans' Service Director and Mike Middaugh of the Veterans' Service Office for Tioga County.

Legislator Standinger spoke. "Thank you gentleman. As a fellow Veteran, I appreciate your service. This is a difficult thing for me to read, not because of the big words, but I discovered first hand last year what it feels to have someone commit suicide who is a Veteran who is close to me. I had a nephew, a 37-year-old Veteran of the National Guard who had served time in Afghanistan who unfortunately committed suicide as a result of his PTSD and issues with being able to integrate himself back into society. I read this in his memory."

PROCLAMATION  
SEPTEMBER 2018 AS  
SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY

WHEREAS: September is National Suicide Prevention Awareness Month; and

WHEREAS: Tioga County has 4,623 veterans living here and many face service-connected disabilities which cause them to suffer from depression, anxiety and other mental health issues; and

WHEREAS: Twenty-two veterans each day complete suicide in our Country for a total of 154 per week, 660 per month and 8,000 per year which is a national crisis; and

WHEREAS: It is important to recognize this epidemic among our veterans and to support the Tioga County Veterans Service Agency's "STOP 22 – Share The Struggle" campaign to raise awareness about veteran suicide; therefore

THE TIOGA COUNTY LEGISLATURE does proclaim

September as Suicide Prevention Awareness Month in Tioga County

Legislator Standinger spoke. "That being said, this is a pretty significant problem. I did not know this number, 22 a day until my nephew took his own life and I will tell you that is a staggering number. The unfortunate thing is these are people who have served our Country and return with issues that they are unable to deal with and the help does not seem to be available or at least they do not reach out for the help. Hopefully we can at least minimize this issue."

Mike Middaugh of the Veterans' Service Agency spoke. "We thank the Legislature for your support in this matter. It struck home to all of us last year here in Tioga County. We had two veterans who committed suicide in the County both in the same week and we came up with the Stop 22 Share the Struggle campaign as a result of that to raise the awareness. We will be unveiling on September 4<sup>th</sup> here on the lawn at the County Building our feel to the fall and forgotten. There will be 660 flags on display representing 660 veterans who have died by suicide this month. There will be signage with it as well describing what it is about and where people can reach out to us for more information on getting involved in the Stop 22 Share the Struggle campaign. We appreciate greatly the support we get from the



RESOLVED: That the Tioga County Probation Director is approved to contract with Chestnut Health Services to provide data to Columbia University as part of the E-Connect program, if the contract is approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 171-18

*RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
COUNTY PROBATION DEPT. AND  
CAYUGA COUNSELING SERVICE, INC.*

WHEREAS: Raise the Age mandates and changes made to 9 NYCRR 356 and 9 NYCRR 359 require Probation Departments to offer a variety of Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth based on their risk level. The services provided must be proven evidence based services or promising evidence based services. Currently, Tioga County Probation has no evidence based programming for Probation involved youth; and

WHEREAS: Tioga County Probation would like to contract with Cayuga Counseling Service, Inc. to provide promising evidence based services to Probation involved youth. This program will provide both an alternative to detention programming and Pre-dispositional Intensive Supervision programming for youth in Youth Part Court, Family Court or Intake and Diversion Services at Probation; and

WHEREAS: The Tioga County Attorney is reviewing a contract with Cayuga Counseling Service, Inc. to provide 8 slots of juvenile special supervision to reduce the County's need for expensive specialized secure detention, secure and non-secure detention and the newly mandated Pre-dispositional supervision; and

WHEREAS: The cost of the contract is \$72,509.81 for twelve months. The Probation Department will list the program in the County's Comprehensive Plan for Raise the Age funding for 16 and 17 year old youth and in the STSJP claim for youth under age 16. The program will be listed in a new Probation budget line for Contracted Services A3140.540140; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with Cayuga Counseling Service, Inc. to provide Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth based on their risk level, if the contract is approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 172-18

*RESOLUTION TO APPROVE A  
SOLE SOURCE CONTRACT AND  
MAINTENANCE AGREEMENT  
BETWEEN THE TIOGA COUNTY  
PROBATION DEPARTMENT AND  
AUTOMON LLC TO PROVIDE SOFTWARE  
AND MAINTENANCE OF THE CASELOAD  
EXPLORER PRODUCT*

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon LLC since 2008; and

WHEREAS: AutoMon LLC has changed their contract status with New York State, the Tioga County Legislature is approving that the Probation Department can contract with AutoMon LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which newly mandates Probation Departments to use a software program that automatically sends Presentence Investigation completed in the software program to the PSI

Repository in Albany. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$4,576.90 plus a fee of \$224.14 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2019 is \$8,387.28; and

WHEREAS: AutoMon LLC has also submitted their yearly Maintenance Agreement to Tioga Probation for Ce Assessments in the amount of \$5,512.50 in annual subscription; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2019 for Caseload Explorer and Ce Assessments in the amount of \$13,899.78, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 173-18 *APPOINT MEMBER TO THE TIOGA COUNTY  
PLANNING BOARD*

WHEREAS: William Dimmick, III has resigned from the Tioga County Planning Board position representing the Village of Waverly; and

WHEREAS: The Village of Waverly Board of Trustees has nominated Rawley Filbin to serve as their representative replacing William Dimmick, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Rawley Filbin to the Tioga County Planning Board to fulfill William Dimmick's unexpired term of 4/12/2017 – 12/31/19.



## ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 174-18                      *DESIGNATE FREEDOM OF  
INFORMATION OFFICER FOR  
SHERIFF'S OFFICE*

WHEREAS: The Tioga County Sheriff's Office handles a significant amount of Freedom of Information requests; and

WHEREAS: There is an appointed Freedom of Information Officer for Tioga County with the Tioga County Attorney acting as Freedom of Information Officer in their absence; and

WHEREAS: It is the desire to have a Freedom of Information Officer appointed to handle the significant amount of Freedom of Information requests that are received by the Tioga County Sheriff's Office; therefore be it

RESOLVED: That the Sheriff shall have the authority to designate a member of the Sheriff's staff as Freedom of Information Officer to handle all Tioga County Sheriff Freedom of Information requests.

## ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 175-18 AWARD BID FOR MONTROSE  
TURNPIKE PAVEMENT OVERLAY

WHEREAS: The Commissioner of Public Works appropriated funds in the 2018 budget for this project; and

WHEREAS: The Department of Public Works received sealed bids on July 9, 2018 and the bids came in as follows:

Broome Bituminous Products, Vestal NY	\$757,320.00
Bothar Construction, Binghamton NY	\$892,430.00
L&T Construction, Richmondville NY	\$781,740.69
<b>Dalrymple Gravel and Contracting, Pine City NY</b>	<b>\$737,500.00</b>

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Dalrymple Gravel and Contracting, Pine City NY not to exceed \$737,500.00 to be paid out of Montrose Turnpike Paving Account H51 10.540001.H1801.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 176-18 AWARD BID FOR ROOF PROJECTS  
AND EXTERIOR REHABILITATION

WHEREAS: The Commissioner of Public Works appropriated funds in the 2018 budget for these projects; and

WHEREAS: On July 25, 2018, the Department of Public Works received sealed bids from the following contractors:

Lee Contracting Services, Mansfield PA	\$324,500.00
Bionco Builders & Company, Binghamton NY	\$357,000.00
Middendorf Contracting Inc., Wysox PA	\$598,535.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Lee Contracting Services, Mansfield PA not to exceed \$324,500.00 to be paid out of the following accounts:

H1620.520922 – Roof Temple Street	\$130,000.00
H1620.520927 – Court Annex	\$ 90,000.00
H1620.520121 – County Clerks Roof	\$104,500.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 177-18      *AMEND 2018 BUDGET*  
*PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a bridge project, Day Hollow Road over Foster Creek BIN 3335360; and

WHEREAS: Preliminary design and ROW incidentals have been approved by the New York State Department of Transportation for the amount of \$57,000, in

which 80% of Federal Funds and 20% State Funds will be reimbursed to Tioga County; and

WHEREAS: Additional phases of the project have been approved by the New York State Department of Transportation, including construction; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That revenue accounts be revised as follows:

Current:

H5110 445020 H1606	Federal Revenue for BIN 3335360	\$45,600
H5110 435020 H1606	State Revenue for BIN 3335360	\$11,400

Revised:

H5110 445020 H1606	Federal Revenue for BIN 3335360	\$739,600
H5110 435020 H1606	State Revenue for BIN 3335360	\$184,900

Additional Budget:

H5110 445020 H1606	Federal Revenue for BIN 3335360	\$694,000
H5110 435020 H1606	State Revenue for BIN 3335360	\$173,500

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 178-18

*AMEND 2018 BUDGET  
PUBLIC WORKS*

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a bridge project, Day Hollow Road over Foster Creek BIN 3335360; and

WHEREAS: Engineers estimate for the subject project have increased, in which New York State Department of Transportation have approved additional funding for the expected increase; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the expense account be revised as follows:

Original:

H5110 540004 H1606 Day Hollow Road over Foster Creek \$600,000

Revised:

H5110 540004 H1606 Day Hollow Road over Foster Creek \$924,500

Additional Budget:

H5110 540004 H1606 Day Hollow Road over Foster Creek \$324,500

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 179-18

*TRANSFER OF FUNDS  
ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2018 and the Assigned Counsel account will not have sufficient funds for the remainder of 2018; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account to accommodate the increase in cases for 2018; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$60,000
To: A1172 540030 Assigned Counsel	\$55,000
A1172 540390 Mileage	\$ 4,000
A1172 540640 Supplies (Not Office)	\$ 500
A1172 540700 Transcripts	\$ 500

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

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. 180-18 AMEND BUDGET & TRANSFER OF FUNDS  
PUBLIC HEALTH

WHEREAS: Tioga County Public Health Mobile Dental Services has identified the need to upgrade Dental-specific software and imaging hardware; and

WHEREAS: In conjunction with the new Mobile Dental Unit that is being built, Public Health is converting to a paperless electronic dental record system to allow for space, efficiency and communication with other providers and insurances; and

WHEREAS: The purchase of software, hardware and implementation is necessary for said upgrades; and

WHEREAS: Public Health has worked with Information Technology Communication Services toward this upgrade; and

WHEREAS: Additional funding is needed in the appropriate budgetary lines; and

WHEREAS: Public Health has the funds available due to a position vacancy, which will require resolution to transfer into the appropriate budgetary lines; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:		
A4011 510010	Dental Services: Personnel	\$ 25,000
To:		
A4064 520130	Dental Services: Equipment	\$ 16,000
A4064 540130	Dental Services: Contracting Services	\$ 6,800
A4064 540620	Dental Services: Software	\$ 2,200

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 181-18 *TRANSFER FUNDS AND FUND CAPITAL RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County Capital Infrastructure, Equipment, Computer Software and Hardware enhancements, and established funds for such needs in Resolutions No. 320-13 and No. 119-13; and

WHEREAS: The Tioga County Legislature would like to replenish the depleted Capital Reserves through funds it receives from Gaming Casino Revenue as the host county for the Tioga Downs Casino; and

WHEREAS: Tioga County has receipted into the General Operating Fund State Aid Casino Revenue for the period of 01/01/2018 through 06/30/2018 in the amount of \$652,227.30 into account A1340 430160; therefore be it

RESOLVED: That the Tioga County Treasurer transfer \$650,000.00 from the General Operating Fund to the Capital Fund; and be it further

RESOLVED: That the Tioga County Treasurer funds the Capital "Land, Equipment, and Infrastructure Reserve" with \$650,000.00 from the Capital Fund balance:

FROM: A1340 430160 State Aid Casino Revenue \$ 650,000.00

TO: A9950 593715 Transfer to Capital Fund \$ 650,000.00

FROM: H1340 450310 Inter fund Transfer \$ 650,000.00

TO: H 387807 Capital Land, Equipment &  
Infrastructure Reserve \$ 650,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 182-18 *2018 BUDGET MODIFICATION AND REQUEST  
TRANSFER OF CONTINGENCY FUNDS  
BOARD OF ELECTIONS*

WHEREAS: The Board of Elections Part Time/Temporary budget will not have sufficient salary funds for the remainder of 2018; and

WHEREAS: The Board of Elections Voting Machine Technicians duties have increased; and

WHEREAS: The Tioga County Legislature approved at the March 8, 2018 Work Session an increase for the Voting Machine Technicians part time hours up to 29.5 per week; and



WHEREAS: There are still two elections that will need to be re-canvassed by the part time Election Workers who are compensated from the Part Time/Temporary budget line; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Board of Elections Part Time/Temporary salary to accommodate the permanent increase of duties and hours for the Voting Machine Technicians and the Part Time Election Workers; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a budget modification and transfer of contingency funds for 2018 as follows:

From: A1990 540715 Contingency Account \$24,000

To: A1450 510020 Part Time/Temporary \$24,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 183–18 APPROVE FUNDING  
2018 SUMMER YOUTH EMPLOYMENT  
PROGRAM

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: A6010.446100 Federal Aid: Administration	\$106,459
To: A6010.540140 Contractual	\$ 94,362
A6010.540487 Program Expense	\$ 12,097

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 184-18 *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*

WHEREAS: A project for the rehabilitation of BIN 3335360 – Day Hollow Road over Foster Creek, PIN 9754.14 (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/Design work, Right-of-Way Incidentals work, Right-of-Way Acquisition work and Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; be it further

RESOLVED: That the Tioga County Legislature hereby authorize 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; be it further

RESOLVED: That the sum of \$822,000 is hereby appropriated from Day Hollow over Foster Creek account H5110.540004.H1606 and made available to cover the costs of participation in the above phases of the Project; 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 notification by the New York State Department of Transportation thereof, be it further

RESOLVED: That the Chair of the Tioga 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 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, 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, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 185-18

*AUTHORIZE THE ACCEPTANCE OF  
INTEROPERABLE COMMUNICATIONS  
EQUIPMENT FROM NYS DHSES FIRE  
COORDINATOR'S OFFICE*

WHEREAS: The NYS Division of Homeland Security and Emergency Services has announced interoperable communications grant funding; and

WHEREAS: The New York State Division of Homeland Security and Emergency Services is deploying the Mutualink emergency incident collaboration technology and making such equipment available to all Counties in the State at no cost to the County; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such application be submitted; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the appropriate grant application for the purposes of securing this funding and authorize the Chair of the Legislature to sign such application and contract after approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 186-18

*AUTHORIZE THE SUBMISSION OF  
STATEWIDE INTEROPERABLE  
COMMUNICATIONS "FORMULA" GRANT  
(SICG 18)  
APPLICATION 2018  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a Statewide Interoperable Communications "Formula" Grant 2018 to the Tioga County Office of Emergency Services. The grant will be used for upgrading the radio communications in the county and there is no local share associated with said grant; and

WHEREAS: County Policy # 47 requires that permission be obtained prior to submitting said application. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by August 3, 2018; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant application 2018, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 187-18

*AUTHORIZE THE SUBMISSION OF  
STATEWIDE INTEROPERABLE  
COMMUNICATIONS "TARGET" GRANT  
(SICG 18)  
APPLICATION 2018  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a Statewide Interoperable Communications "Target" Grant 2018 to the Tioga County Office of Emergency Services. The grant will be used for upgrading the radio communications in the county with no local share associated with said grant; and

WHEREAS: County Policy # 47 requires that permission be obtained prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications "Target" Grant application 2018 and authorizes the Chair of the Legislature to sign said application and contract once it has been approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 188-18                      *AUTHORIZATION FOR TIOGA COUNTY TO  
ACCEPT TRANSFER OF PROPERTY FROM THE  
TIOGA COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY AND LEGISLATIVE CHAIR TO  
EXECUTE DOCUMENTS NECESSARY FOR  
TRANSFER*

WHEREAS: The Tioga County Industrial Development Agency currently owns a portion of Corporate Drive that consists of a 50 foot railroad crossing; and

WHEREAS: Tioga County is desirous of owning said portion of Corporate Drive and the Tioga County Industrial Development Agency has agreed to transfer said portion of Corporate Drive to Tioga County, subject to Tioga County granting an easement to the Tioga County IDA for said railroad crossing; therefore be it

RESOLVED: That the Tioga County Legislature accepts the transfer of said property from the Tioga County IDA and agrees that said transfer is subject to Tioga County granting an easement to the Tioga County IDA; and it is further

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute any documents necessary for said transfer of property and said easement to be made.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 189-18      *DESIGNATION OF TIOGA COUNTY LOCAL  
DEVELOPMENT CORPORATION, D.B.A.  
TIOGA COUNTY TOURISM, AS AUTHORIZED  
TOURISM PROMOTION AGENCY FOR 2019*

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 2019 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 Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.



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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 190-18

*AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF CANDOR TO CHERYL A. JOHNSON & FREDERICK E. MIDDAUGH*

WHEREAS: Property located in the Town of Candor transferred to Tioga County, identified as Tax Map number 72.00-1-26, parcel number 695 was included on a Resolution adopted by the Tioga County Legislature on July 10, 2018 for the authorization for county owed properties acquired for delinquent taxes Resolution number 168-18, owes 2016, 2017 and 2018 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Cheryl A. Johnson & Frederick E. Middaugh who has made an offer to purchase back their property for \$4,500 "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 withdraw said property from the List of county owed properties to be sold at public auction and sign and record on receipt of \$4,500 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Candor, identified on the Town of Candor Tax Map as number 72.00-1-26 parcel number 695 to Cheryl A. Johnson & Frederick E. Middaugh or assigns.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 191-18                      *WITHDRAW PROPERTY FROM LIST OF COUNTY OWNED PROPERTY TO BE SOLD AT PUBLIC AUCTION AND AUTHORIZE THE SALE OF SAID PROPERTY TO ALAN R. SHUMAKER*

WHEREAS: Property identified as Tax Map number 129.13-1-61 located in the Village of Owego was acquired by the County for delinquent taxes and said property was listed on Resolution No. 168-18, which authorized said property to be sold at public auction; and

WHEREAS: The County has been approached by Alan R. Shumaker who has made an offer to purchase back his property for \$860 "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Tioga County Legislature hereby authorizes the withdrawal of said property from the list of county owed properties to be sold at public auction and the sale of said property be made to Alan R. Shumaker upon receipt of \$860 and recording costs of \$310; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign all documents necessary to make the sale of said property from Tioga County to Alan R. Shumaker.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 192-18                      *ERRONEOUS ASSESSMENT TOWN OF TIOGA*

WHEREAS: An application to Renounce Previously Granted Exemptions for the years 2015, 2016, & 2017 indicates that parcel #602 in the Town of Tioga assessed to Thomas R Iannone on the 2015, 2016, & 2017 tax rolls of the Town of Tioga is erroneous in that the STAR Enhance and Veterans Exemptions were renounced on July 16, 2018; be it therefore

RESOLVED: That the total repayment of \$2,949.10 to Tioga County Treasurer's Office paid by Thomas R Iannone on August 2, 2018 contains the following erroneous repayments:

	Tax	Interest	Total
STAR	\$1,716.69	\$399.55	\$2,116.24
COUNTY	\$194.28	\$35.71	\$229.99
RECYCLE	\$9.49	\$1.68	\$11.17
TOWN OF TIOGA	\$77.46	\$14.24	\$91.70
TOTAL ERRONEOUS REPAYMENT			\$2,449.10

And be it further

RESOLVED: That the erroneous STAR tax of \$2,116.24 be distributed to the New York State Tax & Finance; and be it further

RESOLVED: That the erroneous County tax of \$229.99 be distributed to proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Solid Waste tax of \$11.17 be distributed to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous Town of Tioga tax of \$91.70 be distributed to the Town of Tioga; and be it further

RESOLVED: That the processing fee of \$500.00 is revenue to Tioga County.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 193-18

*ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN*

WHEREAS: Tioga County is a recipient of financial assistance including through the New York State Department of Transportation, Federal Transit Administration and Federal Highway Administration; and

WHEREAS: As a condition of such assistance Tioga County is required to have in place a comprehensive set of plans detailing its Title VI obligations and initiatives including its Title VI Plan, ADA Transition Plan, Environmental Justice Plan, LEP Plan (Limited English Proficiency Plan) and a plan for ongoing Title VI employee training; and

WHEREAS: Tioga County has developed a set of plans and policies to ensure that it is meeting its program obligations and has drafted a Title VI Plan, ADA Transition Plan, Environmental Justice Plan, LEP Plan (Limited English Proficiency Plan) and Title VI employee training Plan for adoption by the Tioga County Legislature and appointing the Personnel Director and Safety Officer, as the Tioga County Title VI Coordinators; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the Tioga County Title VI Plan, ADA Transition Plan, Environmental Justice Plan, LEP Plan (Limited English Proficiency Plan) and Title VI employee training Plan and authorizes the Chairperson of the County Legislature to sign the plans and such compliance documents as are required (copy of which shall be on file); and be it further

RESOLVED: That the Personnel Director and Safety Officer, are appointed to serve as the Tioga County Title VI Coordinators.

## ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 194-18      *AUTHORIZE 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 has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2019 through December 31, 2019; 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 for the period January 1, 2019 through December 31, 2019.

## ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 195-18 *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 Medicare Part D drug plan for Medicare eligible retirees and retirees' spouses; 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 Medicare Part D drug plan for the period of January 1, 2019 through December 31, 2019; 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, 2019 through December 31, 2019.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 196-18 *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 2019 through 2020; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2019 – December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 197-18 *AUTHORIZE APPOINTMENT OF CAPTAIN –  
OPERATIONS OFFICER  
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: Due to retirement, the position of Captain – Operations Officer, within the Sheriff's Office became vacant on July 28, 2018; and

WHEREAS: The Sheriff has identified a qualified candidate from the certified eligible list and intended to backfill the position immediately; and

WHEREAS: During the July 19, 2018, Legislative work session, consensus was given to the Sheriff on the salary offer for his selected candidate; therefore be it

RESOLVED: That the Sheriff is hereby authorized to promote Richard Hallett to the title of Captain – Operations Officer at an annual, non-union salary of \$79,500 retroactive to July 28, 2018.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 198-18	<i>RECLASSIFY ONE (1) VACANT FULL TIME PUBLIC HEALTH NURSE TO EARLY INTERVENTION SERVICE COORDINATOR PUBLIC HEALTH DEPARTMENT</i>
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WHEREAS: Legislative approval is required to reclassify any job title within Tioga County; and

WHEREAS: One (1) vacant full-time Public Health Nurse position (CSEA salary grade XV: \$52,707-\$53,407) has been vacant since May 15, 2018; and

WHEREAS: After a review of staffing needs within all divisions of the Public Health Department, the Director has determined that an additional full-time Early Intervention Service Coordinator (CSEA salary grade X: \$40,296-\$40,996) is more in-line with the needs of the department to serve the clients of Tioga County; therefore be it

RESOLVED: That one (1) vacant full-time Public Health Nurse position shall be reclassified to a full-time Early Intervention Service Coordinator effective August 15, 2018; and be it further



RESOLVED: That the Public Health Director may fill said vacancy with a provisional appointment pending a civil service examination.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 199-18 *BUDGET MODIFICATION AND  
CREATE AND FILL TWO (2) PERMANENT,  
FULL-TIME SENIOR CLINICAL SOCIAL  
WORKER POSITIONS  
MENTAL HYGIENE*

WHEREAS: Legislative approval is required for budget modifications and the creation of any new positions within Tioga County; and

WHEREAS: The Mental Hygiene Department has received multiple requests from both the Waverly Central School District (WCSD) to supplement existing services starting with the 2018/2019 school year and from the Tioga County Boys & Girls Club to provide new mental health services; and

WHEREAS: The Director of Community Services is able to provide the level of services requested by retaining an additional two (2) Senior Clinical Social Workers without increasing the local share as the positions will be offset by revenue; and

WHEREAS: Funding for the WCSD position includes \$25,000 annually from a contract with Waverly Central School District and the balance from increased fee-for-service revenue; and

WHEREAS: Funding for the Tioga County Boys & Girls Club position includes \$12,500 annually from a contract with the Tioga County Boys & Girls Club and the balance from increased fee-for-service revenue; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create two (2) permanent, full-time positions of Senior Clinical Social Worker at an annual rate of \$57,412 (CSEA SG XVII) effective August 15, 2018; and be it further

RESOLVED: That the Director of Community Services be allowed to fill the WCSD position prior to the start of the 2018/2019 school year and the Tioga County Boys & Girls Club position prior to the end of 2018; and be it further

RESOLVED: That the Mental Hygiene Department's 2017 authorized full-time headcount shall increase from 32 to 34; and be it further

RESOLVED: That the 2018 budget be modified and funding be appropriated as follows for the remainder of 2018:

From: A4310 416200	Mental Health Fees	\$64,309.05
To: A4310 510010	Full Time Salary	\$43,412.89
A4310 581088	State Retirement Fringe	\$ 4,067.59
A4310 583088	Social Security Fringe	\$ 3,214.52
A4310 584088	Workers Compensation Fringe	\$ 1,261.64
A4310 585588	Disability Insurance Fringe	\$ 89.02
A4310 586088	Health Insurance Fringe	\$12,250.22
A4310 588988	Eap Fringe	\$ 13.17

#### ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

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. 200-18 CREATE AND FILL SEASONAL SOCIAL  
WELFARE EXAMINER POSITION AND  
SEASONAL OFFICE SPECIALIST I POSITIONS  
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 12, 2018; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

Two, full-time, seasonal Social Welfare Examiners for the period October 1, 2018 through February 28, 2019 at the starting salary of \$14.37 per hour, and

One, full-time seasonal Office Specialist I for the period November 1, 2018 through January 31, 2019 at the starting salary of \$11.92 per hour, and

One, full-time, seasonal Office Specialist I for the period November 1, 2018 through February 28, 2019 at the starting salary of \$11.92 per hour, and

One, full-time, seasonal Office Specialist I for the period November 1, 2018 through March 29, 2019 at the starting salary of \$11.92 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 Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-field resolution considered, seconded by Legislator Sullivan and carried with Legislators Huttleston, Monell, Mullen and Roberts being absent.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 201-18 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, Nichols, Owego, Richford and Tioga were offered for sale at Public Auction conducted Thursday, August 09, 2018, 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:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Barton:</u>		
Donna M. Mills, 146.19-1-6	World Class, LLC	\$10,500
Tioga County, 166.19-2-65	Gerald A. Keene Betty J. Keene	\$ 3,000
<u>Town of Candor:</u>		
Harold R. Vrabel, 63.00-1-25.13	Dennis R. Donahue Cindy A. Donahue	\$57,000
<u>Town of Newark Valley:</u>		
Harold R. Vrabel, 54.00-1-5.20	Horizon Transport	\$ 2,100
<u>Town of Nichols:</u>		
Tammac Holdings Corp, 138.00-1-16	Thomas J. Robinson Candice N. Vonschaick	\$19,000

Town of Owego:

Nathan J. Carol B. Donnelly, 129.05-4-12	Joanne E. Ellerson	\$ 9,000
Rita Holgate, 128.08-1-1.211	Timothy W. McCloskey	\$ 900
Ronald L. & Larita R. Jayne, 129.00-3-64	Brianna Stewart	\$43,000
	Taylor A. Stewart	
Corey W. Relyea, 129.05-3-25	Slimtech, Inc	\$ 2,000
Louise A. Smith, 128.08-3-79	Joanne E. Ellerson	\$ 3,300
Alan S. Ulrich, 128.08-1-62	Barbara C. Krolczyk	\$ 800

Town of Richford:

Kenneth J. Barnes, 4.00-1-9	Paul H. Reeves	\$ 1,600
Xuan Zheng, 2.00-2-20	Jeffrey K. Gerhat	\$12,000

Town of Tioga:

Herbert Sandy Bonilla, 136.00-1-28.10	Keith M. Corneby	\$ 350
Nicole C. Chiarello		
Phyllis Davies, 148.00-1-15.10	Tioga Center United	\$ 4,200
	Methodist Church	

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Sullivan, Weston, and Hollenbeck.

No – None.

Absent – Legislators Huttleston, Monell, Mullen and Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:38 P.M.

*Ninth Regular Meeting  
September 11, 2018*

The Ninth Regular Meeting of 2018 was held on September 11, 2018 and was called to order by the Chair at 6:02 P.M. Seven Legislative members were present, Legislators Huttleston and Monell being absent.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord we ask you to shine down on us today and this meeting, to do the business of the people of Tioga County. We also ask for a special prayer of intercession for the families, friends and loved ones of those we lost 17 years ago today in New York City, Pennsylvania and Washington, D.C. May we never forget the loss of life, not only on that fateful day, but the loss of life since that date in defense of our Nation and ridding the world of the surge of terrorism."

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

There were 5 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the adoption of the following recognition resolutions, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution to Robert Blasch, Road Patrol Sergeant, Tioga County 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. 202-18

*RESOLUTION RECOGNIZING  
ROBERT BLASCH'S  
26 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Robert Blasch was appointed as Corrections Officer on 9/19/92; promoted to Deputy Sheriff on 12/2/96; and promoted to Road Patrol Sergeant on 1/21/06; and

WHEREAS: Robert Blasch 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: Robert Blasch will retire from the Tioga County Sheriff's Office on September 29, 2018; 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 Rob Blasch 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, Robert Blasch.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

#### RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I would like to say a few words on behalf of the Legislature. I think I am doing this a lot more often than I would like. I have known Robbie for 25 or 26 years, a long time. We did an awful lot of nights out there and one that I remember very distinctly was the truck driver that died on the highway. He did the right thing before he passed away, he got the truck and trailer over to the side of the road where it is called the Narrows out here in Owego. I was working and we got there and Robbie showed up and we worked hard on that, although he did not make it, but I can tell you that I was impressed with Robbie that day because he really took control of the situation.

"That was my first real interaction with Robbie and you could tell that he was dedicated to his duty as a police officer. I can tell you Robbie was always the guy that you knew when he showed up at any scene that there was going to be a common influence. I still believe since his wife dispatches in the Sheriff's Department for a very long time during my career is that sometimes Robbie gets the better calls when his wife was dispatching. He is going to be missed. Not only is Rob an outstanding police officer, Rob also served his country in the United States Navy in the United States Naval Reserve for over 20 years of service with the Navy, the Naval Reserve as a Seaman. I am one of the few people that can say that his whole adult life has been in the service of his fellow men and his country. With that, you are going to be missed, your leadership is going to be missed, and I am sorry to see you go, but I am happy for you."

Legislator Mullen read and presented the following recognition resolution to Dennis Spangenburg (Keith Spangenburg, son accepting), Corrections Sergeant, Tioga County 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. 203-18

*RESOLUTION RECOGNIZING  
DENNIS SPANGENBURG'S  
25 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Dennis Spangenburg was appointed as Part-Time Corrections Officer on 6/7/93; appointed to Full-Time Corrections Officer on 8/31/93; and promoted to Corrections Sergeant on 8/1/04; and

WHEREAS: Dennis Spangenburg 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: Dennis Spangenburg will retire from the Tioga County Sheriff's Office on September 29, 2018; 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 Dennis Spangenburg 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, Dennis Spangenburg.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED UNANIMOUSLY.



Legislator Mullen spoke. "Keith is here to accept on his father's behalf. I knew Dennis not as well as I did the road guys, but I can tell you there was many a time we took a guy into the jail and Dennis was there, and I know that he was very dedicated to his duty inside the jail. Anybody in Public Safety knows and the Sheriff can attest to running a correction facility in the State of New York is not an inexpensive process. It is always maintained by a level of professionalism that we have been so blessed with by the County with our employees. On behalf of myself and the Legislature I thank your father. I hope he enjoys retirement. Congratulations. Thank you."

Sheriff Howard spoke. "It seems like every month I am coming down here and saying something about retirement. Congratulations to both of these two people, but I just get tired of coming down here and telling you what a great job they have done. I wish I could keep them all. You are talking about 51 years of service here walking out the door.

"I will start with Sergeant Spangenburg, Dennis. I do not know if you know Dennis or not, but he is tall, I am not sure if he could even fit through that door. He is a big man and he ran our Intake Booking Office. When we had somebody come in that was a little wild Dennis would just sort of lumber in and things suddenly calmed down. He is a power lifter. He was a world championship power lifter. He lifts 605 to 650, something like that. I am going to miss Dennis a lot. He is very calm, very collected, and very cool, but it was an honor when the time came to replace that Sergeant's position and we could promote his son, so now it is just a lineage coming up. We still have the Spangenburg name so I can yell down the hallway, hey Spangenburg I need you. I am not going to hear the big thud coming down the hall, but I love these guys, they just mean a lot to me.

"The good thing about Sergeant Blasch, I mean Sergeant Blasch is like the go to guy for a lot of things. I could be here for a long time telling you about hey we need this done and we need that done. He has been on the SWAT Team, he has ran our SWAT Team and has gone to training for that. He is a busy guy. He runs the shift during the day. If something comes up he handles it. The Lieutenant yells at him all the time with stuff and he gets it done. He is given a task and he gets it done. I am going to miss him being around the office. If I could do anything to keep these guys I would. As Legislator Mullen said, I am sorry to see them go, I do not want them to go, but I am happy for them that they are moving on. We still have one Blasch in the office in our Dispatch and we are going to keep her for a while."

Legislator Chair noted the following two Proclamations on Child Passenger Safety Week and National Alcohol and Drug Addiction Recovery Month.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: Every day in America, millions of parents and caregivers travel to work, school, and after-school activities with their children, and while many of those children are riding in correctly installed car seats for their ages and sizes, over 80% are not; and

WHEREAS: In 2016 over 700 children died in automobile crashes and over 130,000 were injured and 1 in 3 children under the age of 12 who were killed in a car crash in 2016 were not in a car seat, booster seat or seatbelt; and

WHEREAS: Using the correct car seat can greatly reduce a child's risk of injury or death in an automobile crash; and

WHEREAS: 90% of car seats that are checked in Tioga County are not installed correctly; and

WHEREAS: Injury can be prevented if parents and caregivers make sure their children are in the correct car seat for their ages and sizes, and that their seats are installed correctly; and

WHEREAS: That is why Tioga County Public Health is committed to educating parents and caregivers about the best ways to keep kids safe while traveling in cars, no matter how short or long the trip; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of September 23 – 29, 2018 as:

**CHILD PASSENGER SAFETY WEEK**

and urges the citizens of our county to help reduce injuries and the tragic loss of life by buckling up their children and themselves correctly—every trip, every time.

2018 PROCLAMATION

*National Alcohol and Drug Addiction Recovery Month*

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 7.7 million adults have a co-occurring mental health and substance use disorder, and

WHEREAS: Of the 20.3 million adults in the United States with a substance use disorder, 37.9% also have a co-occurring mental health disorder; and

WHEREAS: Substance abuse negatively affects children, families and loved ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 29<sup>th</sup> anniversary of National Alcohol and Drug Addiction Recovery Month; therefore be it

RESOLVED: That the Tioga County Legislature hereby asks all residents of our county to join in declaring September 2018 as National Alcohol Substance Abuse Recovery Month in Tioga County.

There was no privilege of the floor.

Legislator Hollenbeck made a motion to approve the minutes of August 14 and 17, 2018, seconded by Legislator Sullivan, and carried with Legislators Huttleston and Monell being absent.

Chair Sauerbrey abolished the Building Demolition Committee effective September 12, 2018.

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.

Chair Sauerbrey spoke. "As of September 10, 2018 the Tioga County 2018 Shared Services Plan was submitted to the State of New York and will be shortly posted on the website."

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 204-18 AMEND BUDGET & APPROPRIATE FUNDS  
PUBLIC HEALTH

WHEREAS: Public Health has been awarded funding from Delta Dental Community Care Foundation to be used specifically toward Dental Services; and

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

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Dental Services: Grants	\$ 5,000
To: A4064 540640	Dental Services: Supplies	\$ 5,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 205-18                      *MODIFY 2018 BUDGET AND TRANSFER FUNDS  
2016 STATE INTEROPERABLE GRANT  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution # 132-17 awarded the Office of Emergency Services a 2016 State Interoperable Communications Formula-Based Grant in the amount of \$442,981; and

WHEREAS: The grant budget has been amended to reflect the costs associated with implementation of Impact software ; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:

A3415 520230 IO16 State Interoperable Grant 2016 (Radio & Equipment)	\$24,525
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TO:

A3415 540140 IO16 State Interoperable Grant 2016 (Contracting Services)	\$24,525
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ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 206-18 *APPROPRIATE CONTINGENCY  
TRANSFER AND MODIFY 2018 BUDGET  
TO HOUSEHOLD HAZARDOUS WASTE  
ACCOUNT*

WHEREAS: There is a significant increase in the amount of electronic waste being brought by Tioga County residents; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2018 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and modify the budget as follows:

From: B1990 540715 Contingency Account \$ 5,000

To: B8160 542261 Household Hazardous Waste \$ 5,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 207-18 *AUTHORIZE CONTRACT BETWEEN  
TWIN TIER PATHOLOGY  
ASSOCIATES, PC, AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2019 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 \$900.00 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 1/1/19 through 12/31/19.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 208-18

*APPROVE 2019 STOP DWI PLAN*

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1<sup>st</sup>, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2019 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2019 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$31,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$14,000

Administration                    \$ 5,450  
     \$95,877

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS
RESOLUTION NO. 209-18	AWARD ROOF RESTORATION CONTRACT

WHEREAS: Tioga County Public Works solicited proposals for the heavy equipment garage roof restoration project; and

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: The Commissioner of Public Works received one sealed proposal on August 23, 2018 and the proposal came in as follows:

Charles F. Evans Co., Elmira NY	\$34,162.00
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WHEREAS: Tioga County DPW completed the review of the proposal and finds Charles F. Evans Co., Elmira, NY meets all of the qualifications of the specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Charles F. Evans Co., Elmira, NY not to exceed \$34,162.00 to be paid out of the following account:

H1620.520907 – Buildings / Grounds Facility



## ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 210-18

*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 eighteen 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 years 2019-2020; 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 years 2019-2020 upon approval by the County Attorney.

## ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE  
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 211-18

*AUTHORIZATION FOR THE CHAIR OF  
LEGISLATURE TO SIGN  
MEMORANDUMS OF  
UNDERSTANDING REGARDING THE  
MAINTENANCE OF PROPERTY HELD  
BY TIOGA COUNTY FOR  
TRANSFERENCE TO THE TIOGA  
COUNTY PROPERTY DEVELOPMENT  
GROUP (LAND BANK)*

WHEREAS: The County has retained certain parcels from the foreclosure auction for the purpose of transferring said parcels to the Tioga County Property Development Group (Land Bank); and

WHEREAS: Routine maintenance of these parcels is needed until such time as they are transferred to the Tioga County Property Development Group; and

WHEREAS: Memorandums of Understanding are needed between Tioga County and the municipalities in which these properties are located to set forth the responsibilities of the parties; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to sign Memorandums of Understanding between Tioga County and the municipalities in which these properties are located concerning maintenance, notification and disposition.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT AND PLANNING  
COMMITTEE

RESOLUTION NO. 212-18 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON  
SOLAR ENERGY SYSTEMS PAYMENT IN LIEU OF TAX  
AGREEMENT*

WHEREAS: Solar Energy Systems has submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately ten (10) Megawatts AC; and

WHEREAS: The project location is 237 State Route 96, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Owego Apalachin Central School District and The County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes (PILOT) Agreement with Solar Energy Systems; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Solar Energy Services has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by Solar Energy Systems following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$3,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 31<sup>st</sup> of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the remaining balance of said payments shall be disbursed to the Town of Tioga, Owego Apalachin Central School District and County of Tioga in equal portions upon netting out of existing real property tax owed to each entity; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between Solar Energy Systems, Town of Tioga, Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 213-18 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2019 County taxes among the several Towns are hereby established as follows:

Town of Barton	84.00
Town of Berkshire	100.00
Town of Candor	96.00
Town of Newark Valley	68.00
Town of Nichols	24.50

Town of Owego	74.90
Town of Richford	98.00
Town of Spencer	95.00
Town of Tioga	6.60

## ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 214-18                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel # 11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2017 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. is erroneous in that on August 2, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$310,000; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #6535	Corrected Bill #6535
County	5,156.37	3,509.28
Recycle	238.20	76.09
Town Wide	484.80	154.86
Part Town	1,303.96	416.52
Owego Fire	1,108.32	354.03
<b>Total</b>	<b>8,291.65</b>	<b>4,510.78</b>

And be it further

RESOLVED: That the erroneous county tax of \$1,647.09 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$162.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$1,217.38 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$754.29 be charged back to the Owego Fire Department.

#### ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 215-18                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel # 11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2018 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. is erroneous in that on August 2, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$310,000; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #6518	Corrected Bill #6518
County	5,174.30	3,521.48
Recycle	278.97	189.86
Town Wide	483.81	329.27
Part Town	1,332.20	906.66
Owego Fire	1,217.72	828.75
<b>Total</b>	<b>8,487.00</b>	<b>5,776.02</b>

And be it further

RESOLVED: That the erroneous county tax of \$1,652.82 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$89.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$580.08 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$388.97 be charged back to the Owego Fire Department.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 216-18      *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 expire December 31, 2018; 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, 2019 through December 31, 2019 to be paid for out of the 2019 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 217-18      *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. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; 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 Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2019 through December 31, 2019; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2019 through December 31, 2019.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 218-18      *CONTRACT WITH EMPLOYEE NETWORK, INC. (ENI)  
FOR EMPLOYEE ASSISTANCE  
PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); 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 continue providing Tioga County's EAP for a two year term, January 1, 2019 through December 31, 2020 at a rate of \$1.22/per covered employee per month; 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; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; 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 \$1.22/per covered employee per month effective January 1, 2019 through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 219-18

*AUTHORIZE CONTINUANCE OF FULL-  
TIME, TEMPORARY CLERK (SEASONAL)  
POSITION  
TREASURER'S OFFICE*

WHEREAS: Resolution 124-18 authorized the creation and filling of a full-time, temporary Clerk (Seasonal) position in the Tioga County Treasurer's Office from May 29, 2018 through August 31, 2018; and

WHEREAS: Due to an authorized leave of absence of another staff person, the County Treasurer would like to extend the duration of said temporary position in order to adequately cover the front office; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Marissa Potter's employment as full-time, temporary Clerk (Seasonal) shall continue beyond August 31, 2018 and end no later than December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:21 P.M.

*Tenth Regular Meeting  
October 16, 2018*

The Tenth Regular Meeting of 2018 was held on October 16, 2018 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Huttleston being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "Lord, as we gather today at this meeting we ask you will be in our midst. Help us to make decisions that will be pleasing to you. God, let this meeting be productive and help us to keep you in the forefront of our minds as we do the work set before us."

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

There were 26 people in attendance.

Steven Palinosky of the Employee Recognition Committee presented Employee of the 3<sup>rd</sup> Quarter 2018. "Chair Sauerbrey, County Legislators, Commissioner Yetter, leaders, employees and friends of the Tioga County Team my name is Steve Palinosky. On behalf of the Tioga County Employee Recognition Committee it is my honor today to present the award for the County Employee of the Quarter for the 3<sup>rd</sup> Quarter of 2018. Before we present this award I would first like to thank the Legislature for the steadfast support you have shown for the Committee's work in recognizing our outstanding employees.

"We would like to recognize our Employee of the Quarter for the 3<sup>rd</sup> Quarter of 2018, Sheri McCall, Tioga Career Center Manager. Sheri started as an Employment & Training Assistant in February of 1998. She was promoted to Employment Training Counselor in August of 1999 and again promoted in May 2005 to Senior Employment Training Counselor. In September of 2007 she became Manager of the Tioga Employment Center, which is now known as the Tioga Career Center.

"In this position she leads the Career Center in the invaluable tasks of helping the residents of the County find gainful employment and of helping area employers to find good workers. She is passionate about her work, is always willing to go above and beyond and help those who come to the Career Center for assistance. Her caring and diligent leadership is evident in the superb service that she and her Team provide to the public.

“Sheri is the driving force in organizing and executing Tioga County Job Fairs for which the fourth annual job fair was held in March and a mini job fair was just held in September. Along these lines, here is an excellent example of what Sheri can do. Due to the unexpected closing announcement of the Owego Sanmina Plant late last year with just three days to promote Sheri and the Career Center put together a special job fair for both Sanmina employees and the general public, which reached 8500 people with over 30 employers looking to hire.

“Outside of work Sheri likes spending time at home with her dog Shadow, working on house projects and taking her vacations working right down the street at Ye Olde Country Florist. She is currently working on her second children’s book. Her first book is titled “A Boy, a Bear and a Bump in the Night”. You can find that on line in paperback on Amazon and at Barnes & Nobles. Sheri recommends that you can get hardcover paperback at Ye Olde Country Florist along with Fred the Bear from the story or you can find it at paperback at Riverrow Books.”

“It is because of all that she does in support of the Tioga County Community, her patience and compassion and her conduct, and her superb leadership at the Career Center that the Employee Recognition Committee has selected Sheri McCall as Tioga County’s Employee of the Quarter for the 3<sup>rd</sup> Quarter of 2018. In addition to the plaque Sheri will receive a \$50 honorarium and her name will be added to the plaque listing past winners, which is located by the entrance to the Auditorium.”

Legislator Standinger spoke. “I will be brief. I just want to say that our employees are our best resource in the County and this young lady to my right here does a bang up job in the Employment Center. I have had absolutely zero complaints, so that is a good thing and I have attended the job fairs, although I stopped going because they kept trying to put me to work and since I am retired I do not want to do that. I want to thank you for the fantastic job you have done.”

Shawn Yetter, Commissioner of Social Services, spoke. “Congratulations Sheri. This is an honor that is well deserved for Sheri. Sheri has been a dedicated county employee for over 20 years now and dedication is the right word to use for Sheri. She is incredibly dedicated to the mission of the Employment Center and the work that lies before her and her staff each and every day. She is extremely easy to supervise. She is one of those folks that is quite autonomous and comes to me when she needs to. Otherwise, we do not have to do too much. We share in common that we do not like dealing with little things like whether employees are keeping refrigerators clean or who is talking to who

each day. We both have zero tolerance for that. A lot of our time together is spent venting on those kind of issues.

"Sheri is an exemplary technician, that is one thing I can say about her. She knows the policies and procedures, and regulations for the world that she has to work in with Employment very well and a lot of Federal and State regulations that she needs to stay on top of. She is well respected in the region and the State for being at the top of that issue. The last thing I will say is her dedication to the people of the County and actually we serve some people in Broome County too because of it being a Broome-Tioga relationship, it is her dedication every morning that she comes in. She shared just another story with me this morning about how quickly she was able to help someone cooperatively with the involvement of both her staff and my staff into an employment opportunity as recently as the last couple of days. It is with that in mind that she comes to work every day and is prepared every day to make people lead better lives and the work that she does is as I said is extremely exemplary and I do congratulate you very much on a well deserved honor."

Chair Sauerbrey spoke. "I have like three things to say about Sheri. First of all, she is extremely passionate about what she does, so if you tick her off look out, she is going to rain on your parade, but she gets very excited about projects she is working on and that is an asset. The other thing is I had the opportunity to work with her for several years on the job fair and I like the fact that she can think out of the box and she knew to make that happen, that you would include the Chamber, you would include the Legislature to make that work and that is what success is all about, is you are not doing it alone, you are encompassing other people, so that is the second thing. The third thing is I wanted to pick up on what Shawn said about Sheri being a technician. If you go in her office and look at what I call the law book about workforce and all that, they are color coded and she can find the rule just by going oh I can find that, just like that, so she knows her stuff and you are an asset to the County, so kudos to you."

Sheri McCall spoke. "I think I do know how to use my resources and the County is my resource. I cannot do this alone, we are a very small office. Shawn got tagged for the Workforce Board and I am still paying for that to this day. Every now and then he will come to me and say why did you get me into this? I formed the Tioga County Business Services Team with the County Government, Information Technology, the Chamber and Economic Development to put on the job fair and Tioga County is the envy of all other counties in the region because they are like you know your County Legislators, yea first name basis, I got Marte's phone number in my phone. They do not know how to work cooperatively in that regard, to bring all the resources together to serve the people of Tioga County, so it is my Team, my two and a

half staff, Jack, Beth and Jim, Cornell Cooperative Extension for the Youth Program, we send Andy, and everybody else I tap into and you guys, Tioga County employees, I am telling you when I put that e-mail out for your guys to market for the big job fair, 20,000 hits on my Facebook page. That is how we get the people into the job fairs and I could not do it without using every scrap of resource I can possibly get. This came as quite a shock to me and it is quite an honor and I think you all very much for it."

Chair Sauerbrey asked for a unanimous motion for the adoption of the following recognition resolutions, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution to Robert Tatich, Corrections Officer, Tioga County 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. 220-18

*RESOLUTION RECOGNIZING  
ROBERT TATICH'S  
15 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Robert Tatich was appointed as a part-time Corrections Officer on 8/25/03; Reassigned as a full-time Corrections Officer on 7/24/04; and

WHEREAS: Robert Tatich has been dedicated and loyal in the performance of his duties and responsibilities during the past 15 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Tatich will retire from the Tioga County Sheriff's Office on October 29, 2018; 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 Robert Tatich for his 15 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, Robert Tatich.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "Thank you for your service."

Undersheriff Michael Jackson spoke. "On behalf of Sheriff Howard who could not be here and in preparation to say just a few words in honor of Bob's day I got thinking to myself geez Bob started the same year I got appointed as Undersheriff, how the hell is he retiring already. I want to know the trick, but then I got looking at Bob's personnel file and it is interesting because like so many of our employees, there is only so many of them that work the day shift. We work around the clock in our office and so we have two other shifts that we never see and unless you are getting in trouble and you have occasion to visit the Admin Offices, which Bob by the way did not, you do lose touch, you do not really get to know these people.

"I thought to myself I do not really know much about Bob's personal life, but I got looking back at his file and the man worked for IBM for 26 years. He worked at Endicott IBM and then I started looking at some of his other past employment history. The guy has been working like 50 years. It is sort of misleading to see that he is retiring after 15 years, he is really retiring after 50 years or thereabouts. He is a US Vet, thank you for your service for that. One thing I did learn in talking to your supervisors, the people that live and breathe with you every day is that you are a hard worker. You work a lot of overtime. I was just looking at the numbers as we noted a little earlier about overtime and so forth, you are a dedicated employee. You have done everything we have asked you to do. You did it without fanfare. Like I said we never saw you on the carpet, which is I hate to say it, it is a good thing, but we should really be patting you on the back more often for the job that you did do.

"It is not an easy job working with inmates every day because you have the feeling that you are an inmate yourself because when you walk into work every day the door slams behind you and you are essentially in jail for eight hours that you are there. I appreciate everything that you have done for us. I know that you are going to continue to work, we just had this conversation and I look forward to seeing you hopefully in a part-time position, but I wish you luck and congratulations on a good career."



Robert Tatich spoke. "I became a Tioga County resident in November of 1985. My introduction to the Tioga County Sheriff's Department was on that first day that I was a resident I got stopped by a Deputy who asked why I chose to roll through the stop sign. I have held quite a number of jobs, sometimes up to four at one time, but I would have to say that working for the Sheriff's Department is probably the most interesting job I have ever had. It is a government job, it is a personnel type job, it brings in a whole bunch of things in dealing with from every walk of life, and looking back over the ton of jobs I have had in my life, maybe too many jobs, it is definitely the most interesting career I have been involved in."

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 221-18

*RESOLUTION RECOGNIZING  
JUDITH MALLERY'S  
17 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Judith Mallery was appointed as an E911 Dispatcher on 10/13/01; and

WHEREAS: Judith Mallery has been dedicated and loyal in the performance of her duties and responsibilities during the past 17 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Judith Mallery will retire from the Tioga County Sheriff's Office on October 14, 2018; 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 Judith Mallery for her 17 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, Judith Mallery.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following Proclamation on Dental Hygiene Month to Lisa McCafferty, Director of Public Health.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: October is nationally recognized as Dental Hygiene Month; and

WHEREAS: Good oral hygiene is important in the prevention of diseases such as oral cancer, gingivitis, periodontitis and tooth decay; and

WHEREAS: Tioga County Public Health reports that 50% of adults in Tioga County have lost at least one tooth due to poor oral hygiene; and

WHEREAS: Good oral hygiene begins with tooth brushing twice a day and flossing no less than once each day; and

WHEREAS: Choosing healthy foods and limiting sugary sweets such as candy and soda can help to keep diseases at bay; and

WHEREAS: Routine visits to a dental professional are important for dental cleanings and early disease detection; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of October 2018 as:

DENTAL HYGIENE MONTH

and urges all residents to take steps to educate themselves, their families, and the community to brush, floss and smile!

Legislator Standinger spoke. "That being said, Lisa will now have another proclamation to hang on the wall up at the HHS Building and Tracy will be happy because we have a lot of these, but I will say that under Lisa's guidance

and Sue Medina who is her assistant, we have procured a new dental vehicle and it probably will get rolled out the first of the year or thereabouts, but it is important. We have a fluoride program now that I am sure is saving a lot of people. It is relatively inexpensive, but it does a good job of educating the citizens, the younger citizens of the County. We all know what it is like to have a cavity or a root canal, but with that dental van and the fluoride treatments hopefully they will not have to go through that.”

Lisa McCafferty, Public Health Director spoke. “Thank you very much. I especially want to point out that I do not know if you realize in Tioga County the dental initiative that is going in this County is unique in the State of New York and we actually get other counties reaching out to us to ask how we are doing it and how they can make it happen because it is all about prevention. If we can prevent cavities in the first place we can keep the healthy smiles, which goes back to Sheri and workforce development, we build secure jobs and be part of the community. Thank you again.”

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of September 11, 2018, seconded by Legislator Sullivan, and carried with Legislator Huttleston being absent.

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 Sullivan.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 222-18

*SET PUBLIC HEARING  
2019 BUDGET*

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2019 be held at 10:00 A.M., Tuesday, November 13, 2018 in the Edward D. Hubbard Auditorium of the County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

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. 223-18 APPROPRIATION OF FUNDS  
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has received a gift donation; and Tioga County Department of Mental Hygiene is the administrator of these funds; 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: A4322 427051	Gifts and Donations	\$ 2,530
To: A4322 540010	Advertising	\$ 100
A4322 540130	Contracting Services	\$ 100
A4322 540360	Meals/Food	\$ 250
A4322 540420	Office Supplies	\$ 100
A4322 540485	Printing	\$ 100
A4322 540640	Supplies Not Office	\$ 1750
A4322 540733	Training	\$ 130

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 224-18                      *TRANSFER FUNDS FROM CONTINGENCY AND  
AMEND HIGHWAY MAINTENANCE BUDGET*

WHEREAS: Tioga County has experienced an unprecedented number of flash flooding events in the last 60 days; and

WHEREAS: Repairs to various affected roads were not budgeted for and have created a shortfall in the Highway Maintenance budget line; and

WHEREAS: The funds in this budget line were intended to complete planned projects; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and a budget amendment as follows:

From: A1990.540175 Contingency Account	\$20,000.00
To: D5110.540240 Highway Maintenance	\$20,000.00

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 225-18                      *TRANSFER FUNDS FROM CONTINGENCY AND  
AMEND CINDERS/SALT BUDGET*

WHEREAS: Tioga County experienced a large number of days that the roads had to be treated for snow and ice conditions during the first three months of 2018; and

WHEREAS: The cost of road salt has risen more than 20% over the last 5 years; and

WHEREAS: The funds in this budget line as well as our salt inventory have been exhausted; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and a budget amendment as follows:

From: A1990.540175 Contingency Account                      \$77,000.00

To: D5110.540602 Cinders/Salt                                      \$77,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 226-18                    *APPROPRIATION OF FUNDS*  
    *2018 HOMELAND SECURITY GRANT*  
    *MODIFY 2018 BUDGET*  
    *OFFICE OF EMERGENCY SERVICES*  
    *SHERIFF'S OFFICE*

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has been awarded a grant of \$69,980 (contract #C973980) to the Tioga County Office of Emergency Management; and

WHEREAS: 75% (\$52,485) of said grant will be appropriated to Emergency Management and 25% (\$17,495) will be appropriated to the Sheriff's Office; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the 2018 NYS Homeland Security Grant (contract # C973980) be appropriated as follows:

H3360.433567 SHS18 Homeland Security 2018 Revenue	\$42,515
H3360.520060 SHS18 Homeland Security Grant – Car/Truck	\$42,515
A3360.433567 SHS18 Homeland Security 2018 Revenue	\$ 9,970
A3360.540140 SHS18 Homeland Security Grant–Contracting Services	\$ 9,970

And

A3361.433567 SHS18 Homeland Security 2018 Revenue	\$17,495
A3361.520215 SHS18 Homeland Security Grant–Personal Protective Equipment	\$17,495

And be it further

RESOLVED: That the 2018 Emergency Management budget and the Sheriff's Office budget be modified to reflect the above changes.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 227-18      *AUTHORIZE ACCEPTANCE OF A 2018  
NYS LEGISLATIVE GRANT (LG18-1352-  
D00), APPROPRIATE FUNDS AND  
AMEND 2018 BUDGET*

WHEREAS: The Sheriff applied and was awarded a NYS Legislative Grant (LG18-1352-D00) in the amount of \$10,000; and

WHEREAS: This funding must be utilized to procure Tough Book Lab Top computer equipment for use as mobile data terminals; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2018 budget be modified and funds be appropriated to the following accounts:

Expense Account: A3110.520130 Sheriff – Equipment (Not Car)

Revenue Account: A3110.433952 Sheriff -State Aid



## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

Legislator Mullen spoke. “I just wanted to say that this is from Senator Akshar's Office and this is going to put tough books in every one of the marked patrol vehicles in the Sheriff's Department at no cost to the County. I appreciate the Senator helping us out with that.”

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 228-18 AMEND BUDGET & TRANSFER OF FUNDS  
PUBLIC HEALTH

WHEREAS: Tioga County Public Health Mobile Dental Services has need for additional contractual Dental Hygienist coverage; and

WHEREAS: Additional funding is needed in the appropriate budgetary lines; and

WHEREAS: Public Health has the funds available due to a Dental position vacancy, which will require resolution to transfer into the appropriate budgetary lines; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:		
A4011 510010	Dental Services: Personnel	\$ 16,000

To:		
A4064 540130	Dental Services: Contracting Services	\$ 16,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 229-18 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: A6010.446100 Federal Aid: Administration	\$ 30,474
To: A6010.540140 Contracting Services	\$ 30,474

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

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. 230-18 *AUTHORIZE GRANT APPLICATION  
APPROPRIATION OF FUNDS MENTAL HYGIENE  
AND AMEND 2018 BUDGET*

WHEREAS: The White House Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Services Administration (SAMHSA) have collaborated an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene is seeking authorization to apply for and receive Federal Funding of this Drug Free Communities Grant in partnership with Trinity CASA, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene has been awarded said grant and the said funds need to be appropriated; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to accept this grant funding; and

WHEREAS: The grant will be awarded annually from 9/30/2018 through 9/29/2023 and this funding is designated for specific program deliverables; and

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

RESOLVED: That the grant funds be appropriated and the 2018 budget be amended as follows:

From: A4213 444863	Federal Aid DFC Grant	\$ 124,458
To: A4213 540590	Services Rendered	\$ 124,458

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 231-18      *APPROVE FUNDING*  
*2018 YOUTH BUREAU PROGRAM*

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 2018 program funding was initially approved by Resolution 111-18; and

WHEREAS: Additional funding is available in the 2018 Youth Bureau budget; and

WHEREAS: The Tioga County Youth Board, in consultation with the Department of Social Services, has recommended the following program for funding

Kali's Klub House 7 Step to Success	\$4,800
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Therefore be it

RESOLVED: That the above program, as recommended by the Tioga County Youth Board, be approved by the Tioga County Legislature for this increased funding in the amount indicated above.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 232-18                      *AUTHORIZE THE SUBMISSION OF  
EMPG18 GRANT APPLICATION  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Office of Homeland Security and Emergency Services has announced the 2018 EMPG (Emergency Management Planning Grant) funding; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by September 30, 2018; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2018 EMPG grant application, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 233-18                      *FILING OF AN APPLICATION FOR STATE  
GRANT FROM DEC MUNICIPAL WASTE REDUCTION  
AND RECYCLING (MWRR) PROGRAM*

WHEREAS: The State of New York announced a grant from the DEC municipal waste reduction and recycling (MWRR) program to assist counties and local governments with their waste reduction program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of their MWRR program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant via NYS Grants Gateway; and

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application via Grants Gateway for grant upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 234-18 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO PURSUE A GRANT KNOWN AS OPERATION DEEP DIVE*

WHEREAS: The America's Warrior Partnership in conjunction with the University of Alabama and the Bristol-Myers Squibb Foundation are offering \$10,000 grants to selected community groups for the purpose of championing an innovative, community-based veteran suicide prevention study known as Operation Deep Dive; and

WHEREAS: This community-based research project is designed to be led by and for our community, with direct and tangible benefits for local veterans through the process, and our leadership through this study could have a significant impact on reducing veteran suicides in our community and nationally; and

WHEREAS: Results from this research could help to identify community-specific risk factors, demonstrate where the community is already helping prevent

suicides, and proactively address suicide warning signs. Findings from this study could be utilized to obtain further funding to implement innovative, community-specific programming focused on veteran suicide prevention and enhancing quality of life, to include prevention and outreach activities such as recreation or other life-enhancing or community-building veteran programs; and

WHEREAS: This project will involve creating a Community Action Team and involve direct funded support from America's Warrior Partnership in the form of materials and personnel; therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to pursue this grant application to conduct the Suicide Study and recruit necessary community partners for this project.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 235-18      *AUTHORIZE CONTRACT WITH NYS UNIFIED COURT SYSTEM*

WHEREAS: Tioga County is required by law to furnish and maintain adequate court facilities for use by trial courts of the State of New York; and

WHEREAS: Chapter 686 of the Laws of 1996 requires the State of New York to contract with political subdivisions of the State for cleaning as well as minor repairs of court facilities; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Public Works to enter into a new five year agreement with the Unified Court System for court cleaning and minor repairs upon approval of the County Attorney and that the Chair of the Legislature be authorized to sign said agreement.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 236-18                      *RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
COUNTY PROBATION DEPT. AND  
BUDDI US, LLC*

WHEREAS: The Legislature has previously approved a contract between the Probation Department and Buddi, US, LLC companies for the use of Electronic Monitoring units to be used with youth and adults as an alternative to incarceration or an alternative to detention; and

WHEREAS: The Probation Department initiated a contract for electronic monitoring services from Buddi US, LLC at the cost of \$3.80 per day per device, with no fee for units on the shelf, and this contract may be auto-renewed yearly per the written contract; and

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every county to create Alternative to Detention programming and Tioga Probation has utilized Electronic Monitoring as an Alternative to Detention and is part of Tioga's STSJP funding request to NYS OCFS and part of the Tioga County Raise the Age Comprehensive Plan that such services should be available to youth; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services in the amount of \$10,000 in account number A3142 540140 in the 2019 budget broken down as \$8,000 for adults and juvenile delinquents and \$2,000 for youth covered under the provisions of Raise the Age legislation; therefore be it



RESOLVED: That the Tioga County Probation Director is approved to continue the contract with Buddi, US, LLC to provide Electronic Monitoring hardware and internet accessible software for adults and juveniles to the Probation Department as part of the County's Alternative to Incarceration and Alternative to Detention programming.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 237-18 *AUTHORIZE INTER-MUNICIPAL AGREEMENT*

WHEREAS: New York State passed legislation as part of the 2017-2018 New York State Budget requiring implementation of new Raise the Age (RTA) laws by counties beginning on 10/1/18 with anticipated reimbursement of associated costs to counties; and

WHEREAS: A group of New York State counties are organizing to create the "Raise the Age Compliance Coalition" in accordance with Section 119-o of New York State General Municipal Law; and

WHEREAS: The RTA laws of New York State require counties to develop and have available various levels of juvenile detention; and

WHEREAS: Not-for Profit Corporation Law Section 1411 allows any one or more Counties of the State to create a Local Development Corporation to be incorporated by public officers or private individuals and operated for exclusively charitable or specific public purposes; and

WHEREAS: Tioga County is desirous of entering into an Inter-Municipal Agreement with a consortium of counties to create a Local Development Corporation for the purpose of recommending how to develop, establish, operate, maintain and fund a new joint county detention facility; and

WHEREAS: Participation in this Inter-Municipal Agreement will not bind the County to contribute funds or resources to acquire and/or construct any detention facility; therefore, be it

RESOLVED: That the Chairman of the County Legislature or her designee, upon review and approval by the County Attorney, be and hereby is authorized to sign an Inter-Municipal Agreement with a consortium of counties for the purposes listed above.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO:

ITCS COMMITTEE

RESOLUTION NO. 238-18

*AUTHORIZE AGREEMENT FOR REPLACEMENT  
OF COUNTY FIBER OPTIC LINES*

WHEREAS: The Tioga County Legislature recognizes the need to ensure that the infrastructure of the County's IT operations is kept up to date and in good repair; and

WHEREAS: The ITCS department has analyzed the existing fiber optic cabling currently in use between the 56 Main Street, 20 Court Street, 1062 State Route 38 (HHS) and 103 Corporate drive (Public Safety) buildings; and

WHEREAS: This analysis has determined that these cables are reaching the end of their projected 20 year lifespan; and

WHEREAS: The replacement cost of these lines is typically \$20,000 per mile, or approximately \$70,000; and

WHEREAS: Tioga County has received a proposal for upgrade and replacement of these fiber optic lines from Plexicomm, LLC with new 72-strand armored cabling at no direct cost to the County with Plexicomm handling future maintenance; and

WHEREAS: A Memorandum Of Understanding would be signed with Plexicomm giving Plexicomm use of 48 strands of fiber for the life of the fiber; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign appropriate paperwork for an MOU with Plexicomm, LLC for the above-described agreement, per review and approval by the County Attorney.

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator Mullen and to read as follows:

Change the last two whereas' and the resolved as follows:

“WHEREAS: Tioga County has received a proposal for upgrade and replacement of these fiber optic lines from Plexicomm, LLC with a replacement of at least 24 strand armored cable and all appropriate components to complete this project; and

WHEREAS: Plexicomm seeks an overlash agreement to utilize this route to attach Plexicomm-owned fiber; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign appropriate paperwork for an overlash agreement with Plexicomm, LLC for the above-described project, per review and approval by the County Attorney.”

ROLL CALL VOTE ON AMENDMENT

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

## ROLL CALL VOTE ON RESOLUTION AS AMENDED

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE

RESOLUTION NO. 239-18                      *AUTHORIZATION TO PROCEED WITH SHARED SERVICES AGREEMENTS*

WHEREAS: The Tioga County Legislature recognizes the need to maintain efficient government operations and achieve cost savings for services where applicable; and

WHEREAS: Through the 2018 Shared Services Plan Information Technology services has been identified as a project that meets the criteria of increasing service efficiency and achieving cost savings; and

WHEREAS: The Tioga County ITCS department has conducted extensive work with the municipalities of Owego (Town), Nichols (Village), Waverly (Village) and Barton (Town) to identify and plan a shared IT services arrangement to be implemented in 2019; and

WHEREAS: This process has identified that implementing shared services with municipalities will achieve a cost savings for the municipalities and provide revenue to the County to offset existing service costs; and

WHEREAS: It is understood that additional municipalities will seek shared services arrangements in the future; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign paperwork associated with the shared services agreements for constituent municipalities and agencies within the county, each contingent upon review and approval by the County Attorney and the Director of ITCS.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO:

LEGAL/FINANCE AND PERSONNEL

RESOLUTION NO. 240-18

*ADOPTION OF SEXUAL HARASSMENT  
PREVENTION POLICY*

WHEREAS: The 2019 New York State Budget included multi-pronged legislation to combat sexual harassment in the workplace; and

WHEREAS: As a result of this legislation, Tioga County must have a stand-alone sexual harassment policy which includes the minimum standards as set forth in the model policy established by New York State in consultation with the Department of Labor and Division of Human Rights, and train employees in accordance with the new guidelines; and

WHEREAS: Tioga County currently does not have a stand-alone sexual harassment policy; and

WHEREAS: A new stand-alone sexual harassment policy has been written for Tioga County based on the model policy established by New York State; now therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the new stand-alone sexual harassment policy to be known as “Sexual Harassment Prevention Policy for Tioga County” as follows:

**TIOGA COUNTY SEXUAL HARASSMENT PREVENTION POLICY****I. POLICY STATEMENT**

Tioga County is committed to maintaining a workplace free from sexual harassment. Sexual harassment, which includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, is a form of workplace discrimination. Sexual harassment is considered a serious form of employee misconduct. All employees, interns, volunteers, and non-employees are required to work in a manner that prevents sexual harassment in the workplace. Any employee, intern, volunteer, or non-employee in the workplace who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination. This Policy is one component of Tioga County's commitment to a discrimination-free work environment.<sup>1</sup>

Sexual harassment is against the law. All persons have a legal right to a workplace free from sexual harassment. This right can be enforced by filing a complaint internally with Tioga County, and/or with a government agency or in court under federal, state or local antidiscrimination laws.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Tioga County to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Those covered by this Policy who engage in sexual harassment, and managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be subject to remedial action or discipline in accordance with law or an applicable Collective Bargaining Agreement. This Policy also prohibits retaliation against individuals who report or complain of sexual harassment or participate in the investigation of a sexual harassment complaint, as further described herein.

Complaints of sexual harassment must be submitted to the Compliance Officer: The Personnel Officer or the County Attorney. In the event that the Compliance Officer is the subject of the complaint, complaints must be made to the Tioga County Legislative Chair. Tioga County will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever Tioga County or its supervisory or managerial personnel receives a complaint about sexual harassment or retaliation, or otherwise knows of possible sexual harassment occurring. Tioga County will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment or retaliation is found to have occurred. All persons covered by this Policy, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees, interns, volunteers, and non-employees are to report any harassment or behaviors that violate this Policy. Tioga County will provide a complaint form for the reporting of harassment and to file complaints. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of in the workplace. Such reporting must be in written form to the

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<sup>1</sup> Note that other forms of discrimination, as well as harassment based on protected classes or characteristics other than those covered under this policy are covered separately under Tioga County's Discrimination and Discriminatory Harassment Policy.

Compliance Officer. Confronting the harasser is not required but is encouraged if the complainant feels it is possible and safe to do so. Anyone covered by this Policy has the right to file a good faith complaint without first communicating with the offender.

### **SCOPE**

- A. Who is covered by this Policy?** This Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, volunteers, non-employees and persons conducting business with Tioga County<sup>2</sup>.
- B. Who can be a target of sexual harassment?** Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees who provide services in the workplace. This Policy also protects volunteers of Tioga County.
- C. Who can be a sexual harasser:** A harasser can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor, or anyone with whom the person interacts while conducting their job duties.
- D. Where can sexual harassment occur?** Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees, interns and/or volunteers are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage can constitute or contribute to unlawful workplace harassment, even if occurring away from the workplace premises or not during work hours.

## **II. DEFINITIONS OF PROHIBITED CONDUCT**

### **A. What is sexual harassment?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- o Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- o Such conduct is made either explicitly or implicitly a term or condition of employment; or
- o Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, and/or which interfere with the recipient's job performance.

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<sup>2</sup> Non-employees, as defined by law, includes contractors, vendors and consultants or those who are employees of the contractor, vendor or consultant.

Sexual harassment also occurs when a person in authority tries to offer job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Anyone subject to and/or covered by this Policy who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **B. Examples of sexual harassment**

Sexual harassment under the law and prohibited by this Policy may include, but is not limited to, the following prohibited conduct:

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another person's body or poking another person's body; rape, sexual battery, molestation or attempts to commit these assaults (which should be reported to local authorities as promptly as is possible).
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other employment benefits or detriments; subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate or treated negatively simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should look or act.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace or in a work-related gathering or setting.
- Hostile actions taken against an individual because of that individual's sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

### **C. Retaliation**

In addition to sexual harassment, retaliation for opposing or complaining of sexual harassment or participating in investigations of sexual harassment is prohibited by law and prohibited under this Policy. No person covered by this Policy shall be subjected to such unlawful retaliation. Unlawful retaliation can be any adverse employment action, including being discharged, disciplined, discriminated against, or any action that would keep or discourage anyone covered by this Policy from coming forward



to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

The New York State Human Rights Law and this Policy protect any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under this Policy, the State Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to Tioga County (including a supervisor or manager) or by simply informing a supervisor or manager of harassment;
- reported that another employee, intern, volunteer or non-employee covered by this Policy has been sexually harassed; or
- encouraged a fellow employee, intern, volunteer and/or non-employee covered by this Policy to report harassment.

Employees, interns, volunteers, and non-employees who believe they have been subjected to retaliation should report this conduct in accordance with the same reporting procedures as are outlined below. These complaints of retaliation will be investigated in accordance with the same procedures utilized to investigate a complaint of sexual harassment. Individuals also may file complaints of retaliation with the federal or state enforcement agencies (EEOC or New York State Division of Human Rights.) Any individual found to have engaged in retaliation as defined in this Policy may be subject to disciplinary action up to and including termination, and/or other corrective or remedial action as necessary.

### **III. REPORTING PROCEDURES AND RESPONSIBILITIES**

#### **A. Reporting Procedures**

**Preventing sexual harassment is everyone's responsibility.** Tioga County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, intern, volunteer or non-employee who has been subjected to behavior that may constitute sexual harassment is strongly encouraged to report such behavior to the Compliance Officer set forth below. Anyone who witnesses or becomes aware of potential or perceived instances of sexual harassment should also report such behavior to the Compliance Officer.

- Compliance Officer: The Personnel Officer or the County Attorney
- In the event that the Compliance Officer is the subject of the complaint, complaints are to be made to the Tioga County Legislative Chair

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of sexual harassment. Individuals should feel free to keep written records of any actions which may constitute sexual harassment, including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Reports of sexual harassment may be made verbally or in writing. If made verbally, the Complaint must be reduced to writing by the individual who it was reported to.

The written report must be given to the Compliance Officer. A form for submission of a written complaint can be found on the **County's Intranet under "Employee Handbook – EH Forms"**, and all employees, interns, volunteers, and non-employees conducting business in the workplace are encouraged to use this complaint form. Individuals who are reporting sexual harassment on behalf of other employees, interns, volunteers or non-employees should use the complaint form and note that it is on another person's behalf.

Employees, interns, volunteers or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **B. Supervisory Responsibilities**

All managerial and supervisory personnel of Tioga County shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from sexual harassment and retaliation. In addition to being subject to discipline or other remedial action if they engaged in sexually harassing conduct themselves, **all supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report same in writing, to the Compliance Officer.** Supervisors and managers will be subject to discipline (or other remedial and appropriate action) for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline or other appropriate remedial action for engaging in retaliation.

### **C. Tioga County's Responsibilities**

Tioga County will be responsible for ensuring that this Policy is provided to employees, interns, and volunteers, and that training on this Sexual Harassment Prevention Policy is conducted annually.

## **IV. INVESTIGATION AND RESPONSE PROCEDURES**

**All** complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commencing immediately and completed as soon as possible. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded appropriate due process to protect their rights to a fair and impartial investigation.

Any employee, volunteer, intern or non-employee may be required to cooperate as needed in an investigation of suspected sexual harassment. As further set forth herein, Tioga County will not tolerate retaliation against those who file complaints, support another's complaint, or participate in the investigation of a complaint.

All investigations will be conducted by the Compliance Officer or their designee. The nature of an investigation may vary on a case by case basis dependent upon the circumstances and extent of the allegations. Generally, investigations should be conducted by the Compliance Officer or their designee in accordance with the following steps:

- Upon receipt of complaint, the Compliance Officer or their designee will conduct an immediate review of the allegations, and take interim actions, as appropriate. If the complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form or other write up of the complaint based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create (at a minimum) written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - Recommendation(s) for the final resolution of the complaint, together with any recommendations for corrective or remedial actions to be taken.
- Keep the written documentation and associated documents in the employer's records.

Once the investigation is completed, the Compliance Officer or their designee will make a Final Determination as to whether the Policy has been violated.

The Compliance Officer or their designee shall promptly notify the complainant of the Final Determination, and also inform the complainant of their right to file a complaint or charge externally as outlined below.<sup>3</sup>

If a complaint of sexual harassment or retaliation is determined to be founded, Tioga County may take disciplinary and/or corrective action. The Compliance Officer will be responsible for overseeing the implementing of any corrective or remedial actions deemed necessary.

#### **V. REIMBURSEMENT**

Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse Tioga County for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement. These reimbursements must be made within ninety (90) days from payment by Tioga County to the Complainant. A

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<sup>3</sup> Where a complaint was filed regarding sexual harassment against an individual other than the person making the written complaint, the person against whom the harassment was directed will be treated as the complainant for purposes of this Policy.

failure to reimburse will result in the sum being withheld directly from the employee's compensation or through enforcement of a money judgement.

#### **VI. FURTHER CONFIDENTIALITY AND DISCLOSURE**

In recognition of the personal nature of discrimination complaints and the emotional impact of alleged discrimination, Tioga County shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees and the workplace setting. For the protection of all individuals who make complaints or are accused of prohibited discrimination, every witness interviewed during an investigation under this Policy will be advised of the confidentiality requirement and instructed not to discuss the complaint, the investigation, or the persons involved. To the extent complaints made under this Policy implicate criminal conduct, Tioga County may be required by law to contact and cooperate with the appropriate law enforcement authorities.

The terms of any settlement or other resolution are subject to disclosure UNLESS the Complainant seeks confidentiality. This request for confidentiality may be revoked within a certain time period in accordance with State law.

#### **VII. FALSE REPORTS**

Reporting of a false complaint is a serious act. In the event it is found that an individual bringing the complaint has knowingly made false allegations, Tioga County may take appropriate remedial action and/or disciplinary action in accordance with the provisions of applicable collective bargaining agreement and/or state law

#### **VIII. LEGAL PROTECTIONS AND EXTERNAL REMEDIES**

Sexual harassment is not only prohibited by Tioga County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Tioga County, individuals may also choose to pursue legal remedies with the following governmental entities at any time.

##### **A. New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, Art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, interns and non-employees. A complaint alleging violation of the Human Rights Law may be filed either with Division of Human Rights or in New York State Supreme Court. Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Tioga County does not extend the time for filing a complaint with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

An individual does not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to act to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **B. United States Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within **300 days** from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an individual believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **C. Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

### **D. Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
PERSONNEL COMMITTEE

RESOLUTION NO. 241-18      *AUTHORIZE CONTINUANCE OF FULL-TIME,  
HIGHWAY WORKER (SEASONAL) POSITION  
PUBLIC WORKS*

WHEREAS: Resolutions 123-18 and 149-18 authorized the creation and filling of a full-time, Highway Worker (Seasonal) position in the Tioga County Department of Public Works from May 16, 2018 through October 12, 2018; and

WHEREAS: Due to an extended leave of absence of another staff person, the Commissioner of Public Works would like to extend the duration of said temporary position in order to adequately staff his department; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Cody Feeko's employment as a full-time, Highway Worker (Seasonal) shall continue beyond October 12, 2018 and end at the close of business on December 3, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 242-18 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, 2019 through December 31, 2020.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried with Legislator Huttleston being absent.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 243-18 AUTHORIZE THE SALE OF COUNTY OWNED  
PROPERTY LOCATED IN THE VILLAGE OF  
CANDOR TO DAVID J. ROSS AND CANDY L.  
ROSS

WHEREAS: Property located in the Village of Candor transferred to Tioga County, identified as Tax Map number 61.18-1-13.2, parcel number 2633 has been acquired for 2016 delinquent taxes; and

WHEREAS: The County held a public auction on September 12, 2018 at the property conducted by Manasse Auctioneers. David J. Ross and Candy L. Ross won the bid to purchase the property for \$15,000, "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 \$15,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Village of Candor, identified on the Village of Candor Tax Map as number 61.18-1-13.2 parcel number 2633 to David J. Ross And Candy L. Ross or assigns.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGAL COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 244-18

*AUTHORIZE CREATION AND FILLING OF  
TEMPORARY POSITION  
(LAW DEPARTMENT)*

WHEREAS: The position of Safety Officer (PT) will become vacant on December 5, 2018 due to the resignation of the current incumbent, William Kenville; and

WHEREAS: The County Attorney would like to have an opportunity for the incoming candidate to work with Mr. Kenville for a period of time in order to transition the workload; and

WHEREAS: In order to accomplish this, a temporary position needs to be created; therefore be it

RESOLVED: That the Legislature hereby authorizes the creation of a temporary Safety Officer (PT) position effective October 17, 2018; and be it further



RESOLVED: That the County Attorney shall be allowed to recruit and fill said temporary position on or after November 12, 2018, and through December 5, 2018, at a rate of \$30.71.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE

RESOLUTION NO. 245-18                      *AUTHORIZE APPOINTMENT NETWORK ADMINISTRATOR*

WHEREAS: Resolution 167-18 authorized the creation of a Network Administrator position (Non-Union \$50,378-60,378); and

WHEREAS: During the last three months, the Director of ITCS has been searching for a candidate to fill the position; and

WHEREAS: A qualified candidate has been recruited and has accepted the employment offer; therefore be it

RESOLVED: That Charles E. Gilbert is hereby provisionally appointed as Network Administrator effective October 29, 2018 at an annual non-union salary of \$54,000; and be it further

RESOLVED: That Mr. Gilbert may be eligible for a salary increase after 6 months, in accordance with the Non-Union Benefits Policy.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 246-18

*AUTHORIZE RECLASSIFICATION OF ONE (1)  
VACANT EMT INSTRUCTOR (PT) POSITION TO  
SKILLS INSTRUCTOR (PT)  
EMERGENCY SERVICES*

WHEREAS: Legislative approval is required for position reclassifications; and

WHEREAS: A vacancy currently exists for one (1) EMT Instructor (PT) within the Department of Emergency Services; and

WHEREAS: The Director of Emergency Services has met with the Personnel Department and has identified an immediate need to have a classification of Skills Instructor (PT) to work within its training program for Emergency Medical Technician; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of a vacant EMT Instructor (PT) position to the title of Skills Instructor (PT) at the rate of \$12.50 per hour effective October 17, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Huttleston.

## RESOLUTION ADOPTED.

The meeting was adjourned at 12:33 P.M.

*Public Hearing  
2019 Budget  
November 13, 2018*

The Public Hearing on the 2019 Budget was called to order by the Chair at 10:00 A.M. Seven Legislative members were present, Legislators Huttleston and Sullivan being absent.

There were 12 people in attendance along with Budget Officer Rita Hollenbeck.

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

Rita Hollenbeck, Budget Officer gave the 2019 budget presentation.

"Honorable Members of Tioga County Legislature and the Citizens of Tioga County I present to you the proposed Tentative County Budget for 2019.

"The Budget Committee provided overall county budget directives to the departments. We requested minimal increases and to remain local share neutral unless related to new mandates from the state or typical cola increases. Most departments complied.

"Total Expenditure increase in all funds was 4.24% or \$3,350,181.00 and the total Revenue increase was 3.97% or \$2,089,341.00. The total deficit after the tax levy is applied is \$3,570,562.00. I propose using \$2,989,832.00 from unrestricted fund balance and \$580,730.00 from capital reserves to bridge the gap.

"Increases for contractual salaries and health Insurance were over \$2,100,000.00 alone. The county workforce has also increased in the last two years. Some growth in revenue has helped to offset some of the 3% - 3.5% salary increases and the 9% increase in health insurance costs. The largest increases of revenue included sales tax for over \$800,000.00, shared services, Traffic Diversion, and interest income.

"More than 96% of the County services and associated costs are state mandated. Financial forecasting of historical trends predict in the near future insufficient fund balance to continue operations while staying within the State imposed tax cap. Cutting non-mandated services is not feasible and continued deficit budgeting is not sustainable.

"In 2019 the County continues to share sales tax with the Towns and Villages. We estimate distributing over \$5,100,000.00 in the proposed 2019

budget. We also propose distributing over \$100,000.00 for Traffic Diversion, a newer revenue source for the County.

"A mandated shared services plan was submitted and it is anticipated in 2019 additional cost savings or avoidance will be realized for some Towns and Villages that entered into inter-municipal agreements with the County. We increased overall funding to outside agencies at a gross cost of \$1,049,363.00. We value the services they continue to provide to our citizens.

"The New York State Tax Cap calculation for 2019 allowed for a 2.05% increase. This equated to \$485,247.00 levy increase for the county. The 2019 County Tax Levy is \$22,785,755.00 and Recycle Levy is \$1,349,492.00. The total combined Tax Levy is \$24,135,247.00. This marks the eighth consecutive budget year Tioga County has stayed under the State imposed property tax cap.

"The combined Composite Tax Rate is \$9.02 per \$1,000.00 of taxable value. The average assessed \$100,000 home will pay \$902.00 in county taxes. Tax rates will vary from town to town due to the state established equalization rates and the town's apportionment percent.

"I would like to thank the County Legislature, the Budget Committee, Department Heads and all county employees for their participation in the annual budget process.

"The proposed tax levy cannot be increased after today's hearing without an additional public hearing."

The Budget Officer presented a slide presentation on budget brief specifics.

There being no other comments, the hearing was adjourned at 10:23 A.M.

*Eleventh Regular Meeting  
November 13, 2018*

The Eleventh Regular Meeting of 2018 was held on November 13, 2018 and was called to order by the Chair at 12:00 P.M. Seven Legislative members were present, Legislators Huttleston and Sullivan being absent.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father we thank you and praise you for this day and we ask for your guidance as this Legislative body makes decisions representing the taxpayers. We ask for your protection and care over the people that are going through the fires in California and the flooding and the hurricanes, and just watch over them and protect them, and send rain to California."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 6 people in attendance.

Legislator Standinger read and presented the following Proclamation on Smoking and Lung Cancer Awareness Month to Kylie Holochak of the Public Health Department.

Legislator Standinger spoke. "One thing I can say that I am pleased with society is that smoking is on the way out and this is what this proclamation is about."

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: Cancer is the second leading cause of death in the United States with lung cancer being the leading cause of cancer deaths; and

WHEREAS: The leading cause of lung cancer in the United States is caused by smoking, which not only affects the individual smoking but others around them who are exposed to second and third hand smoke; and

WHEREAS: 17% of adults in Tioga County are currently smokers, which is higher than the New York State and National averages of 14%; and

WHEREAS: Smoking is also a concern for our youth in Tioga County. According to the 2017 Tioga County Prevention Needs Assessment data, 17.3% of students reported smoking cigarettes in their lifetime and 23.1% reported using an e-cigarette in their lifetime; and

WHEREAS: Continued education and outreach can be used to help decrease the number of youth who are smoking cigarettes and using e-cigarettes and to help decrease the percentage of adults who are current smokers, therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim and designate the month of November 2018 as:

**SMOKING AND LUNG CANCER AWARENESS MONTH**

and urges that all Tioga County residents who are current smokers learn about smoking cessation programs to help protect themselves and those around them and urges parents to educate their teens about the dangers of becoming addicted to tobacco.

Legislator Standinger spoke. "I remember when I was in the Army everybody smoked. They would yell smoke them if you got them and I know now that is not the case. It is a good thing. Cancer is a bad thing."

Kylie Holochak of the Public Health Department spoke. "Tioga County Public Health along with the Tioga County Allied and Substance Abuse Prevention Coalition and the team workgroup along with Tobacco Free are dedicated to continuing to support those who are trying to quit smoking. We also have a lot of efforts going around working with teens in our County as we are seeing an increase in those using e-cigarettes, JUUL and other products. We do know that it is an issue even within the schools, a lot of students are using during the school day. We will continue to educate and work with all parties to just try to lower those rates again. Again, thank you for your support."

Legislator Mullen spoke. "The reason this hit home is because November is lung cancer awareness month and my mother was diagnosed with lung cancer last November and died March 30 of this past year. My mother died of lung cancer. Her sister, her brother, her father, my wife's mother and father have both died of lung cancer and were all smokers. Having just gone through this in my family, we do a lot of Proclamations here, but lung cancer sucks and it takes a toll on the family. Anything we can do to keep the kids from even starting, the best way is do not let them pick up a cigarette including the e-cigarettes, and a lot of them are being fooled by that. I applaud you for your efforts and it really just hit home that it is this month and it was exactly a year ago that my mother was diagnosed and she passed away, and she had quit smoking for 25 years. It is not a fun thing to watch or to deal with. Thank you."

Chair Sauerbrey noted the following Proclamation on Adoption Awareness Month.

### **PROCLAMATION**

This November marks the 28th annual National Adoption Month. November 17, 2018 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County has finalized three adoptions this year so far and has three pending for the remainder of 2018. Every child in America and Tioga County deserves a permanent, loving forever 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.

There was no Privilege of the Floor.

Legislator Monell made a motion to approve the minutes of October 16, 2018, seconded by Legislator Mullen, and carried with Legislators Huttleston and Sullivan being absent.

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 Weston.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO: 247-18 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2018 to September 30, 2018 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:

Barton (Town)	\$ 17,592.25
Berkshire (Town)	11,344.94
Candor (Town)	23,183.64
Candor (Village)	3,983.24
Newark Valley (Town)	13,082.57
Newark Valley (Village)	3,825.89
Nichols (Town)	6,512.45
Nichols (Village)	1,297.65
Owego (Town)	101,254.20
Owego (Village)	10,003.67
Richford (Town)	4,002.23
Spencer (Town)	18,006.63
Spencer (Village)	1,163.08
Tioga (Town)	15,237.31
Waverly (Village)	<u>18,623.20</u>
	\$249,112.95

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.



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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 248-18 ERRONEOUS ASSESSMENT  
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicated that parcel #11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2017 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. was erroneous in that on August 2, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$310,000. A refund was issued to “Hinman, Howard, & Kattell, LLP, as attorneys,” and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as stipulated by Resolution No. 214-18, adopted 9/11/2018. Calculations for the refund contained errors; be it therefore

RESOLVED: That check number 626230 from Hinman, Howard, & Kattell, LLP in the amount of \$1,132.25 represents refunded overpayment as follows:

	Original Bill #6535	R214-18 Bill #6535	Corrected Bill #6535
County	5,156.37	3,509.28	3,509.28
Recycle	238.20	76.09	162.08
Town Wide	484.80	154.86	329.94
Part Town	1,303.96	416.52	887.44
Owego Fire	1,108.32	354.03	754.29
<b>Total</b>	<b>8,291.65</b>	<b>4,510.78</b>	<b>5,643.03</b>

And be it further

RESOLVED: That the refunded overpayment for solid waste tax of \$85.99 be credited back to the Solid Waste Fund; and be it further

RESOLVED: That the refunded overpayment for town tax of \$646.00 be credited back to the Town of Owego; and be it further

RESOLVED: That the refunded overpayment for Owego Fire tax of \$400.26 be credited back to the Owego Fire Department.



ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

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. 250-18 *AMEND BUDGET AND TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT PUBLIC HEALTH*

WHEREAS: The costs of the New York State mandated Early Intervention program (children 0-3 years of age) are larger than the budgeted 2018 amounts; and

WHEREAS: Additional funding is needed to meet the mandated costs; and

WHEREAS: Public Health has identified the amount of additional funding needed for payments to be made in 2018; and

WHEREAS: The additional costs will result in additional state aid reimbursement; and

WHEREAS: The balance of the needed funds will need to come from the Contingency account; and

WHEREAS: Budget Amendments, Appropriation of Funds and Transfers from Contingency account require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

From:		
A4044 434023	State Aid: Early Intervention	\$ 11,760
A1990 540715	Contingency Account	\$ 12,240



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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 252-18 CONTINGENCY REQUEST AND  
AMEND 2018 BUDGET  
ASSIGNED COUNSEL

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2018 and the Assigned Counsel account will not have sufficient funds for the remainder of 2018; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account to accommodate the increase in cases for 2018; therefore be it

RESOLVED: That the following contingency funds be appropriated as follows:

From: A1990 540715 Contingency Account	\$10,000
To: A1172 540030 Assigned Counsel	\$10,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

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. 253-18 AMEND BUDGET & TRANSFER OF FUNDS  
PUBLIC HEALTH

WHEREAS: The costs of the New York State mandated Handicapped Education program (children 3-5 years of age) are larger than the budgeted 2018 amounts; and

WHEREAS: Additional funding is needed to meet the mandated costs; and

WHEREAS: Public Health has identified the amount of additional funding needed in 2018; and

WHEREAS: The Treasurer has identified available funds within the Community College Tuition account; and

WHEREAS: The additional costs will result in additional revenues from Fees and state aid reimbursement; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

From:

A2960 434600	State Aid: Handicapped Education	\$180,000
A2960 416050	Fees: Handicapped Education	\$ 15,000
A2490 540487	Community College Tuition	\$169,000

To:

A2960 540590	Handicapped Ed: Services Rendered	\$354,000
A2960 540710	Handicapped Ed: Transportation	\$ 10,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 254-18 MODIFY 2018 BUDGET AND  
TRANSFER FUNDS  
2016 STATE INTEROPERABLE GRANT  
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution #132-17 awarded the Office of Emergency Services a 2016 State Interoperable Communications Formula-Based Grant in the amount of \$442,981; and

WHEREAS: Monies need to be transferred to fulfill the obligated contractual expenses; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:  
A3415 520230 IO16 State Interoperable Grant 2016  
(Radio & Equipment) \$13,719.57

TO:  
A3415 540140 IO16 State Interoperable Grant 2016  
(Contracting Services) \$13,719.57

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 255-18      *APPROVE SUPPLEMENTAL AGREEMENT  
FOR BARTON & LOGUIDICE FOR BIN 3335360  
DAY HOLLOW ROAD OVER FOSTER CREEK*

WHEREAS: The Tioga County Legislature awarded design services to Barton & Loguidice for the Day Hollow Road Bridge over Foster Creek BIN 3335360 on Resolution 296-15; and

WHEREAS: This is a federally funded project and right-of-way and construction support services are included; and

WHEREAS: The Commissioner of Public Works received a proposal for right-of-way services and construction support services for this project from Barton & Loguidice Engineers, Liverpool, NY; and

WHEREAS: The proposal for this supplemental agreement came in at \$15,000; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supplemental Agreement not to exceed the amount of \$15,000 to be paid out of the Day Hollow Road Bridge (BIN 3335360) account H5110 540002 H1605.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 256-18      *AUTHORIZE CONTRACT EXTENSION  
FOR INMATE MEDICAL CARE - 2019*



WHEREAS: The Sheriff's Office contracts with Correctional Medical Care Inc. (CMC); CBH Medical, P.C., and SM Dental, P.C. to provide medical care to the inmates of the Tioga County Jail; and

WHEREAS: The current contract which will expire on December 31, 2018, provides for the option of extending the contract for an additional one year period; and

WHEREAS: The Sheriff's Office is desirous to extend the current contract one additional year for an annual fee of \$638,862; and

WHEREAS: Funding for this contract will be appropriated in the 2019 budget and the Tioga County Attorney has approved the contract amendment; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Sheriffs Office to enter into a contract with Correctional Medical Care, Inc; CBH Medical, P.C., and; SM Dental, P.C.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL

RESOLUTION NO. 257-18      *AUTHORIZE CONTRACT BETWEEN  
NYS OFFICE OF INDIGENT LEGAL  
SERVICES AND TIOGA COUNTY*

WHEREAS: The New York State Office of Indigent Legal Services has approved the distribution of funds to counties in New York for the purpose of improving the quality of representation for persons who are legally entitled to counsel but cannot afford to hire an attorney; and

WHEREAS: Said funds are available through a five year agreement with the NYS Office of Indigent Legal Services with an initial budget and an increasing amount available on each successive year subject to state appropriation; and

WHEREAS: The amount allocated to Tioga County from NYS for the fiscal year 2018 is \$154,234; and

WHEREAS: The NYS Office of Indigent Legal Services intends to add an additional \$154,234 to the Tioga County budget on each of the following four fiscal years to reach a projected year five budget of \$771,014 with the intent to maintain that level of funding thereafter; and

WHEREAS: It is necessary for Tioga County to approve entering into a five year agreement with NYS Office of Indigent Legal Services and adopt the first year one budget in an amount not to exceed \$154,234; and

WHEREAS: Subsequent year's budgets will be presented to the Tioga County Legislature for approval; now therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the year one budget of said distribution in an amount not to exceed \$154,234 and further approves entering into a five year contract with the NYS Office of Indigent Legal Services; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to execute said year one distribution contract with the NYS Office of Indigent Legal Services.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

#### RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "I just want to say I give Peter a lot of credit for his due diligence and his work on trying to see his way clear through this somewhat convoluted experience and that we are moving ahead with Indigent Legal Services in compliance with the State of New York."

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 258-18 *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 Sauerbrey, Roberts, Standinger, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 259-18 *RESOLUTION TO SUPPORT CORNELL  
COOPERATIVE EXTENSION  
ASSOCIATIONS IN THE STATE OF NEW YORK*

WHEREAS: The mission of Cornell Cooperative Extension is “CCE puts knowledge to work in pursuit of economic vitality, ecological sustainability and social well-being. We bring local experience and research based solutions together, helping New York State families and communities thrive in our rapidly changing world”; and

WHEREAS: NYS County Law 224 adopted in 1914 established the ability for NYS and County's to contribute funds to support the creation of Cornell Cooperative Extension Associations in each county and there are now 56 associations across NYS; and

WHEREAS: The key objectives of the associations as stated in their constitutions, are

- To provide for an association of residents in cooperation with Cornell University and USDA.
- To extend educational resources of Cornell (including Ag and Life Sciences, Human Ecology, Vet Med), land grant system, and other educational institutions to foster economic, social, and environmental improvement of individuals families, and communities.
- To further the objectives of CCE associations and the CCE system in the fields of agriculture, community and economic vitality, environment and energy, nutrition and healthy families, and youth development; and

WHEREAS: Cornell Cooperative Extension Associations provide research and experienced based information and programs that are aligned with the primary mission areas of the National Institute of Food and Agriculture and the programs are tailored to meet the needs of local communities in order:

- To strengthen and support gardening, agriculture, and our local FOOD system.
- To improve individual and community nutrition, HEALTH and overall well-being in a healthy environment.
- To provide YOUTH with opportunities to have fun and learn valuable life skills from caring adults; and

WHEREAS: CCE programs are directly linked to a list of 8 of 16 goals of Governor Cuomo's initiatives for improving NYS, and CCE educators are key community partners in helping to implement these initiatives state-wide, including maximizing agriculture and beverage production, strengthening the upstate economy, promoting a healthier NY, fighting poverty, preserving our environment, building opportunity through education, designing a clean energy economy, and investing in tourism; and

WHEREAS: CCE associations are invaluable partners at the County level and NYS expects CCE educators to assist in supporting state initiatives; and

WHEREAS: Costs for operating CCE Associations (501C3 subordinate organizations) have increased significantly yet the annual funding allocated by the state for this system has remained stagnant for more than 20 years; therefore be it

RESOLVED: That the Legislature of Tioga County, requests that NYS allocate an additional \$4 million dollars per year to County Law 224A funding to a total of \$8 million to support Cooperative Extension Associations in NYS.

## ROLL CALL VOTE

Yes – Legislators Sauerbrey, Standinger, Weston, Hollenbeck, Monell and Mullen.

No – Legislator Roberts.

Absent – Legislators Huttleston and Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO:

ED&amp;P COMMITTEE

RESOLUTION NO. 260-18

*RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD*

WHEREAS: Pam Moore's position on the Tioga County Planning Board representing the Town of Nichols expires on 12/31/2018; and

WHEREAS: The Nichols Town Board has nominated Pam Moore to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Pam Moore to the Tioga County Planning Board for another three-year term of 1/1/2019 – 12/31/21.

## ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 261-18 RE-APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: John Current's position on the Tioga County Planning Board representing the Town of Owego expires on 12/31/2018; and

WHEREAS: The Owego Town Board has nominated John Current to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint John Current to the Tioga County Planning Board for another three-year term of 1/1/2019 – 12/31/21.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 262-18 RE-APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: Chelsea Robertson's position on the Tioga County Planning as an alternate at-large member expires on 12/31/2018; and

WHEREAS: Chelsea Robertson is willing and able to serve another three-year term in this position; therefore be it



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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 264-18 ACCEPTANCE OF THE APPLICATION FOR  
NYS INVESTIGATOR ALLEN TO THE  
TIOGA COUNTY FIRE INVESTIGATION TEAM

WHEREAS: The Office of Emergency Services provides high quality Fire Investigation 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: New York State Police Investigator Jeremiah R. Allen has applied for membership to the County Fire Investigation Team; and

WHEREAS: New York State Police Investigator Allen, currently possesses training and skills needed by the Tioga County Fire Investigation Team to work on the Team; therefore be it

RESOLVED: That NYSP Trooper Allen, be added to the Tioga County Fire Investigation Team.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 265-18 ACCEPTANCE OF THE APPLICATION FOR  
NYS INVESTIGATOR ALLEN TO THE  
TIOGA COUNTY HAZ-MAT TEAM



WHEREAS: The Office of Emergency Services provides high quality HAZ-MAT 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: New York State Police Investigator Jeremiah R. Allen has applied for membership to the County HAZ-MAT Team; and

WHEREAS: New York State Police Investigator Allen, currently possesses training and skills needed by the Tioga County HAZ-MAT Team to work on the Team; therefore be it

RESOLVED: That NYSP Trooper Allen, be added to the Tioga County HAZ-MAT Team.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen made a motion to have the following late-filed resolution considered, seconded by Legislator Monell and carried with Legislators Huttleston and Sullivan being absent.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 266-18 *RETITLE AND AMEND CLASSIFICATIONS, AUTHORIZE HOURLY PAY RATES EMERGENCY SERVICES*

WHEREAS: Legislative approval is required for reclassifications and salary rates of positions; and

WHEREAS: The Personnel Department has worked with the Director of Emergency Services to review the work performed by county employees assisting with the Emergency Services' program on a part-time basis to train, certify, and/or recertify Emergency Medical Technicians; and

WHEREAS: The Personnel Officer has determined that in light of work performed and the certification level required, it is appropriate to revise classifications and to establish hourly salary rates; and

WHEREAS: The following classifications and hourly rates are recommended to replace the classification of EMT Instructor:

Certified Instructor Coordinator (PT)	\$25.00 per hour
Certified Lab Instructor (PT)	\$17.50 per hour
Skills Instructor (PT)	\$12.50 per hour
Victim Helper (PT)	NYS minimum wage

and

WHEREAS: The proposed classifications and rates would help the Emergency Services Department to better manage staffing for said training program and require supporting documentation of personnel change reports to the Personnel Department when hiring current county employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the abolishment of EMT Instructor (PT) and, subject to the review and approval by the Personnel Officer, replace current incumbents with appropriate classification as either: Certified Instructor Coordinator (PT), Certified Lab Instructor (PT), Skills Instructor (PT), or Victim Helper (PT); and be it further

RESOLVED: The new titles' jurisdictional classification under civil service is pending until a determination is reached by the NYS Civil Service Commission; and be it further

RESOLVED: That said classification changes will result in a salary adjustment to the hourly rates as follows: Certified Instructor Coordinator (PT) - \$25.00 per hour, Certified Lab Instructor (PT) - \$17.50 per hour, Skills Instructor (PT) - \$12.50 per hour, and Victim Helper (PT) - NYS minimum wage effective November 14, 2018.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Huttleston and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:16 P.M.

*Twelfth Regular Meeting  
December 11, 2018*

The Twelfth Regular Meeting of 2018 was held on December 11, 2018 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you that we live in a free country, the United States of America and we ask you to guide us as we conduct the business of the citizens of this County."

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

There were 23 people in attendance.

Chair Sauerbrey spoke. "Before we go into the business of County Government we are going to take a moment this evening to honor Dick Huttleston who is with us here tonight upon his retirement after 26 years on the Tioga County Legislature and reflect a little bit on his career and the good work as a public servant in this community. I have asked a couple of people to come speak that know more of the history about Dick and probably have some good stories to tell or at least some memories to share. I would like to invite Ron Dougherty to come to the podium and just share a few comments about how he knew Dick."

Ron Dougherty spoke. "Thank you. Dick, first of all it is good to see you here this evening and if you do not remember anything else after you leave tonight because you are going to hear a lot of words, we appreciated your help. During the timeframe of 1992 to 1995 was a very contentious time. We were going through trying to finalize the Solid Waste District. We were trying to build a holding place so we could stop the flow of prisoners being boarded out and we were trying to build a jail, and it was a very contentious time.

"Dick was a good person to have around. He had a lot of experience. He had built most of the homes in Crestview Heights so he understood that business and what a lot of people do not know he designed a lot of those homes also, he did not just build them, he designed them and a lot of you people probably do not know that. Dick had a lot of talent and he was very helpful in trying to resolve all of those issues. Dick, as I say, if you do not remember anything else here, what you contributed during that time was appreciated.

"A little bit of the highlights, the humor side here. My friend Leon Thomas was one who was pretty assertive on the Legislature and sometimes he did not suffer others opinions and if you have other's opinions you put them forth at your own peril. Dick was one of those that was willing to often times take Leon on at his own peril and he took some abuse over that once in a while Dick, but I always appreciated you doing it because it brought a little balance and the good news was Dick always sat at this end of the table in there and Leon was always at the other end, so they were far enough away so it did not get contentious. It was something that was sometimes fun to watch and I love Dick because many times people would not take my friend Leon on and so he would dominant the issue, but Dick was never afraid to do that. We appreciate that Dick. The committee of the people that worked under you in your committee always respected you a lot and I know the people, some of my friends from my previous life who lived in that area, they respected you as a Legislator and we really appreciate what you did when you were here. Thanks again."

Chair Sauerbrey spoke. "Next I thought it would be good to have Shawn Yetter come and speak because Shawn spent more time with Dick than any of us. Dick was on the HHS Committee for many many years."

Shawn Yetter, Commissioner of Social Services spoke. "Thank you. Dick, likewise as Ron said it is great to see you here tonight. I wrote something up and I did not think I would be able to get through it so I am going to go off script, I am just going to talk and maybe just hand this to you Dick. Dick and I go way back prior to me being Commissioner, which has been for the last 16 years, but Dick and I got to know each other when I served in other positions with the County, especially when I was Ray's Deputy. I will not tell too many stories out of school Dick, but there was a time or two or three or more where I might have gotten a call from Dick saying, "Can you talk to Ray about that?" and I would, and I would talk to Ray and things would go well.

"Then when I came back in 2003 as Commissioner Dick had to as Chair of the Health & Human Services Committee had to work with myself, Paul LeBlanc and Hans Peeters for several years, there were the three of us as the heads of those Departments and I do not think you could find three more different personalities than me, Paul and Hans. We all loved working for Dick as our Committee Chair. He was someone who was loyal to us, who would always support our work and who would always be there for us when we had things going on in our Departments, and we appreciate that Dick. I know Paul and Hans have moved on to the retirement world and Lori and Lisa are loyal followers in that and the path that you paved in supporting our staff in our respective departments has not gone underappreciated because to know that

the Legislature supports us is very important and that continues under Bill as our Chair and we appreciate that.

"I will say a little bit of what I wrote. When you did the roll call tonight Maureen and this is purely a personal note Dick, the only name that was read tonight that was still here when I was first appointed was Mr. Huttleston and I knew when I was appointed you would be the last person here standing. In fact, you have been the last Legislator here for 10 years. The only other longest person to appoint me initially was Mr. Burns. He left the Legislature in 2008 so it has been 10 years and I have had the pleasure of serving under 23 different Legislators, all of whom I have great respect and admiration for even Mr. Monell. Because of your support Dick and your support of me as a professional and as a Department Head, and also your personal support, you will always hold that spot of last man standing. Thank you."

Chair Sauerbrey spoke. "Before I read and present the recognition resolution if anyone cares to share a comment or save them for later on a personal level."

Legislator Dennis Mullen spoke. "I am the newest Legislator and I got to sit next to Dick for the last three years, and his hearing is not what it used to be, but whenever we would have a vote in the Conference room I think Dick trusted me enough that he would lean over and say "how are we voting?" and I said we are voting yes or we are voting no, and I am going to miss having two votes, but I did appreciate the confidence in leaning over to me and saying "how do we stand on this position" and trusted me enough to give you the right answer."

Legislator Standinger spoke. "I want to say one thing Dick, it has been a pleasure working with you and now there are only two Veterans, a jarhead and an Army guy on the Legislature. We do not have a Navy guy anymore. I wish you the best."

Legislator Sullivan spoke. "Dick, I just wanted to say I felt fortunate when I joined the Legislature that you with all the years of your service and your experience, I always knew there was somebody that I could tap into and say "hey have you ever encountered something like this before, how was it handled" and that sort of thing, and I believe that that kind of continuity is very helpful and informative for the newer kids on the block. I appreciate all the discussions we have had and the help that you provided me. Thank you and I wish you a very happy retirement."

Chair Sauerbrey read and presented the following recognition resolution to Richard Huttleston, Tioga County Legislator.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 267-18                      *RECOGNITION RESOLUTION*  
*RECOGNIZING RICHARD HUTTLESTON*

WHEREAS: Richard Huttleston will retire on December 31, 2018; and

WHEREAS: The Tioga County Legislature would like to recognize Mr. Huttleston for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Dick was appointed to the position of Tioga County Legislator on January 1, 1992, replacing Francis Brown, was successfully reelected up until his pending retirement; and

WHEREAS: Dick served as Chair of the Health & Human Services Committee starting in 1999 and continued in that position as Chair until 2013; he then served as Chair of County Clerk/Historian/Real Property/Veterans'/Elections starting in 2014 until his retirement; and

WHEREAS: Dick served as a Committee member on the following committees: Social Services, Public Health, Mental Health, Tax Assessment, County Clerk/Records Management, Legislative Support and Elections, Intergovernmental Affairs/Public Relations, Capital Projects, Safety/Right to Know, Health & Human Services, County Clerk/Historian/Real Property/Veterans'/Elections, Public Safety, Public Works and Information Technology; and

WHEREAS: Dick always took extra time to speak with his constituents and over the years, became well known for his humorous stories. At election time, you could easily identify his "one of a kind" campaign signs by their unique slogan, "Stick With Dick"; and

WHEREAS: For the 26 years Dick Huttleston served on the legislature he barely missed a meeting. He was extremely dedicated and loyal in the performance of his duties as legislator; and

WHEREAS: Dick's wife Marian and grandson Lon have previously passed away and he is survived by his son Gary and daughter Teri. He served in the Navy during the Korean War and he is an avid fan of Syracuse Basketball, 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 Richard Huttleston 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 Richard Huttleston.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Huttleston spoke. “To my surprise I wrote something before I knew it was going to be this big of a shindig, but anyway Marte thank you for your several cards and kind remarks, you are a good Chair on the Legislature and a good leader. It is well known that the past and current Tioga County Legislative body is good because of good Legislators, good Department Heads and good employees, however the real winners are the people they represent and serve, and the nicest rewards the employees can receive from Department Heads is praise, compliments and thank you that are deserved. I have always hammered this for a long time and all my Department Heads knew, do not be afraid to say thank you to somebody that deserves it. I am dumbfounded.

“By the way I also graduated from SUNY Delhi and played basketball and baseball there, which was a large part of my career because I was a good sportsman. I understand that there is somebody that is taking my job, some guy named Cliff Balliet who the hell ever he is. I will say that Cliff will do a good job. Thank you. I will also say my daughter has been very wonderful under these circumstances and my boy has been able to help also from South Carolina. I did not think I would go out this way, I am a little sad that I am going out this way, but you made me a lot gladder and I appreciate it. You are all nice people.”

Chair Sauerbrey noted the following Proclamation recognizing Bill Kenville, Tioga County Safety Officer.

## PROCLAMATION RECOGNIZING BILL KENVILLE

WHEREAS: Bill Kenville started working as the County Safety Officer for Tioga County on August 26, 2013; and

WHEREAS: During Bill's tenure with Tioga County he proved to be a valuable asset and resource for the safety and risk management of the County, taking on responsibilities that were once overlooked; and



WHEREAS: Bill performed his duties with professionalism and genuine concern for the safety needs of the County, its personnel and the public; and

WHEREAS: Because of Bill's calm and diplomatic way of handling complaints and problems, possible contentious situations were avoided and desired results and goals were achieved that may not otherwise have been attained; and

WHEREAS: Bill worked cooperatively with all County departments and employees as well as other agencies such as NYMIR and NYS Department of Labor PESH; and

WHEREAS: Bill is retiring from his work at the County on December 5, 2018; therefore

THE TIOGA COUNTY LEGISLATURE wishes to express their sincere gratitude to Bill for his diligent work performed for the County, its employees and the public.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of November 13, 2018, 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 Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 268-18      *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 \$35.00 Per Employee Per Year

To Include:

- Random Selection of Employees (25% 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, 2019 through December 31, 2019.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 269-18

*RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
CO. PROBATION DEPT. &  
THE FAMILY AND CHILDREN'S  
SOCIETY TO PROVIDE ADULT  
& JUVENILE 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 2018; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 16 adult assessment and treatment slots; 10 adult safety monitor education slots; 5 juvenile offender 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 in 2019 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 Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 270-18

*RESOLUTION TO RENEW CONSULTANT  
CONTRACT FOR HAZARD MITIGATION PLAN  
COORDINATOR FOR 2019*

WHEREAS: Per resolution 193-12 and resolution 218-13, 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 based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2019 budget to cover these expenses, in the amount of \$20,000 from Planning Appropriation account A8020 540140; 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, 2019, not to exceed \$20,000 from Planning Appropriation account A8020 540140, 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 Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

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. 271-18 *AUTHORIZATION TO EXTEND AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES*

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 for the provision of said mass transportation operations between the two parties was approved by the Tioga County Legislature on December 15, 2015, via Resolution Number 302-15; therefore, be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to extend said Intermunicipal Agreement through December 31, 2020.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 272-18      *AUTHORIZATION FOR THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING TO SIGN A CONTRACT WITH MDB INSIGHT INC. TO CREATE A WORKFORCE DEVELOPMENT PIPELINE STRATEGY FOR TIOGA COUNTY.*

WHEREAS: Tioga County Economic Development and Planning issued a Request For Proposal on October 15 , 2018 to hire a consultant to complete a Workforce Development Pipeline Strategy for Tioga County; and

WHEREAS: MDB Insight Inc. responded to the Request For Proposal on October 29, 2018 to complete a Workforce Development Pipeline Strategy for Tioga County in the contracted amount of \$17,225; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes LeeAnn Tinney, Director of Economic Development and Planning, to sign the contract in the amount of \$17,225 with MDB Insight Inc. to create a Workforce Development Pipeline Strategy for Tioga County.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED: ED&P COMMITTEE

RESOLUTION NO. 273-18 RESOLUTION AUTHORIZING ACCEPTANCE OF THE 2019/2020 LAND BANK COMMUNITY REVITALIZATION INITIATIVE (CRI) PROGRAM GRANT OF \$500,000.00 FOR THE OFFICE OF THE TIOGA COUNTY ECONOMIC DEVELOPMENT AND PLANNING (TCED&P) AND AUTHORIZING AN AGREEMENT WITH THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC) FOR 2019-2020

WHEREAS: The Director of TCED&P requests authorization to accept a CRI Program Grant in the amount of \$500,000.00 and enter into an agreement with TCPDC for the period January 1, 2019 through December 31, 2020; and

WHEREAS: Said program grant will provide funding towards the cost of administration, office space and equipment for use by Tioga County Economic Development staff to perform the duties of the Executive Director of the TCPDC; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves acceptance of \$65,065.00 from the TCPDC, 56 Main Street, Owego, New York 13827 to provide funding towards the cost of administration, office space and equipment for use by Tioga County Economic Development to perform the duties of the Executive Director of the TCPDC for the period of January 1, 2019 through December 31, 2020; and be it further

RESOLVED: That in 2019 and 2020, Tioga County Economic Development will provide the administrative duties of the Executive Director of the TCPDC and shall be paid annually \$32,532.50 towards cost of administration, office space and equipment; and be it further

RESOLVED: That the Chair of the Legislature or her duly authorized representative (including County Treasurer and/or Budget Director), is hereby authorized to make any transfers of funds required within this grant budget.

Legislator Mullen spoke. "I would like to just say that this thing came to us from Economic Development and Planning about a year and a half ago to two years ago and it has been a long process and I truly believe it is one of the better things that we have accomplished, and it is going to help all the communities with some of the properties that are in rough shape. I just wanted to thank Leeann and especially Teresa Saraceno for all their hard work on this project and Peter."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED: ED&P COMMITTEE

RESOLUTION NO. 274-18 RESOLUTION AUTHORIZING THE SALE AND TRANSFER OF PROPERTIES FROM TIOGA COUNTY TO THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION

WHEREAS: Per Resolution No. 265-16, the Tioga County Legislature authorized application to the NYS Urban Development Corporation to establish the Tioga County Property Development Corporation (TCPDC), A New York Land Bank; and

WHEREAS: Said application was approved for the mission to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned and underutilized residential and commercial properties; and

WHEREAS: The TCPDC's authority to acquire properties through a variety of means including the conveyance of property directly by the foreclosing government unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property; and

WHEREAS: Tioga County has set aside twelve properties, as listed below, from the 2018 tax foreclosure process for the specific purpose of acquisition by the TCPDC to meet their mission once funding for such purpose was awarded; and



WHEREAS: The TCPDC has been awarded \$500,000.00 for the period of 2019/2020; and

WHEREAS: These funds will allow for administration and the necessary anticipated environmental assessment/remediation and the subsequent demolition and rehabilitation of these properties; and

WHEREAS: Tioga County has agreed to sell and transfer the following properties in Waverly and Owego, NY within the County of Tioga to the TCPDC for One Dollar (\$1.00) each; and

WHEREAS: These acquisitions include the following properties;

108 Park Place, Waverly, NY	#166.19-4-4
112 Park Place, Waverly, NY	#166.19-4-6
452 Cayuta Avenue, Waverly, NY	#167.17-1-19
35 Lincoln Street, Waverly, NY	#166.15-2-7
530 E. Chemung Street, Waverly, NY	#167.09-4-14
429 Chemung Street, Waverly, NY	#166.16-1-27
127 Providence Street, Waverly, NY	#166.19-4-72
457 Fulton Street, Waverly, NY	#166.19-2-57
207 Howard Street, Waverly, NY	#166.20-1-40
117 Liberty Street, Owego, NY	#128.08-1-7
39-41 Temple Street, Owego, NY	#128.08-7-76
115-117 Chestnut Street, Owego, NY	#128.08-3-82

Therefore be it

RESOLVED: That these properties will be transferred from Tioga County to the TCPDC for One Dollar (\$1.00) each.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 275-18      *AWARD BID – NYS FENCE INC.  
FENCING FOR CARMICHAEL TOWER  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Emergency Services held a sealed bid opening on Friday, November 30<sup>th</sup>, 2018 for construction of a fence for the Carmichael Tower; and

WHEREAS: The bids were as follows:

1. NYS Fence Inc.  
858 Manitou Road  
Hilton, NY 14468      \$51,600

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the only bidder, NYS Fence Inc., Hilton, NY in the amount of \$51,600 to be paid out of State Interoperable 17 grant account A3415.520230.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 276-18      *FIX TIME OF  
ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Wednesday, January 2, 2019.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 277-18 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 Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 278-18 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, 2018 to allow proper coding of bills for payment through February 28, 2019.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 279-18      *ADOPT COUNTY BUDGET FOR 2019,  
APPROPRIATIONS AND SALARY  
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2019 submitted by the Budget Officer on November 15, 2018 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2019; 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, 2019; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2019.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 280-18 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, 2019; 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	5,700	243,096
Newark Valley	1,740	6,650
Nichols	-	77,975
Owego	-	2,131,967
Spencer	38,099	361,399

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		19,384.76
Lockwood Fire Protection		42,794.17
Waverly Joint Fire Protection		277,395.00
Town of Berkshire		
Berkshire Fire District		143,308.00
Town of Candor		
Candor Fire District		447,795.00
Town of Newark Valley		
Newark Valley Fire District		303,611.07
Town of Nichols		
Nichols Joint Fire Protection		357,730.00
Town of Owego		
Apalachin Fire District		1,016,652.00
Owego Fire District		1,589,502.00
Newark Valley Fire District		42,796.00
Town of Richford		
Richford Fire District		106,650.00
Town of Spencer		
Spencer Fire Protection District		78,000.00
Town of Tioga		
Tioga Fire District		297,555.00

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	12,358
Water District No. 4/Ext. 15	10,094
Water District No. 4/Ext. 17	20,800
Water District No. 4/Ext. 20	19,000
Sewer District No. 2/Ext. 14	12,200
Sewer District No. 2/Ext. 15	12,088

Lighting District No. 1	11,630
Lighting District No. 2	22,175
Lighting District No. 3	22,898
Lighting District No. 4A	1,563
Lighting District No. 4B	3,944
Lighting District No. 5	14,586
Lighting District No. 6	27,109
Lighting District No. 7	4,147
Lighting District No. 8	2,634
Lighting District No. 9	1,269
Lighting District No. 10	1,773

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 \$329,285.04; 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 \$6,457.78; 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	210,900	531,600
Berkshire	83,605	338,100
Candor	786,866	487,400
Newark Valley	286,308	370,454
Nichols	-	145,450
Owego	888,197	-
Richford	241,523	452,303
Spencer	346,095	292,611
Tioga	253,439	574,619

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 Standing, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 281-18 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 279-18 dated December 11, 2018 adopted a Budget for the fiscal year 2019 and by Resolution No. 279-18 dated December 11, 2018 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 280-18 dated December 11, 2018 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	202,875.57
Berkshire	34,937.66
Candor	135,991.57
Newark Valley	86,218.21
Nichols	73,059.75
Owego	574,721.40
Richford	32,104.03
Spencer	87,077.24
<u>Tioga</u>	<u>122,506.57</u>
Total	1,349,492.00

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 \$22,785,755.00 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	\$ 455,219.91
For School Tax Returned	\$3,594,961.51
For Deficits from prior years' taxes	\$7.27
For Reimbursement of Erroneous taxes, etc.	\$ 3,471.34
All of the forgoing being subject to credit for excess collection the prior year of	\$9.32

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. 280-18 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, 2018; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	10.331428
	In	10.331428
Berkshire		8.668824
Candor	Out	9.023925
	In	9.023925
Newark Valley	Out	12.751183
	In	12.751183
Nichols	Out	35.287235
	In	35.287235
Owego	Out	11.545016
	In	11.545016
Richford		6.938843
Spencer	Out	9.050550
	In	9.050550

Tioga 131.199650

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 282-18 ERRONEOUS ASSESSMENT  
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #118.18-1-13 Account #1549 in the Village of Owego assessed to Katzenstein Family NY, LLC on the 2018 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$15,180; be it therefore

RESOLVED: That a refund be issued to: Hinman, Howard & Kattell, LLP as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton NY 13902-5250, by the Tioga County Treasurer as follows:

	Original Bill #663	Corrected Bill #663
County	418.03	172.44
Recycle	22.54	9.30
Town Wide	39.09	16.12
Returned School	1,105.53	456.03
<b>Total</b>	<b>1,585.19</b>	<b>653.89</b>

And be it further

RESOLVED: That the erroneous county tax of \$ 245.59 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 13.24 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$22.97 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous returned School Tax of \$649.50 be charged back to the Owego Apalachin CSD.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 283-18

*ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #129.11-1-30 Account #12785 in the Town of Owego assessed to Katzenstein Family NY, LLC on the 2018 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$18,975; be it therefore

RESOLVED: That a refund be issued to: Hinman, Howard & Kattell, LLP as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton NY 13902-5250, by the Tioga County Treasurer as follows:

	Original Bill #4927	Corrected Bill #4927
County	850.83	215.55
Recycle	45.87	11.62
Town Wide	79.56	20.15
Part Town	219.06	55.50
Fire	200.24	50.73
Returned School	2,250.11	570.04
<b>Total</b>	<b>3,645.67</b>	<b>923.59</b>

And be it further

RESOLVED: That the erroneous county tax of \$635.28 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$34.25 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$222.97 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$149.51 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous returned School Tax of \$1,680.07 be charged back to the Owego Apalachin CSD.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 284-18

*ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #129.07-1-11 Account #12433 in the Town of Owego assessed to Katzenstein Family NY, LLC on the 2018 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$75,600; be it therefore

RESOLVED: That a refund be issued to: Hinman, Howard & Kattell, LLP as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton NY 13902-5250, by the Tioga County Treasurer as follows:

	Original Bill #4926	Corrected Bill #4926
County	1,179.13	858.79
Recycle	63.57	46.30
Town Wide	110.25	80.30
Part Town	303.58	221.11
Fire	277.50	202.11
Returned School	3,118.32	2,271.15
<b>Total</b>	<b>5,052.35</b>	<b>3,679.76</b>

And be it further

RESOLVED: That the erroneous county tax of \$ 320.34 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 17.27 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$ 112.42 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$ 75.39 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous returned School Tax of \$ 847.17 be charged back to the Owego Apalachin CSD.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 285-18

*ERRONEOUS ASSESSMENT  
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel #129.07-1-1 Account #12431 in the Town of Owego assessed to Katzenstein Family NY, LLC on the 2018 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$134,000; be it therefore

RESOLVED: That a refund be issued to: Hinman, Howard & Kattell, LLP as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton NY 13902-5250, by the Tioga County Treasurer as follows:

	Original Bill #4925	Corrected Bill #4925
County	2,198.08	1,522.19
Recycle	118.51	82.07
Town Wide	205.53	142.33
Part Town	565.93	391.91
Fire	517.30	358.23
Returned School	5,813.04	4,025.58
<b>Total</b>	<b>9,418.39</b>	<b>6,522.31</b>

And be it further

RESOLVED: That the erroneous county tax of \$ 675.89 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 36.44 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$ 237.22 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$ 159.07 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous returned School Tax of \$ 1,787.46 be charged back to the Owego Apalachin CSD.

ROLL CALL VOTE

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

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. 286-18 REAPPOINT 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: The appointed term for James R. Raffis, Jr., D.O., FACEP, on the Board of Health expires 12/31/18; and

WHEREAS: The Board of Health recommends re-appointment and Dr. Raffis has agreed to serve for another term; therefore be it

RESOLVED: That James R. Raffis, Jr., D.O., FACEP, be re-appointed to the Board of Health for a term of 1/1/19-12/31/24.

ROLL CALL VOTE

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

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  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 287-18 CLOSE SOLID WASTE RESERVE AND TRANSFER FUNDS TO SOLID WASTE FUND

WHEREAS: The Solid Waste Reserve was previously established and funded per Resolution 433-94 for \$38,364.00; and

WHEREAS: The intent of Reso 433-94 was to designate funds for Capital Projects related to the Solid Waste Transfer Station; and

WHEREAS: The restricted funds in the Solid Waste Reserve are no longer needed for capital projects and the Solid Waste Transfer Station was closed; and

WHEREAS: The Solid Waste Fund will be nearly depleted by 12/31/2018; and

WHEREAS: Legislative approval is needed to close a reserve and transfer funds; therefore be it:

RESOLVED: That funds in the restricted reserve be transferred as follows:

From:	B 388900	Solid Waste Reserve	\$38,364.00
To:	B 390900	Solid Waste Fund Balance	\$38,364.00

And be it further

RESOLVED: That the Solid Waste Reserve be closed.

ROLL CALL VOTE

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

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  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 288-18 *APPROPRIATE GENERAL OPERATING  
FUND AND INTERFUND TRANSFER TO  
SOLID WASTE FUND*

WHEREAS: The Solid Waste Fund balance will be depleted by 12/31/2018; and



WHEREAS: The Solid Waste Revenue for Recycling Fees was significantly less than budgeted both in 2017 and 2018. Expenses for Household Hazardous Waste will be over budget in 2018; and

WHEREAS: The Tax Levy for Recycling, Pilot payments and state revenue will not offset the additional local share in the Solid Waste Budget; and

WHEREAS: Additional Sales Tax collections have enhanced revenue in the General Operating Fund during the current year; and

WHEREAS: Legislative approval is needed to transfer funds and an interfund transfer will be needed from the General Operating Fund to the Solid Waste Fund; therefore be it

RESOLVED: That funds be appropriated and transferred as follows:

From:	A9901 590715	Inter Fund Transfer	\$100,000.00
		General Operating	

To:	B8160 450310	Inter Fund Transfer	\$100,000.00
		Solid Waste	

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS COMMITTEE
	FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 289-18	<i>APPROPRIATE FUNDS TO HOUSEHOLD HAZARDOUS WASTE ACCOUNT FROM SOLID WASTE FUND BALANCE AND MODIFY 2018 BUDGET</i>
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WHEREAS: There is a significant increase in the amount of electronic waste and household hazardous waste being brought by Tioga County residents; and

WHEREAS: Contingency funds have already been exhausted; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2018 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorize and appropriate funds from fund balance to Household Hazardous Waste Program as follows:

From:	B 390900	Solid Waste Fund Balance	\$10,000
To:	B8160 542261	Household Hazardous Waste	\$10,000

And be it further

RESOLVED: That the 2018 Solid Waste budget be modified to reflect the above changes.

ROLL CALL VOTE

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

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  
FINANCE COMMITTEE

RESOLUTION NO. 290-18 APPROPRIATION OF FUNDS  
SOCIAL SERVICES

WHEREAS: SNAP Bonus Award funds have been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance; and

WHEREAS: Tioga County's plan for the use of these funds has been approved by the Office of Temporary and Disability Assistance; and

WHEREAS: Appropriation of funds requires legislative approval: therefore be it

RESOLVED: That funding be appropriated as follows:

A 6010.436100 State Aid-Social Services Admin	\$ 12,300
A 6010.446110 Federal Aid-Food Stamp Program	\$ 12,300
A 6010.520090 Computers	\$ 24,600

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 291-18

*MODIFY 2018 BUDGET AND  
TRANSFER FUNDS  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Funds need to be transferred from various accounts to pay for obligatory 2018 expenses for EMS Instructors;

WHEREAS: Legislative Approval is needed to modify the 2018 Budget and Transfer funds between object of expenses; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as follows:

FROM:

A3410.510050	Salaries All Other	\$ 2,600.00
A3410.520080	Clothing	\$ 28.00
A3410.520130	Equipment (not car)	\$ 176.45
A3410.520160	Fire & Alarms Equipment	\$ 38.00
A3410.520190	Nursing Equipment	\$ 84.80

TO:

A3410.540144	EMS Instructors	\$ 2,927.25
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ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 292-18 *AMEND RESOLUTION 216-18 AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: Resolution 216-18 authorizes the purchase of specific excess insurance and employers' liability insurance for the period of January 1, 2019 through December 31, 2019; and

WHEREAS: Midwest Employers Casualty Company, the company which provides the specific excess policy, is offering a two-year policy term option; and

WHEREAS: This two-year policy term option will lock in the premium rate for a two-year period along with the specific retention levels; and

WHEREAS: The premium would continue to be payable in annual installments; therefore be it

RESOLVED: That Resolution 216-18 be amended to authorize the Tioga County Legislature to accept the 2019 and 2020 policy term option for the specific excess insurance through Midwest Employers Casualty Company, upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. 293-18 APPOINTMENT OF  
PART-TIME INFORMATION SECURITY OFFICER  
LEGISLATIVE OFFICE

WHEREAS: Tioga County Policy 43 requires the Legislature to appoint annually, a part-time Information Security Officer who will be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That Susan Haskett shall be appointed to the part-time Information Security Officer position for 2019 and will be compensated at an annual rate of \$5,330 per year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 294-18 APPOINTMENT OF DEMOCRATIC  
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That James Wahls be and hereby is appointed Election Commissioner for the Democratic Party from January 1, 2019 through December 31, 2020.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 295-18 AUTHORIZE 2019 CONTRACTS WITH SADD  
SCHOOL ASSOCIATES

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to contract with the following five SADD School Associates for the calendar year 2019; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Britney Elsey to serve the Spencer Van Etten School District, and; 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 2019 calendar year.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 296-18      *AUTHORIZE 2019 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 2019; therefore be it

RESOLVED: That the 2019 rates of pay for the Board of Elections staff shall be as follows:

	<u>2019 pay:</u>
Commissioners	\$43,658.00/yr.
Deputy Commissioners	\$35,351.00/yr.
Voting Machine Technicians	\$ 16.93/hr.
Election Workers	\$ 12.96/hr.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING  
PERSONNEL COMMITTEE

RESOLUTION NO. 297-18 2019 STAFF CHANGES  
ECONOMIC DEVELOPMENT & PLANNING

WHEREAS: The Economic Development and Planning Department requested staffing changes as part of the 2019 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2019:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
L. Tinney	Director ED&P	Salary Increase	\$7,000

and be it further

RESOLVED: That the non-union 3.5% salary increase effective January 1, 2019, is not applicable to said increased amount.



## ROLL CALL VOTE

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

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  
PERSONNEL COMMITTEE

RESOLUTION NO. 298-18      *2019 STAFF CHANGES*  
*IT&CS DEPARTMENT*

WHEREAS: The IT&CS Department requested staffing changes as part of the 2019 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2019:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
D. Camin	Director IT&CS	Chief Information Officer	\$6,000

and be it further

RESOLVED: That the non-union 3.5% salary increase effective January 1, 2019, is not applicable to said increased amount.

Legislator Sullivan spoke. “Last year the Governor required all local governments to participate in a shared services program. Marte headed up a committee and our Attorney, Peter worked very closely with the State to figure out what the details of this requirement were. The committee included representatives from every other municipality, the Towns and the Villages and they worked together over many many months meeting and coming up with

the ideas to help us to achieve a shared services program that would result in a net positive for the County's taxpayers.

"The project that was identified to proceed with first was an IT related project for communication services as well as information services, computers and what not. This has now increased and we are bringing a Town and a Village on board that our IT Department will provide those services. It is expanding the scope of the customer base for our IT Department and now our IT Department has to kind of answer to other bosses now as well as the Legislature, so it is a significant increase in scope. It will save those municipalities money and oh by the way we are the first County in the State to pursue this activity. Chemung County has done a limited amount of this in the past, but Tioga County is being watched throughout the State on this project, so I think that is a big kudos to Tioga County and recognizing the increased scope and the work that that Department and that Department Head is doing on this."

#### ROLL CALL VOTE

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

No – None.

Absent – None.

#### RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 299-18	2019 STAFF CHANGES PROBATION
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WHEREAS: The Probation Department requested staffing changes as part of the 2019 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2019:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Vacant	Typist PT \$12.22/hour	Office Specialist I FT Salary Grade 3	\$15,197

## ROLL CALL VOTE

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

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  
PERSONNEL COMMITTEE

RESOLUTION NO. 300-18

*2019 STAFF CHANGES  
PUBLIC WORKS*

WHEREAS: The Public Works Department requested staffing changes as part of the 2019 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2019:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
NEW		Engineering Technician Salary Grade 7	\$35,555

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 301-18 2019 STAFF CHANGES  
SHERIFF'S OFFICE

WHEREAS: The Sheriff's Office requested staffing changes as part of the 2019 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2019:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Vacant	Corrections Officer PT (12 positions) \$14.75/hour – Abolish	Corrections Officer FT (5 positions) Base - \$37,208	\$186,040

Legislator Mullen spoke. "I would just like to say on this we are eliminating the part-time positions and adding full-time positions. It has become almost impossible to fill part-time positions and it takes Corrections Officers 18 weeks of training in the first year for a part-time Corrections Officer. The budget impact is significant, but it will help with the labor situation. I would like to thank everyone for supporting that."

Legislator Sullivan spoke. "This will reboot a decrease in overtime and compensation costs. It is not as bad as it might look."



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

REFERRED TO: FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 303-18      *AUTHORIZE SECOND CONTINUANCE OF  
FULL-TIME, TEMPORARY CLERK (SEASONAL)  
POSITION TREASURER'S OFFICE*

WHEREAS: Resolution 219-18 authorized the continuance of a full-time, temporary Clerk (Seasonal) position in the Tioga County Treasurer's Office beyond August 31, 2018 and through December 31, 2018; and

WHEREAS: Due to unplanned vacancies, the County Treasurer would like to extend the duration of said temporary position in order to adequately cover the front office; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Marissa Potter's employment as a full-time, temporary Clerk (Seasonal) shall continue beyond December 31, 2018 and end no later than January 31, 2019.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 304-18      *APPROPRIATION OF FUNDS  
BUDGET MODIFICATION 2018  
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through federal aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with Council On Alcohol And Substance Abuse Of Livingston County, d.b.a, Trinity 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 and 2018 budget modified as follows:

From: A4211 444860	Federal Aid Council on Alcoholism	\$ 2,390.00
To: A4211 540590	Services Rendered	\$ 2,390.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:38 P.M.

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CERTIFICATE OF CHAIR AND CLERK

STATE OF NEW YORK)  
  )  
COUNTY OF TIOGA )

We, MARTHA SAUERBREY, Chair and MAUREEN L. DOUGHERTY, Clerk of the Tioga County Legislature, do hereby certify that this pamphlet and volume of the Proceedings of said Legislature, at its monthly and special sessions held in said County during the year 2018, is correct and is printed by authority and direction of said Legislature and pursuant to Section 211 of the County Law.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the Seal of said Legislature at Owego, County of Tioga, State of New York.

\_\_\_\_\_  
MARTHA SAUERBREY  
CHAIR

\_\_\_\_\_  
MAUREEN L. DOUGHERTY  
CLERK

Dated:     December 21, 2018