

First Regular Meeting
January 15, 2013

The First Regular Meeting of 2013 was held on January 15, 2013 and was called to order by the Chair at 12:01 P.M. All Legislative members were present.

Chair Weston asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for this day and we ask you to guide us as we conduct the business of Government for the County of Tioga."

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

Legislator Huttleston read and presented the following recognition resolution to Sally Wheeland 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. 12-13	<i>RECOGNITION OF SALLY L. WHEELAND'S 27 YEARS OF DEDICATED SERVICE TO THE TIOGA COUNTY HEALTH DEPARTMENT</i>

WHEREAS: Sally L. Wheeland, was appointed to the position of Public Health Nurse on November 12, 1985, in the Tioga County Health Department; the position she still holds; and

WHEREAS: In 2008 Sally was honored as the 2008 Public Health Works Honor Roll Winner through New York State Department of Health, the first recipient from Tioga County; and

WHEREAS: Sally has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 27 years to the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Wheeland retired on December 31, 2012; 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 Sally L. Wheeland for her over 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, Sally L. Wheeland.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Huttleston spoke. “Congratulations on retiring. The real losers are the residents in this County that you served for so many years, and I am quite sure that you have a lot more friends other than the Legislators and the Community in the number of people you served. I certainly appreciate everything that you have done and I am sorry to see you leave, but I am happy that you are going to have time to enjoy yourself.”

Sally Wheeland spoke. “Thank you for this honor. It has always been my honor and privilege to serve the people of Tioga County. I have had a job that I loved for 27 years. You do not get to do that very often and I appreciate it. Thank you.”

Marilyn Reynolds of the Health Department spoke. “I am deferring my speech. I am Sally’s Supervisor for 13 years, but the State wanted to acknowledge Sally’s years of service. “Dear Ms. Wheeland: New York State Department of Health extends to you this career achievement award for your 27 years of dedicated service to public health in Tioga County in your corner of the Southern Tier of New York State. Your commitment, tenacity, and drive are what brought you to work every day, sometimes under the most trying circumstances to selflessly help others in need and carry out the mission of Public Health.

“From responding to the rabid goat incident in 1996 to the floods of 2006 and 2011, to the cutting edge of investigation into Legionella’s, to public health preparedness planning, to countless immunization clinics, sexually transmitted

disease clinics, tuberculosis, H1N1 influenza, HIV and AIDS, pertussis, West Nile virus, Lyme disease. The list goes on and on. The knowledge you possess can only be attained by years of experience. Your ability to keep abreast of ever changing information and your uncanny ability to think on your feet made you the perfect person for the job. I believe Tioga County will have difficulty finding someone who can fill your shoes.

"I can say with certainty your retirement will be felt by the Central New York State Regional Office. I wish you the best in your next endeavor and thank you for the invaluable work that you have accomplished in your career. It has been an honor to work with you. Sincerely Dan Cassler who is the Director of Communicable Disease Program of Central New York State. This is a Career Achievement Award with the New York State signa on it to Sally Wheeland in recognition of her career, dedicated service to the people of Tioga County, New York and with the well earned respect and appreciation of her colleagues. With her knowledge, experience, commitment, character, and ability to accomplish the mission, she has been a cornerstone of Public Health Nursing in her community."

Johannes Peeters, Public Health Director, spoke. "She will be greatly missed by us. She has been a great asset and I enjoyed her for all the 13 years that I have known her. She is well respected by her peers also. Thanks."

Jamie Cornell of the Employee Recognition Committee presented the Employee of the year 2012. "I have had the privilege of serving on the Employee Recognition Committee for the last two years. Today we are here to acknowledge Teresa Ryder who has been selected as the 2012 Employee of the Year for Tioga County.

"Teresa began her career with Tioga County in 1980 as a Social Welfare Examiner at DSS. In 1984 she was promoted to Senior Social Welfare Examiner and in 1986 Teresa was promoted to Welfare Management Systems Coordinator at DSS, a Supervisory position that she currently retains.

"Teresa is extremely dedicated to her job. Over the years she has been responsible for leading the implantation of several agency wide system changes, numerous State computer programs, and she tackled the large undertaking of moving the Department of Social Services into the new Health and Human Services Building. Initiating these changes has often required increased commitment on Teresa's part in both time and training, which she tackles with resolve and determination to do her best at all times.

"Teresa is highly respected by her peers and her staff. She demonstrates extensive knowledge in her professional area and is often consulted by the State for her expertise, and she has been chosen as DSS Supervisor of the Year three times. Teresa resides in Nichols with her husband Jim. She has three grown children, Andrea, Kyle, and Lindsey, and nine cherished grandchildren. Teresa enjoys cooking and often shares her creations with her coworkers and likes to garden. Teresa says that her greatest joy is her family and she enjoys planning and hosting parties for her family and friends."

Gary Grant, Director of Administrator Services for the Department of Social Services, spoke. "I was here a couple of months ago when Teresa won the Employee of the Quarter and I said a few things, a lot of nice things about Teresa. I will not repeat them today, but I am happy to announce that they are all still true, so the award has not gone to her head and hopefully the Employee of the Year will be the same.

"A little story that I think kind of points out why Teresa is here today. Yesterday her three employees appeared in my office and Charles was their spokesperson. There is a rule in Systems that Teresa has that there will be coverage from 8:00 till 5:00, no exceptions. They all wanted to be here today so they wanted me to pull rank and allow them to come here, so we have no coverage for half an hour, but they promised to go back right away and get back to work. I think it points out a couple of things, number one the fact that the dedication and loyalty that her staff has to her, that they are here today in addition to a number of her peers and so on, truly to her credit, but also the focus that Teresa has, her leadership on instilling in to her staff the customer service aspect of the job. I place her and her staff against any in the State in terms of customer service that they provide to our customers internally and externally, and that is due to Teresa's leadership. Congratulations."

Teresa Ryder spoke. "I just want to thank everybody for coming out here and I enjoy my job. Thank you, thank you so much. It is a great honor."

Chris Bonner had privilege of the floor. He spoke regarding fracking and property owners.

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		279.08
A1165	District Attorney		6,199.29
A1170	Public Defender		4,434.65

A1172	Assigned Counsel		18,223.95
A1185	Medical Examiners/Coroners		10,154.16
A1325	Treasurer		556.85
A1355	Assessments		14,775.37
A1362	Tax Advertising and Expense		5,689.76
A1410	County Clerk		226.10
A1420	Law		3,099.00
A1430	Personnel		1,845.73
A1450	Elections		34,430.87
A1490	Public Works Administration		465.46
A1620	Buildings	1,405.88	55,854.81
A1621	Buildings		25,268.56
A1680	Information Technology		16,097.66
A2490	Community College Tuition		43,909.50
A2960	Education of Handicapped Children		144,812.29
A3020	Public Safety Comm E911 System	279.00	4,702.36
A3021	Enhanced E911 Equipment	1,950.00	
A3110	Sheriff		18,216.56
A3140	Probation		136.11
A3146	Sex Offender Program		9,240.00
A3150	Jail	342.25	57,584.92
A3315	Special Traffic Programs	5,000.00	11,795.50
A3357	FY11 NYS Homeland Security	1,950.13	27,816.13
A3410	Fire		9,564.35
A3640	Emergency Mgmt Office		519.89
A3992	EMO C837990 Grant		8,720.00
A4010	Public Health Nursing		36,597.20
A4011	Public Health Administration		2,461.02
A4012	Public Health Education	134.40	349.86
A4042	Rabies Control		6,050.51
A4044	Early Intervention		35,169.01
A4047	Handicapped Education Admin		61.26
A4053	Preventive/Primary Health Services		75.00
A4054	Preventive Dental Services		916.58
A4064	Managed Care-Dental Services	305.60	9,695.00
A4070	Disease Control		2,319.60
A4090	Environmental Health		1,440.06
A4210	Alcohol and Drug Services		14,075.20
A4309	Mental Hygiene Co Admin		9,312.19
A4310	Mental Health Clinic		25,723.80
A4311	Rehabilitation Support Services		618.00
A4320	Crisis Intervention Services		14,761.45
A4321	Intensive Case Management		1,143.58

A6010	Social Services Administration	78,618.40
A6422	Economic Development	421.71
A6510	Veterans' Service	187.34
A6610	Sealer Weights & Measures	144.84
A7310	Youth Programs	24.97
A7310.41	Youth Programs, Refundable	11,513.37
A8760	NYS DOS LTCRS Grant	9,809.57
SOLID WASTE FUND		90,313.59
SPECIAL GRANT FUND		1,327.62
COUNTY ROAD FUND		70,396.99
CAPITAL FUND		230,669.62
CONSOLIDATED HEALTH INSURANCE		<u>29,627.43</u>
GRAND TOTAL		\$ 1,229,810.94

Legislator Sauerbrey made a motion to approve the minutes of December 11, 2012, seconded by Legislator Roberts, and carried.

Chair Weston made the following appointment to the Cornell Cooperative Extension Board:

Legislator William Standinger 1/1/13 to 12/31/13

Chair Weston announced the following Standing Committees for 2013:

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2013**

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

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 13-13 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: Valarie Kranz, minority appointment, on the Board of Ethics term has expired as of 12/31/12; and

WHEREAS: Valarie Kranz has agreed to serve another term on the Board of Ethics; now therefore be it

RESOLVED: That Valarie Kranz, minority appointment, be hereby appointed to the Board of Ethics for a term of 1/2/13 to 3/31/16.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 14-13 *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: Resolution #449-97 and Resolution #52-98 have reinstated the staggered term portion of the appointments for Board of Health members; and

WHEREAS: The appointed term for David Kwiatkowski, MD, on the Board of Health expired 12/31/12; and

WHEREAS: James R. Raftis, Jr., D.O., FACEP, has agreed to serve for a six-year term; therefore be it

RESOLVED: That James R. Raftis, Jr., D.O., FACEP, be appointed to the Tioga County Board of Health for a term of 1/1/2013 – 12/31/2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 15-13 *ACCEPTANCE OF APPLICATION FOR
FIREFIGHTERS ANDREW CHURCHMAN AND
SUSANNA LANE TO THE TIOGA COUNTY FIRE
INVESTIGATION TEAM*

WHEREAS: The Bureau of Fire provides high quality Fire Investigation Team support to the Fire Service in Tioga County, and

WHEREAS: This service is provided by local, highly trained volunteers, and

WHEREAS: Fire Investigation team members David Martinichio and Randy Hamilton are no longer active members of the Team; and

WHEREAS: Owego Firefighter Andrew Churchman and Waverly Firefighter Susanna Lane have applied for membership to the County Fire Investigation Team; and

WHEREAS: Firefighters Churchman and Lane currently possess training and skills needed by the Tioga County Fire Investigation Team; and

WHEREAS: Firefighters Churchman and Lane would replace David Martinichio and Randy Hamilton as active members of the Fire Investigation Team; therefore be it

RESOLVED: That Owego Firefighter Andrew Churchman and Waverly Firefighter Susanna Lane be added to the Tioga County Fire Investigation Team roster to replace David Martinichio and Randy Hamilton.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 16-13

*RESOLUTION CALLING FOR THE GOVERNOR
AND STATE LEGISLATURE TO COMPENSATE
COUNTIES FOR STATE-MANDATED
DISTRICT ATTORNEY'S SALARIES*

WHEREAS: Salaries of full time district attorneys are statutorily tied to those of New York State Judges and Justices in the Unified Court System; and

WHEREAS: When salaries increase for judges and justices, counties are mandated to raise the salaries of their district attorneys as required under Section 183-a of the Judiciary Law; and

WHEREAS: New York State has significantly increased judges' salaries over the next three years, forcing counties to increase pay for district attorneys; and

WHEREAS: This increased State mandate requires Tioga County to raise the salary of the district attorney from \$119,200 in 2011 to \$152,500 by 2014; and

WHEREAS: Although the State pays the entire salary and benefits of judges and justices, the State only provides supplemental appropriations to counties to partially cover the cost of State-mandated pay for local district attorneys; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon the Governor and the State Legislature to reimburse counties for the entire amount of district attorneys' mandated pay and its associated retirement and social security costs, leaving counties responsible only for any portion of district attorneys' compensation that exceeds the State's mandated amount; and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator Thomas Libous, Assemblyman Chris Friend, other New York Counties, and the New York State Association of Counties (NYSAC).

ROLL CALL VOTE

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

No – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 17-13 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: The 2013 Town and County tax bill of \$3,184.78 for property no. 2736 in the Town of Owego, assessed to the State of New York, erroneously includes a school tax levy of \$2,645.95; and

WHEREAS: School taxes for stateland properties are collected by the Treasurer's Office and the 2012-13 school taxes for property no. 2736 were paid by the State of New York on 12/04/12, and current year Town and County tax bills for stateland properties are mailed by the Treasurer's Office; be it therefore

RESOLVED: That the erroneous school tax amount of \$2,645.95 be deducted from 2013 Town and County tax bill no. 9101 for property no. 2736 in the Town of Owego and the correct amount of \$538.83 be billed to the State of New York for 2013 Town & County taxes; and be it further

RESOLVED: That the erroneous school tax and interest of \$2,472.85 be charged back to the Owego-Apalachin School District; and be it further

RESOLVED: That the erroneous county penalty of \$173.10 be charged to the appropriate account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 18-13

*ERRONEOUS ASSESSMENT
TOWN OF TIOGA*

WHEREAS: An application for Refund & Credit of Real Property Taxes for the years of 2010, 2011, and 2012 indicates that parcel #1836 in the Town of Tioga assessed to Gerald R & Linda D Hyatt on the 2010-2012 tax rolls of the Town of Tioga is erroneous in that the parcel was assessed to the wrong landowner; and

WHEREAS: Gerald & Linda Hyatt have paid the taxes on parcel #1836 in the Town of Tioga for the years 2010, 2011, and 2012 to the Town of Tioga tax collector; be it therefore

RESOLVED: That a refund of \$107.23 for the erroneous taxes paid be issued to Gerald & Linda Hyatt; and be it further

RESOLVED: That the erroneous town tax of \$28.33 be charged back to the Town of Tioga, and the erroneous fire tax of \$7.12 be charged back to the Tioga Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$2.96 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$68.82 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 19-13 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll indicates that property no. 12261 assessed to People of the State of New York on the 2013 tax roll of the Town of Owego is erroneous in that the parcel was transferred to the People of the State of New York before taxable status date and should have been wholly exempt for the 2012 assessment roll; be it therefore

RESOLVED: That a new bill be issued to People of the State of New York by the Town of Owego Clerk and Tax Collector to reflect the zero amount; and be it further

RESOLVED: That the erroneous town tax of \$35.95 be charged back to the Town of Owego, and the erroneous fire tax of \$18.14 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$4.93 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$369.28 be charged back to the Union-Endicott School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$138.08 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 20-13 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll indicates that property no. 10410 assessed to People of the State of New York on the 2013 tax roll of the Town of Owego is erroneous in that the parcel was transferred to the People of the State of New York before taxable status date and should have been wholly exempt for the 2012 assessment roll; be it therefore

RESOLVED: That a new bill be issued to People of the State of New York by the Town of Owego Clerk and Tax Collector to reflect the zero amount; and be it further

RESOLVED: That the erroneous town tax of \$3.81 be charged back to the Town of Owego, and the erroneous fire tax of \$1.92 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$.52 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$39.06 be charged back to the Union-Endicott School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$14.60 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 21-13 *AUTHORIZE 2013-2014*
LOCAL GOVERNMENTS RECORDS MANAGEMENT
IMPROVEMENT FUNDS APPLICATION

WHEREAS: The Department of Information Technology plans to submit a document imaging proposal entitled "Board of Elections Document Imaging Project" through the Local Government Records Management Improvement Funds Grants; and

WHEREAS: The \$75,000 grant will be used to acquire software and equipment for an image document storage/retrieval system for the Board of Elections; and

WHEREAS: Information Technology will apply for the "Board of Elections Document Imaging Project" grant with no local matching funds for the 2013-2014 LGRMIF grant year; therefore be it

RESOLVED: That the document imaging proposal entitled "Board of Elections Document Imaging System" be hereby approved for submission to the New York State Archives for funding for software and equipment for the 2013-2014 LGRMIF grant year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 22-13

*AWARD SUPPLEMENTAL CONTRACT
TO LABELLA ASSOCIATES*

WHEREAS: The replacement of the East River Rd. Bridge over Wappasening Creek was placed in FHWA and NYSDOT funding program three (3) years ago; and

WHEREAS: The NYSDOT is doing their review of the project and regulations have changed during the time from when we had the design completed; and

WHEREAS: There is a new Right-of-Way (ROW) procedure and other changes; therefore be it

RESOLVED: To award a supplemental agreement to Labella Associates, Rochester, NY in the amount of \$43,773.66 including a cost of \$21,000 for a sub-consultant to do all the necessary ROW work to satisfy FHWA in order to obtain Federal and State funding of the construction and inspection costs and to be paid out of East River Rd. Bridge Account H2013.02.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY AND
COMMUNICATION SERVICES

RESOLUTION NO. 23-13 REMOVE 2012/2013 LGRMIF GRANT FUNDS

WHEREAS: Resolution 23-12 authorized The Grant Application for LGRMIF 2012/2013; and

WHEREAS: Records Management received notification that the grant submitted will not receive any funding for 2012/2013 grant cycle; and

WHEREAS: The amount budgeted needs to be removed. This will cause no effect on the budget; therefore be it

RESOLVED: That the following sums be removed:

A3060 State Aid-Records Management	-\$75,000.00
A1460.41 140 Records Management	-\$75,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 24-13 *TRANSFER OF FUNDS*
WORKERS' COMPENSATION

WHEREAS: Resolution 270-12 authorized the Chair of the Legislature to purchase workers' compensation specific excess Insurance from Safety National for the period of January 1, 2013 through December 31, 2013; and

WHEREAS: The 2013 renewal rate and terms for this policy were not finalized by Safety National until late December 2012; and

WHEREAS: The 2013 amount budgeted for this policy was \$126,000 but the actual cost for the options selected came in at \$130,015; and

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

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1710.40 (450)	\$ 4,015.00
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To: Workers' Compensation Account S1722.40 (270) insurance-liability	
	\$ 4,015.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 25-13 APPROPRIATION OF CAPITAL FUNDS
SOCIAL SERVICES

WHEREAS: The County of Tioga has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for the purchase of seven medium duty buses and a bus lift; and

WHEREAS: The County of Tioga and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the Federal and State shares for the Project; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: H 1750.00 Bus Company Contribution	\$ 45,600
H 3090.10 State Aid-Bus Companies- Capital	\$ 45,600
H 4090.10 Federal Aid-Bus Companies- Capital	\$364,800
To: H 5630.21 Bus Operations- Capital	\$456,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 26-13 *MODIFY FEE SCHEDULE*
 PUBLIC HEALTH

WHEREAS: The current rate schedule for Tioga County Department of Public Health services is below the level to insure maximum reimbursement; and

WHEREAS: The Department of Public Health would be able to increase revenues with the adjusted rate; and

WHEREAS: Our independent auditors have recommended that the Public Health services rates be adjusted; and

WHEREAS: Changes to rates require approval by the Legislature; therefore be it

RESOLVED: That the fee schedule be modified as follows retroactive to January 1, 2013:

Skilled Nursing Care	\$225.00 per visit
Physical Therapy	\$135.00 per visit
Occupational Therapy	\$135.00 per visit
Speech Therapy	\$135.00 per visit

ROLL CALL VOTE

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

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. 27-13 *ABOLISH TWO VACANT MOTOR EQUIPMENT
OPERATOR I (MEO I) POSITIONS
PUBLIC WORKS DEPARTMENT*

WHEREAS: Legislative approval is required to abolish or create any new position within a Tioga County Department; and

WHEREAS: As the result of Resolution 284-11, the Commissioner of Public Works has two (2) vacant Motor Equipment Operator I (MEO I) positions which were intended to be abolished in accordance with Res #284-11 once all employee probationary periods were completed; therefore be it

RESOLVED: That the Tioga County Legislature approves the abolishment of two (2) vacant MEO I positions effective January 16, 2013; and be it further

RESOLVED: That the Public Works Department's 2013 authorized headcount shall decrease from 40 to 38.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRING TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 28-13

*SALARY INCREASE FOR E911
DISPATCHER
SHERIFF'S OFFICE*

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

WHEREAS: In accordance with Resolution 93-11, the Sheriff filled a vacant E911 Dispatcher position on 1/2/13 with Kenneth Hayes, who was an approved transfer applicant from the Broome County Sheriff's Office; and

WHEREAS: The Sheriff has budgeted for an E911 Dispatcher position and has requested Mr. Hayes' salary be increased to \$31,974, which is the 2013 maximum annual salary for CSEA Salary Grade VII, since Mr. Hayes is fully trained and brings with him 12 years of experience; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the annual salary of Kenneth Hayes, E911 Dispatcher, be increased to \$31,974 effective 1/16/13; and be it further

RESOLVED: That Mr. Hayes shall be ineligible to receive his 2nd year increment as an E911 Dispatcher due to being hired at the maximum salary for CSEA Salary Grade VII.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 29-13 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
Election Commissioner	Bernadette Toombs	7	1/1/13-12/31/14	Y	N/A
Election Commissioner	John Langan	7	1/1/13-12/31/14	Y	N/A
Deputy Election Commissioner	Sandra Saddlemire	7	1/1/13-12/31/14	Y	N/A
Deputy Election Commissioner	Vera Layman	7	1/1/13-12/31/14	Y	N/A

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Sullivan.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 30-13 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for corrected tax roll indicates that property no. 1776, assessed to Evelyn Mattson on the 2013 tax roll of the Town of Barton is erroneous in that a Senior Aged Exemption was removed in error, and the exemption should have applied for county tax purposes; and

WHEREAS: The 2013 Town and County tax bill for property no. 1776 has not yet been paid to the Town of Barton tax collector; be it therefore

RESOLVED: That a new bill be issued to Evelyn Mattson for property no. 1776 in the Town of Barton by the Town of Barton tax collector as follows:

	<u>Bill #887/Acct 1776</u>	<u>Corrected Bill #887/Acct 1776</u>
County	\$ 643.65	\$514.92
Recycle	28.28	22.62
Townwide	142.24	142.24
<u>Barton Fire</u>	<u>61.89</u>	<u>61.89</u>
	\$876.06	\$741.67

and be it further

RESOLVED: That the erroneous solid waste tax of \$5.66 be charged back to the Solid Waste fund; and be it further

RESOLVED: That the erroneous county tax of \$128.73 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 31-13 *INFORMATION TECHNOLOGY REMEDIATION AND STABILIZATION PROJECT*

WHEREAS: The Information Technology Assessment/Staffing Analysis Study prepared by Barry Strock Consulting Associates Inc. has been completed; and

WHEREAS: The analysis has recommended that a Remediation and Stabilization Plan be undertaken and implemented to move forward with the changes needed in the Information Technology Department; and

WHEREAS: e-evolve Information Technology Services, LLC has submitted a proposal and contract to undertake the development and implementation of such a plan for fees based on a series of deliverables, with the total of said fees not to exceed \$40,000.00; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign said contract with e-evolve Information Technology Services, LLC to provide the services outlined in the proposal and contract for total fees not to exceed \$40,000.00 and the following sums to be transferred:

From:	Contingency Account A1990.40-715	\$40,000
To:	Information Technology Account A1680.40-140	\$40,000

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:26 P.M.