


<p><b>Agenda</b></p> 	<p style="text-align: center;"><b>TIOGA COUNTY LEGISLATURE</b></p> <p style="text-align: right;">2/12/2019 12:00 PM EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827</p>	
<p>Meeting called by:</p>	<p>Chair Martha Sauerbrey</p>	
<p>Type of meeting:</p>	<p>2<sup>nd</sup> Regular</p>	
<p>Attendees:</p>	<p>Legislator Balliet Legislator Hollenbeck Legislator Monell Legislator Mullen Legislator Roberts Legislator Sauerbrey Legislator Standinger Legislator Sullivan Legislator Weston</p>	
<p><b>Agenda topics</b></p>		
<p>Invocation Pledge of Allegiance  Employee of the year 2018 Employee 1<sup>st</sup> quarter 2019 Proclamation (1)  Privilege of the Floor</p>	<p>Legislator Weston Legislator Weston  Sheri McCall, Employment Center Charles Root, Dept of Social Services Cancer Prevention Month</p>	

<p>Approval of Minutes</p> <p>Petitions, Communications &amp; Notices</p> <p>Appointments/Reappointments</p> <p>Reports Standing Committees</p>	<p>January 2, 15 and 24, 2019</p>	
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<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> <li>1. Appropriation of Funds Interoperable Communications Formula Grant 2018 and Amend 2019 Budget Emergency Services</li> <li>2. Reestablish Prior Year 2018 Preventive Bridge Program for 2019</li> <li>3. Establish a Trust Account for Tioga County Suicide Prevention Community Coalition Mental Hygiene</li> <li>4. Amend Budget &amp; Appropriate Funds Public Health</li> <li>5. Amend Budget and Appropriate Bond Reserve Funds for Bridge Projects</li> <li>6. Amend Resolution No. 33-19 Erroneous Assessment Town of Spencer</li> <li>7. Erroneous Assessment Town of Spencer</li> <li>8. Erroneous Assessment Town of Newark Valley</li> <li>9. Erroneous Assessment Town of Newark Valley</li> <li>10. Erroneous Assessment Town of Newark Valley</li> <li>11. Erroneous Assessment Town of Newark Valley</li> <li>12. 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</li> <li>13. Authorize Tioga County Sustainability Manager to apply for state assistance from the State's electronic waste and household hazardous waste grant assistance program</li> <li>14. Appoint Members Alternatives to Incarceration Advisory Board</li> <li>15. Appoint Member to the Tioga County Property Development Corporation Board</li> <li>16. Appoint Member to the Tioga County Property Development Corporation Board</li> <li>17. Appoint New Youth Board Members Term Youth Bureau</li> <li>18. Resolution Appointing New Member to Community Services Board</li> <li>19. Resolution Appointing New Member to Community Services Board</li> <li>20. Resolution Reappointing Member to Community Services</li> </ol>
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Board

21. Reappoint Member to the Tioga County Local Development Corporation (TCLDC)
22. Reappoint Member to the Tioga County Local Development Corporation (TCLDC)
23. Reappoint Member to the Tioga County Local Development Corporation (TCLDC)
24. Set Public Hearing for 2019 Annual Agricultural District Inclusions
25. 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
26. Apply for Indigent Legal Services Grant
27. Amend Employee Handbook Add New Policy to Section III Financial Rules Subsection m. entitled Tioga County Fund Balance Policy
28. Deferred Compensation Extension Agreement
29. LOCAL LAW TO BE INTRODUCED – A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023
30. Schedule Public Hearing Local Law Introductory No. A of 2019
31. Authorize Position Reclassification and Appointment Public Defender
32. Reappointment of County Historian
33. Abolish Vacant full time Social Welfare Examined and Create full time Community Services Worker Social Services
34. Abolish/Create Position (Mental Hygiene)

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: Cancer is the second leading cause of death in Tioga County; and

WHEREAS: The leading types of cancer deaths in the county are lung, prostate, breast, and colorectal cancer; and

WHEREAS: Individuals can decrease their risk for developing these types of cancer by staying at a healthy weight, exercising regularly, eating a balanced diet, avoiding tobacco and limiting alcohol intake; and

WHEREAS: Getting regular screening tests for cancer can detect certain types of cancer in earlier stages before they have grown or spread; and

WHEREAS: Tioga County Public Health will be working with local schools, businesses, and community partners through the five year Community Cancer Prevention in Action Grant geared toward cancer prevention efforts; and

WHEREAS: Continued education can help individuals know the early signs and symptoms of certain types of cancer and accessible locations for screenings can help increase the number of individuals who are getting regular cancer screenings, therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of February 2019 as:

CANCER PREVENTION MONTH IN TIOGA COUNTY

and encourages Tioga County residents to live a healthy lifestyle and to speak with their primary care physician about the recommended cancer screenings that they should receive.

REFERRING TO:

PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -19

APPROPRIATION OF FUNDS  
INTEROPERABLE  
COMMUNICATIONS  
FORMULA GRANT 2018 AND  
AMEND 2019 BUDGET  
EMERGENCY SERVICES

WHEREAS: The Office of Homeland Security has issued a 2018 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 #186-18; and

WHEREAS: The Tioga County Office of Emergency Services has been awarded said grant in the amount of \$450,221 and said funds need to be appropriated; therefore be it

RESOLVED: That the grant funds be appropriated and the 2019 budget be amended as follows:

FROM:A3415 433063 IO18F – State Aid Interop Comm Grant \$450,221

TO:	A3415 540140 IO18F	Contracted Services	\$ 50,000
	A3415 520230 IO18F	Radio & Equipment	\$400,221

REFERRED TO:

PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -19

RE-ESTABLISH PRIOR YEAR 2018  
PREVENTIVE BRIDGE PROGRAM FOR  
2019

WHEREAS: Prior Year Funds need to be re-established for the remaining unspent balance as of year-end 2018 for purchase or completion in 2019; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2019 budget is amended for Phase 4 of the Bridge Preventive Maintenance Program:

**Preventive Maintenance Bridge Program Phase 4    Amount to Re-Establish**

D5110 540050 County Roads -Bridge Maintenance	\$240,000.00
D5110 445020 County Roads -Federal Aid    80%	\$192,000.00
D5110 435020 County Roads -State Aid    15%	\$ 36,000.00

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 2019 modified budget.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 ESTABLISH A TRUST ACCOUNT FOR TIOGA COUNTY SUICIDE PREVENTION COMMUNITY COALITION MENTAL HYGIENE

WHEREAS: Tioga County Suicide Prevention Community Coalition was established in 2014 through a New York State grant; and

WHEREAS: The Coalition has satisfied all objectives of the grant and appropriated all grant funding; and

WHEREAS: Post grant continued funding of the Coalition is entirely through gifts, donations and fund raising events; and

WHEREAS: These funding sources requires the Coalition to process all financial transactions through a Trust Account; and

WHEREAS: Establishing a Trust Account requires legislative approval; therefore be it

RESOLVED: That a Trust Account be established for The Tioga County Suicide Prevention Community Coalition for continued operation.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -19 AMEND BUDGET & APPROPRIATE FUNDS  
PUBLIC HEALTH

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

WHEREAS: The funding is designated for Public Health program related expenses; and

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

RESOLVED: That funding be appropriated as follows:

From:	A4011 434010	Public Health: State Aid	\$22,000
To:	A4011 520130	Public Health: Equipment	\$ 5,000
	A4011 540640	Public Health: Supplies	\$17,000



REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -19

AMEND BUDGET AND APPROPRIATE  
BOND RESERVE FUNDS FOR BRIDGE  
PROJECTS

WHEREAS: The Commissioner of Public Works has deemed that 2019 Bridge Project funded through the 2013 Bond Act need to be added to the originally submitted 2019 Budget; and

WHEREAS: The Treasurer's Office has declared there is still Bond Act Money available for a project during the 2019 Construction Season, in which there is \$636,000 approximately available in the Capital Bond Reserve Account; and

WHEREAS: The Commissioner of Public Works has identified one bridge in need of replacement; Halsey Valley Road Bridge; 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	\$636,000
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To:

H5110 540002 H1905	Halsey Valley Road Bridge	\$636,000
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REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

AMEND RESOLUTION NO. 33-19  
ERRONEOUS ASSESSMENT  
TOWN OF SPENCER

WHEREAS: Resolution 33-19 was adopted on January 15, 2019 to correct an erroneous assessment in the Town of Spencer; and

WHEREAS: Resolution 33-19 needs to be amended to change the amount of erroneous village tax charged back to the Village of Spencer from \$93.44 to the correct amount of \$87.33; therefore be it

RESOLVED: That Resolution No. 33-19 be hereby amended to change the amount of Village tax charged back to the Village of Spencer from \$93.44 to the correct amount of \$87.33; and it be further

RESOLVED: That the remainder of Resolution 33-19 shall remain in full force and effect.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

ERRONEOUS ASSESSMENT  
TOWN OF SPENCER

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #68.07-2-11 Account #1259 in the Town of Spencer assessed to Presbyterian Manse on the 2019 tax roll is erroneous in that the Village of Spencer produced a bill for Presbyterian Manse, and returned it to the County Treasurer as unpaid; and

WHEREAS: The County Treasurer's Office relieved the returned 2018 Village Tax on the 2019 Tax Roll of the Town of Spencer; and

WHEREAS: Presbyterian Manse contested their 2019 bill, claiming they were wholly exempt from Village taxes to the Village of Spencer; and

WHEREAS: The Village of Spencer provided sufficient proof that a clerical error was made and a Village tax bill should not have been produced for parcel #68.07-2-11, as it should have been wholly exempt; be it therefore

RESOLVED: That Bill #237, produced for Presbyterian Manson, in the Town of Spencer be rendered null and void; and be it further

RESOLVED: That the erroneous returned village tax of \$330.56 be charged back to the Village of Spencer; and it be further

RESOLVED: That the erroneous County Penalty of \$23.14 be charged back to the proper account in the records of the County Treasurer.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY

WHEREAS: An application for corrected tax roll indicates that parcel #65.00-1-41, Account # 1627 assessed to Rose Marie and David W. Stack on the 2016, 2017, and 2018 tax roll of the Town of Newark Valley is an invalid parcel; and

WHEREAS: 65.00-1-41 is an invalid parcel because it was combined with parcel #65.00-1-21.211 on the 2016 tax roll; and

WHEREAS: The school tax bills for this invalid parcel were paid in 2016, 2017, and 2018 to the Newark Valley School District, totaling \$843.58; be it therefore

RESOLVED: That a refund be issued to Rose Marie and David M. Stacks by the Tioga County Treasurer's Office, and mailed to 604 Gates Road Vestal, NY 13850; and be it further

RESOLVED: That the erroneous school tax of \$843.58 be charged back to the Newark Valley School District; and be it further

RESOLVED: That the School tax bills for 2016, 2017, and 2018 be rendered null and void.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY

WHEREAS: An application for corrected tax roll indicates that parcel #65.00-1-41, Account # 1627 assessed to Rose Marie and David W. Stack on the 2017 tax roll of the Town of Newark Valley is an invalid parcel; and

WHEREAS: 65.00-1-41 is an invalid parcel because it was combined with parcel #65.00-1-21.211 on the 2016 tax roll; be it therefore

RESOLVED: That a refund be issued to Rose Marie and David M. Stacks by the Tioga County Treasurer's Office, and mailed to 604 Gates Road Vestal, NY 13850, as follows:

	<u>Original Bill</u>	<u>Corrected Bill</u>	<u>Refund</u>
County	\$ 118.06	\$ -	\$ 118.06
Recycle	\$ 5.45	\$ -	\$ 5.45
Town Wide	\$ 53.24	\$ -	\$ 53.24
Part Town	\$ 1.67	\$ -	\$ 1.67
Fire	\$ 21.49	\$ -	\$ 21.49
<b>Total</b>	<b>\$ 199.91</b>	<b>\$ -</b>	<b>\$ 199.91</b>

And be it further

RESOLVED: That the erroneous county tax of \$118.06 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 \$5.45 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$54.91 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$ 21.49 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the Town and County Tax bill #1723 for 2017 be rendered null and void.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY

WHEREAS: An application for corrected tax roll indicates that parcel #65.00-1-41, Account # 1627 assessed to Rose Marie and David W. Stack on the 2018 tax roll of the Town of Newark Valley is an invalid parcel; and

WHEREAS: 65.00-1-41 is an invalid parcel because it was combined with parcel #65.00-1-21.211 on the 2016 tax roll; be it therefore

RESOLVED: That a refund be issued to Rose Marie and David M. Stacks by the Tioga County Treasurer's Office, and mailed to 604 Gates Road Vestal, NY 13850, as follows:

	<u>Original Bill</u>	<u>Corrected Bill</u>	<u>Chargebacks</u>
County	\$ 118.54	\$ -	\$ 118.54
Recycle	\$ 6.39	\$ -	\$ 6.39
Town Wide	\$ 53.57	\$ -	\$ 53.57
Part Town	\$ 2.39	\$ -	\$ 2.39
Fire	\$ 20.93	\$ -	\$ 20.93
<b>Total</b>	<b>\$ 201.82</b>	<b>\$ -</b>	<b>\$ 201.82</b>

And be it further

RESOLVED: That the erroneous county tax of \$118.54 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 \$ 6.39 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$55.96 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$ 20.93 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the Town and County Tax bill #1739 for 2018 be rendered null and void.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY

WHEREAS: An application for corrected tax roll indicates that parcel #65.00-1-41, Account # 1627 assessed to Rose Marie and David W. Stack on the 2019 tax roll of the Town of Newark Valley is an invalid parcel; and

WHEREAS: 65.00-1-41 is an invalid parcel because it was combined with parcel #65.00-1-21.211 on the 2016 tax roll; be it therefore

RESOLVED: That the erroneous county tax of \$122.41 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 \$7.25 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$55.65 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$ 24.22 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the Town and County Tax bill #1737 for 2019 be rendered null and void.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -19

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 Project (2019), PIN 9754.29 (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 authorized 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 further

RESOLVED: That the sum of \$40,000 is hereby appropriated from the Bridge Projects Account D5110.400050; and made available to cover the cost of participation in the above phase of the Project; and it is 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 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 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 further

RESOLVED: That this Resolution shall take effect immediately.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -19 AUTHORIZE TIOGA COUNTY SUSTAINABILITY  
MANAGER TO APPLY FOR STATE ASSISTANCE  
FROM THE STATE'S ELECTRONIC WASTE AND  
HOUSEHOLD HAZARDOUS WASTE GRANT  
ASSISTANCE PROGRAM

WHEREAS: The State of New York announced financial aid through their Electronic Waste and Household Hazardous Waste Assistance Grants to assist counties and local governments with electronic waste recycling and household hazardous waste disposal expenses; and

WHEREAS: Through these grants Solid Waste would be reimbursed 50% of their eligible costs of electronic waste recycling and household hazardous waste disposal expenses; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grants.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -19 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	4/1/19-3/31/20
Crime Victim	4/1/19-3/31/20
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/19-3/31/20
Rep for Private Organization within County Ann Domingos- Trinity of Chemung, Livingston, Bradford	4/1/19-3/31/20

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -19

APPOINT MEMBER TO THE TIOGA  
COUNTY PROPERTY DEVELOPMENT  
CORPORATION BOARD

WHEREAS: The Tioga County Legislature wishes to appoint Christina Brown as a Board Member to the Tioga County Property Development Corporation Board Member for a three year term of 1/1/19-12/31/21; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Financial Director at Tioga Opportunities, Inc.; and

WHEREAS: Christina Brown is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Christina Brown, Financial Director, Tioga Opportunities, Inc. to the Tioga County Property Development Board Corporation as a Board Member for a three year term of 1/1/19 – 12/31/21.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -19

APPOINT MEMBER TO THE TIOGA  
COUNTY PROPERTY DEVELOPMENT  
CORPORATION BOARD

WHEREAS: The Tioga County Legislature wishes to appoint David Astorina as a Board Member to the Tioga County Property Development Corporation Board Member for a two year term of 1/1/19-12/31/20; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Board Member of the Tioga County Local Development Corporation; and

WHEREAS: David Astorina is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints David Astorina, to the Tioga County Property Development Board Corporation as a Board Member for a two year term of 1/1/19 – 12/31/20.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 APPOINT NEW YOUTH BOARD  
MEMBERS TERM YOUTH BUREAU

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

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 29-16 and vacancies exist; now therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

	<u>TERM</u>
Lauran Murphy (Replacing Marlaina Allen)	02/01/2019 – 12/31/2021
Becky Shuey (Filling Vacant Town of Owego)	02/01/2019 – 12/31/2021
Cheri Zlinsky (Replacing Tiffani Ruffle)	02/01/2019 – 12/31/2021

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD

WHEREAS: Francis Bialy has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Francis' 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 Francis Bialy be appointed a new member to the Community Services Board, for term starting February 1, 2019 and ending January 31, 2023.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD

WHEREAS: Robert Williams has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Robert'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 Robert Williams to the Community Services Board to fill the unexpired term of Dr. Keith Nichols, starting February 1, 2019 and ending March 31, 2021.



REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY  
SERVICES BOARD

WHEREAS: Legislator William Standing, III appointment to the Community Services Board will expire on March 31, 2019; and

WHEREAS: The Community Services Board has recommended Legislator Standing'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 Legislator William Standing, III be reappointed to the Community Services Board, for term starting April 1, 2019 and ending March 31, 2023.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -19

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

WHEREAS: The term of Tioga County Local Development Corporation member, Marcia Kiechle, will expire as of March 31, 2019; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Marcia Kiechle for another three-year term of 4/1/19 – 3/31/22.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -19

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

WHEREAS: The term of Tioga County Local Development Corporation member, Jon Ward, will expire as of March 31, 2019; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Jon Ward for another three-year term of 4/1/19 – 3/31/22.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -19

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

WHEREAS: The term of Tioga County Local Development Corporation member, Sandra Layman, will expire as of March 31, 2019; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Sandra Layman for another three-year term of 4/1/19 – 3/31/22.

REFERRED TO:

ED&P COMMITTEE  
AG COMMITTEE

RESOLUTION NO. -19

SET PUBLIC HEARING FOR 2019  
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 2019 on March 7<sup>th</sup>, 2019 at 1:00 PM in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -19

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 \$4,358.95 plus a fee of \$213.47 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2019 is \$7,987.94; and

WHEREAS: AutoMon, LLC has agreed to credit Tioga County Probation for 50% of the yearly Maintenance Agreement for Ce Assessments in the amount of \$2,625.00 and will not charge Tioga County for the cost of the product in 2019; 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 \$5,362.94.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. -19

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 continue to fund the position of Part-Time Paralegal plus Fringe for the Family Court Public Defender's Office.
2. To Continue to partially fund the positions listed below :
  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 Family Court Public Defender
3. To partially fund the on-line research tool for the Public Defender's Office.
4. To partially fund Investigative, Expert Witness, Transcripts, Training for the Family Court Public Defender's Office.
5. To restore funding for Assigned Counsel Office Supplies, Postage and Copies.

Therefore be it

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -19 AMEND EMPLOYEE HANDBOOK  
ADD NEW POLICY TO SECTION III  
FINANCIAL RULES SUBSECTION M.  
ENTITLED TIOGA COUNTY FUND  
BALANCE POLICY

WHEREAS: it has been determined that Tioga County needs to adopt a Fund Balance Policy; and

WHEREAS: Said Fund Balance Policy shall fall under Section III Financial Rules subsection m; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add a new Fund Balance Policy to Section III Financial Rules subsection m entitled Tioga County Fund Balance Policy as follows:

**Tioga County  
Fund Balance Policy**

**Purpose**

**Tioga** County government is responsible for the appropriate accounting of public funds, the sound management of municipal finances, and the adequate funding of services. The fund balance policy will help the County maintain a sound and stable level of financial resources to provide essential services, maintain sufficient cash flow, and manage unanticipated occurrences.

The fund balance policy should provide fluidity and flexibility for changing factors such as economic climate, tax base, volatility in revenue sources, and fiscal restraints placed on the county from state and federal budgets and regulatory mandates.

**Background**

The New York State Office of the State Comptroller and the New York State Government Finance Officers Association recommend that local governments establish a policy to maintain reasonable levels of unexpended surplus funds in their General Funds to hedge against unanticipated expenditures and/or revenue shortfalls, without withholding funds that could otherwise be put to productive use.



**Definitions**

The Governmental Accounting Standards Board (GASB) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which is intended to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied.

Restricted Fund Balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, or through constitutional provisions or enabling legislation.

Committed Fund Balance consists of amounts that are subject to a purpose constraint imposed by a formal action of the County Legislature before the end of the fiscal year, and that require the same level of formal action to remove the constraint. The New York State Office of the State Comptroller believes that in most cases, local governments in New York will not have committed fund balance to report.

Assigned Fund Balance consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

**Policy**

1. This policy shall apply to the County's General Fund, only.
2. The County Legislature will assess the current financial condition of the County and then determine the order of application of expenditures to which fund balance classification will be charged.
3. The County Legislature is the decision-making authority that can, by resolution, commit fund balance. The action to commit fund balance must occur prior to the fiscal year-end in order to report such commitments in the financial statements of the respective period. The commitment may only be modified by a new resolution authorized by the County Legislature.
4. The County Treasurer has the authority to assign unrestricted fund balance amounts where the County's intent is for those amounts to

be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.

5. Unexpended Surplus Funds

- a. For the purpose of this policy, unexpended surplus funds consist of unappropriated and unassigned Fund Balance.
- b. The County shall strive to maintain unexpended surplus funds of not less than 12% and not more than 28% of General Fund adopted budget appropriations.
- c. The County Treasurer shall report the amount and percentage of General Fund unexpended surplus funds to the Finance Committee upon completion of the Annual Update Document each year.
- d. In the event that unexpended surplus funds exceed 28% of adopted budget appropriations, the excess may be utilized for any lawful purpose approved by the Legislature. In order to minimize the long-term effect of such use, the excess should be appropriated to fund one-time expenditures, which do not result in recurring operating costs, and/or be used to establish or increase reserves.
- e. In the event that unexpended surplus funds fall below 12% of adopted budget appropriations, the County Treasurer shall make a recommendation to the Finance Committee to restore the balance to a minimum level in the ensuing budgetary cycles.
- f. The County Legislature can, by resolution make changes to the established Fund Balance Policy as a direct result of periodic reviews of any financial reports, plans, economic predictors or tax implications to property taxpayers.

**Review**

This policy shall be reviewed by the Finance Committee on an annual basis. Periodic review and reporting shall be conducted and provided for Reserve Account Balances, Cash Flow Analysis, County 5 Year plans and Fund Balances to the County Legislature annually.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -19 DEFERRED COMPENSATION EXTENSION  
AGREEMENT

WHEREAS: Tioga County currently uses 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, 2019; and

WHEREAS: The County has the option of renewing the contract for an additional one year period; 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, 2019 through March 8, 2020.

LOCAL LAW TO BE INTRODUCED

County of Tioga

Local Law No. XX of the Year 2019.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

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

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public offices of County Clerk and County Sheriff shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2020 and continuing through and including December 31, 2023 is hereby established as follows:

- |                   |          |
|-------------------|----------|
| 1. County Clerk   | \$70,561 |
| 2. County Sheriff | \$92,962 |

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision,

section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2020.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. -19

SCHEDULE PUBLIC HEARING  
LOCAL LAW INTRODUCTORY  
NO. A OF 2019

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2019 A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023 in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, February 21, 2019 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

REFERRED TO: FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -19 AUTHORIZE POSITION RECLASSIFICATION  
AND APPOINTMENT  
PUBLIC DEFENDER

WHEREAS: Legislative approval is required for any position reclassification within Tioga County; and

WHEREAS: Due to recent restructuring within the Public Defender's office there is a need to reclassify a part-time position based upon the needs of the office; and

WHEREAS: Currently a second position of Secretary to the Public Defender (pending jurisdictional classification; non-union, \$12.25 - \$12.56 per hour) exists and is filled on a part-time basis by an incumbent (Stacy Reynolds); and

WHEREAS: Upon review, the Personnel Officer has determined the title of Paralegal (PT) (non-competitive; non-union, \$16.17 - \$16.57 per hour) is the most appropriate classification; therefore be it

RESOLVED: That effective February 16, 2019, the part-time position of Secretary to the Public Defender shall be reclassified to Paralegal (PT); and be it further

RESOLVED: That effective February 16, 2019, Stacy Reynolds shall be appointed as Paralegal (PT) at the 2019 hourly base rate of \$16.17 per hour.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -19 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2019; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2019 until March 31, 2021.



REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -19 ABOLISH VACANT FULL TIME SOCIAL  
WELFARE EXAMINER AND CREATE FULL TIME  
COMMUNITY SERVICES WORKER  
SOCIAL SERVICES

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

WHEREAS: One (1) full time Social Welfare Examiner (CSEA SG VI - \$31,346) position has been vacant within the Department of Social Services since 01/04/19; and

WHEREAS: Upon review of the department's staffing needs in light of State Medicaid processes, the Commissioner of Social Services has determined that the vacancy would be better utilized if downgraded to that of a Community Service Worker (CSEA SG IV \$27,526); therefore be it

RESOLVED: That the vacant full time Social Welfare Examiner position shall be abolished and a full time Community Services Worker position shall be created effective February 13, 2019.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -19 ABOLISH/CREATE POSITION (MENTAL HYGIENE)

WHEREAS: Resolution 166-18 reclassified a vacant Supervising Clinical Social Worker position (Salary Grade 18) to a Supervising Psychiatric Social Worker (Salary Grade 18); and

WHEREAS: Extensive recruiting efforts have not resulted in any viable candidates; and

WHEREAS: The Director of Community Services has reevaluated the organizational needs of the Department and has determined that a Deputy Director position is needed instead; therefore be it

RESOLVED: That the vacant position of Supervising Psychiatric Social Worker be abolished and the position of Deputy Director of Community Services (Non-Union \$68,000-\$78,000) be created with permission to fill effective February 19, 2019; and be it further

RESOLVED: That Sarah Begeal be provisionally appointed to the Deputy Director of Community Services position effective February 19, 2019 at an annual salary of \$72,941.