

Fifth Regular Meeting
May 13, 2014

The Fifth Regular Meeting of 2014 was held on May 13, 2014 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would ask for a moment of silence for all the men and women serving in the Military Overseas."

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

Chad Post of the Employee Recognition Committee spoke. "I would like to thank the Legislature for their continued support of the Employee Recognition Program and in particular the efforts of the Employee Recognition Committee. The current members of the Committee are Arrah Richards, Amy Poff, Teresa Saraceno, Chris Kallin, Kris Madison, Doc Korbar, Chad Post, and Ellen Pratt.

"At this time I would like to ask the honorees in attendance to please come forward. I would like to point out that each of these employees have at least 25 years of service for Tioga County. Each of these individuals will be honored at the Annual Luncheon next week, May 27th at the Owego Treadway Inn. Their biographies will be read followed by comments from their Department Heads or others that they have worked with throughout the years."

Legislator Hollenbeck read and presented the following Proclamation on Employee Recognition and Appreciation Week.

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30, 35, or 40 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Richard LeCount	EMO	40
William Ackley	Public Works	35
Margaret Shuler	Public Health	30
Michele Robins	DSS	30
Christine Anthony	County Clerk	25
Rita Hollenbeck	DSS	25
Stephanie Carrigg	Law Department	25
Carol Luther	Mental Hygiene	25
Bernadette Frenz	Mental Hygiene	25
David S. Ayers	Public Works	25
Bradley Talcott	Sheriff's Office	25
Terry Sinsabaugh	Sheriff's Office	25
Kristen Kallin	Probation	25
Joan Kellogg	Public Health	25
Susan Fortier	Sheriff's Office	25
Linda Rought	Sheriff's Office	25
Greg Hall	Sheriff's Office	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 12-16, 2014 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Chair Sauerbrey noted the following three Proclamations.

PROCLAMATION

WHEREAS: The citizens of Tioga County embrace the opportunity to support the goal of Older Americans Month, the annual observance that gives recognition to the immeasurable contributions made by older citizens throughout our County, State and Nation; and

WHEREAS: Today's seniors are living longer, healthier lives, remaining active in their communities, staying employed longer, and often taking an active role in their communities; and

WHEREAS: Senior volunteers are actively involved in a variety of aging services programs, assisting in activities that help their peers maintain their independence; many senior citizens also play key roles in the lives of young people, as well as in a broad spectrum of community endeavors; and

WHEREAS: The more than eleven thousand older Americans residing in Tioga County devote their time, energy, and wisdom to making the communities throughout New York better places to live; their experiences, knowledge, skills, and aspirations are vital to the continued progress of our State and its quality of life; and

WHEREAS: As America grows older, each community must strive to understand and address the evolving challenges and needs of our older citizens and the people who care for them; and

WHEREAS: Our society is dependent upon nurturing, support, and resources shared among generations, and benefits from our mutual efforts to meet the needs of America's older persons and those who love them; and

WHEREAS: It is especially fitting for the citizens of Tioga County to pay special tribute to seniors across this State, Nation, and around the world in support of the special events and activities being held during the month of May; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate May 2014 as

OLDER AMERICANS MONTH

in the County of Tioga, New York, and call upon our citizens to take the time to honor older citizens of Tioga County, especially our senior volunteers, for the contributions they have made and continue to make to our society.

FOSTER CARE RECOGNITION MONTH PROCLAMATION

WHEREAS: The Tioga County foster family serves as a source of love, identity, self-esteem and support for children in Tioga County; and

WHEREAS: There are 31 children in foster care in Tioga County, 21 of these children are in foster homes; and

WHEREAS: We have 21 certified foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2014, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

ELDER ABUSE PREVENTION Month Proclamation

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims the month of May 2014, to be

Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Chair Sauerbrey noted the following Recognition Resolution for Bradley S. Talcott's 26 years of dedicated service to Tioga County.

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

RESOLUTION NO. 95-14

*RESOLUTION RECOGNIZING
BRADLEY S. TALCOTT'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Bradley S. Talcott was appointed as a Guard on 6/1/88; appointed Deputy Sheriff-Jailer on 7/21/88; appointed as Deputy Sheriff on 3/29/89; and promoted to Investigator on 8/15/94; and

WHEREAS: Bradley S. Talcott has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Bradley S. Talcott will retire from the Tioga County Sheriff's Office on May 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bradley S. Talcott for his 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Bradley S. Talcott.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

There was no privilege of the floor.

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		186.87
A1165	District Attorney		2,092.47
A1170	Public Defender		2,047.62
A1172	Assigned Counsel		9,718.47
A1185	Medical Examiners/Coroners		2,655.36
A1325	Treasurer		25.00
A1355	Assessments		2,461.53
A1362	Tax Advertising and Expense		8,529.85
A1410	County Clerk		124.62
A1411	Department of Motor Vehicles		35.16
A1420	Law		5,823.25
A1430	Personnel		1,885.18
A1450	Elections	950.00	
A1460	Records Management		269.26
A1490	Public Works Administration		92.20
A1620	Buildings	321.48	53,605.90
A1621	Buildings		18,724.95
A1680	Information Technology		28,543.19
A2490	Community College Tuition		905,557.51

A2960	Education of Handicapped Children		118,696.10
A3020	Public Safety Comm E911 System		2,775.99
A3110	Sheriff		26,713.55
A3122	2012 PSAP Grant	28,711.00	
A3140	Probation		865.30
A3146	Sex Offender Program		9,240.00
A3150	Jail	705.00	49,088.09
A3315	Special Traffic Programs	25,000.00	571.40
A3357	FY11 NYS Homeland Security Grant	5,340.41	6,937.00
A3358	State Aid Homeland Security Grant	14,533.26	2,470.00
A3410	Fire		6,913.22
A3640	Emergency Mgmt Office		1,026.56
A3641	Emergency Mgmt Grant Program		10,000.00
A4010	Public Health Nursing		1,590.06
A4011	Public Health Administration		6,430.11
A4053	Preventive/Primary Health Services		81.00
A4062	Lead Poisoning Program		243.58
A4064	Managed Care-Dental Services		166.68
A4070	Disease Control		291.57
A4090	Environmental Health		497.74
A4210	Alcohol and Drug Services		820.24
A4309	Mental Hygiene Co Admin		5,643.31
A4310	Mental Health Clinic		408.44
A4320	Crisis Intervention Services		1,528.42
A4321	Intensive Case Management		913.06
A5630	Bus Operations		108,747.14
A6010	Social Services Administration		129,486.41
A6141	Energy Crisis Assistance Programs		20,455.50
A6422	Economic Development		681.03
A6610	Sealer of Weights and Measures		38.52
A7510	Historian		73.26
A8020	Planning		1,011.85
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			89,080.75
SPECIAL GRANT FUND			1,460.64
COUNTY ROAD FUND			25,349.37
CAPITAL FUND			615,782.95
CONSOLIDATED HEALTH FUND			1,179.43
SELF-INSURANCE FUND			<u>1,300.00</u>
GRAND TOTAL			\$ 2,368,951.51

Legislator Hollenbeck made a motion to approve the minutes of April 15 and 24, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey made the following appointment to the MEGA (Municipal Electric & Gas Alliance) Board:

Economic Development & Planning Director
Term of 5-13-2014 to 11-12-17

Chair Sauerbrey made the following appointments to the CSEA Negotiating Team:

Legislator Hollenbeck	Legislator Standinger
Sheriff Howard or designee	Commissioner of Social Services
Attorney James Roemer	Personnel Officer

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 96-14 *ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

WHEREAS: An application for corrected tax roll indicates that property no. 118 assessed to John Elliott on the 2014 tax rolls of the Town of Richford is erroneous in that due to clerical error, an AG exemption was calculated incorrectly; and

WHEREAS: The 2014 taxable value for property no. 118 in the Town of Richford should have been reduced from \$56,000 to \$38,000 with the correctly calculated exemption applied, and the 2014 tax bill was paid on 1/31/14 by John Elliott to the Town of Richford tax collector; be it therefore

RESOLVED: That a refund of \$303.40 be issued to John Elliott by the Town of Richford tax collector; and be it further

RESOLVED: That the erroneous town tax of \$154.54 be charged back to the Town of Richford, and the erroneous Fire Tax of \$21.56 be charged back to the Richford Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$6.68 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$120.62 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 97-14 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: A Supreme Court decision and demand for refund on several properties assessed to Marshland Trail Estates LLC on the 2014 and prior year tax rolls of the Town of Owego reduces the 2011-2013, and 2014 assessments for (4) parcels as follows;

Account #13604 reduced from \$29,200 to \$20,200

Account #13605 reduced from \$4,700 to \$200

Account #13607 reduced from \$36,200 to \$25,100

Account #13637 reduced from \$5,000 to \$1,000

and

WHEREAS: The 2012-2014 tax bills relating to the 2011-2013 assessment years for the above properties assessed to Marshland Trail Estates LLC in the Town of Owego have been paid; be it therefore

RESOLVED: That a refund of \$1,453.09 be issued by the Tioga County Treasurer's office to Hinman, Howard & Kattell, LLP as attorneys, for overpayment of 2012-2014 taxes on properties #13604, 13605, 13607, and 13637; and be it further

RESOLVED: That the erroneous town tax of \$296.11 be charged back to the Town of Owego, and the erroneous Fire Tax of \$195.66 be charged back to the Apalachin Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$40.69 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$920.63 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 98-14

*AUTHORIZATION TO SUBMIT APPLICATION
AND ADMINISTER A NEW YORK STATE
HOUSING TRUST FUND CORPORATION –
2014 NEW YORK MAIN STREET PROGRAM
GRANT FOR VILLAGE OF WAVERLY
DOWNTOWN REVITALIZATION PROGRAM*

WHEREAS: The NYS Housing Trust Fund Corporation through their 2014 New York Main Street Program (NYMS) has made available a funding opportunity for rehabilitation of building stock to foster small business development, expand housing, stimulate reinvestment, enable adaptive reuse, address Americans with Disabilities Act (ADA), address code enforcement issues, energy efficiency and to preserve and revitalize mixed-use (commercial, civic and residential) business districts through building rehabilitation, façade improvement and streetscape improvement grants; and

WHEREAS: The NYMS Program criteria allows units of government to be eligible applicants and to act as a Local Program Administrator (LPA); and

WHEREAS: The Tioga County Tourism Study (2004) recommends that our revitalization efforts follow the National Trust's Main Street Center 4-point Approach, one of which is – Design: Enhancing the historic commercial district's physical appearance through building rehabilitation, compatible new construction, public improvements and design management systems; and

WHEREAS: The Village of Waverly has continually envisioned this revitalization of their "main street" downtown area to be kept historically sensitive, as is stated in both their 1981 Comprehensive Development Plan and the more recent 2005 Downtown Action Plan. Subsequently, Village of Waverly officials partnered with residents, the New York Community Action Team, the Community and Rural (Regional) Development Institute at Cornell University and New York Main Street Alliance to bring that Downtown Action Plan to life. This NYMS grant will be the next effort to address these plans regarding downtown revitalization goals; and

WHEREAS: Tioga County approved resolutions for the 2010 AND 2011 NYMS Program and for the Village of Owego and Village of Nichols in which programs were approved and are in process; and

WHEREAS: The Village of Waverly approved a resolution in support of this application to the 2014 NYMS Program by Tioga County and is desirous of the County conducting this activity for them; and

WHEREAS: Several property owners in the Village of Waverly downtown business district target area have expressed an interest in utilizing this funding to make building improvements; and

WHEREAS: This grant source requires applicants to administer and ensure successful completion of all assisted projects by evaluating and assuring compliance with all local, state and federal laws and regulations, and allows up to a 7.5% administrative fee as administrative revenue for providing such services; and

WHEREAS: The NYMS Program grant application will be submitted for a total of up to \$250,000 for building rehabilitation and façade improvements with 25% cash match provided by property owners, plus Tioga County Department of Economic Development & Planning will receive revenue for staff time to provide administrative services; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Housing Trust Fund, NYMS Program in the amount of up to \$250,000 with cash match provided by property owners with up to 7.5% in administrative revenue to be received for providing such services.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 99-14

*AUTHORIZE THE SUBMISSION OF A 2014
SHSP-SLETTP HOMELAND SECURITY
GRANT – SHERIFF'S OFFICE*

WHEREAS: The NYS Office of Homeland Security has announced a 2014 SHSP-SLETTP Grant; and

WHEREAS: Applications for this grant must be received no later than May 7, 2014; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 100-14 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION (SHSP 14)
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security has issued a grant of \$70,000 to the Tioga County Office of Emergency Management. The grant will be used for situational awareness; communications; and training. 25% of the monies will be appropriated to the Sheriff's Office; and

WHEREAS: The Tioga County Emergency Management Office has to submit an application for this funding by May 7th 2014; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be authorized to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 101-14

*AUTHORIZATION TO APPLY FOR FLOYD HOOKER
FOUNDATION CAPITAL GRANT
HEALTH DEPARTMENT*

WHEREAS: The Floyd "Vic" Hooker Foundation has released a competitive grant opportunity for Capital Projects that will benefit the youth of Tioga County; and

WHEREAS: The Tioga County Health Department (TCHD) desires to pursue this grant opportunity to acquire and install two dental chairs within the Health Department clinic to assist in the long-term continuation Dental services for Tioga County youth; and

WHEREAS: The amount of the grant funding is not yet determined, as it will be based upon the competitive award process; and

WHEREAS: This grant does require award recipients to provide at least a 5% contribution to the requested capital project; and

WHEREAS: The County contribution will be a combination of Public Works installing the equipment and TCHD purchasing items related to the installation, all of which will cover the estimated \$2,600 required contribution; and

WHEREAS: If awarded the grant, TCHD will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require either matching/in-kind costs or the signature of the Chief Elected Official; therefore be it

RESOLVED: The Tioga County Department of Health is authorized to submit a grant application to the Floyd "Vic" Hooker Foundation.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 102-14 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2013 to March 31, 2014 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 29,154.75
Village of Waverly	7,393.81
Town of Berkshire	5,483.87
Town of Candor	20,396.78
Village of Candor	940.11
Town of Newark Valley	11,195.80
Village of Newark Valley	1,323.96
Town of Nichols	7,448.15
Village of Nichols	547.20
Town of Owego	94,538.56
Village of Owego	6,757.60
Town of Richford	3,636.55
Town of Spencer	9,639.74
Village of Spencer	1,162.10
Town of Tioga	<u>10,590.33</u>
	\$ 210,209.31

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 103-14 *APPROVE FUNDING*
 2014 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2014 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2014 be approved by the Tioga County Legislature in the amounts indicated:

Cooperative Extension Family Resource Centers	\$10,578
Tioga Central School District Summer Recreation	\$ 8,000
Spencer-Van Etten Schools After School Program	\$ 7,011
Big Brothers Big Sisters	\$ 5,000
Tioga County Council on Alcohol & Substance Abuse	\$ 2,000
Newark Valley Joint Summer recreation	\$ 1,200
Town of Richford Summer Recreation	\$ 1,000
Village of Spencer Summer recreation	<u>\$ 1,000</u>
TOTAL	\$35,789

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 104-14 APPROPRIATIONS OF FUNDS
YOUTH BUREAU

WHEREAS: Additional funding has been awarded to the Youth Bureau; and

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

RESOLVED: That funding be appropriated as follows:

From:	A3820.00 State Aid: Youth Programs	\$ 8,373
To:	A7310.41.540 Reimbursements	\$ 8,373

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 105-14 *APPROPRIATION OF FUNDS*
HEALTH DEPARTMENT

WHEREAS: The Tioga County Health Department (TCHD) received Legislative approval to apply for a competitive grant opportunity titled "Healthy Neighborhoods Preventive Health Cornerstones" via Resolution 330-13; and

WHEREAS: New York State Department of Health has awarded TCHD the grant; and

WHEREAS: This grant program does not require matching County expenditures; and

WHEREAS: The funding requires appropriation into the TCHD budget; and

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

RESOLVED: That funding be appropriated as follows:

From: A 3464.00 State Aid: Environmental Health \$75,000

To: A 4090.40-640 Environmental Health Supplies \$75,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 106-14 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION*

WHEREAS: Scott McDonald has resigned from the Tioga County Local Development Corporation as of April 30, 2014; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Abbey Hendrickson to fill said vacancy and serve the remainder of Scott McDonald's unexpired term of 5/13/14 - 3/31/15.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 107-14 *AUTHORIZE DISBURSEMENT OF HUD CDBG REVOLVING LOAN FUNDS TO TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA) FOR DOUBLE AUGHT LUMBER*

WHEREAS: Tioga County and the Tioga County Industrial Development Agency (TCIDA) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Legislature needs to authorize the Treasurer to disburse funds from the settlement account to the TCIDA prior to each and every disbursing of loan proceeds; and

WHEREAS: The TCIDA has certified to Tioga County that the loan applicant, Double Aught Lumber, has satisfied all of the requirements, which are conditions precedent to the execution of loan documents and the disbursement of loan proceeds in the sum of \$175,000; and

WHEREAS: The Department of Economic Development and Planning has reviewed and approved the certification and the required checklist of conditions precedent to execution of loan documents and disbursement of funds in the sum of \$175,000; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Treasurer to disburse the sum of \$175,000 from the HUD CDBG account number CE8668.40 to the TCIDA to be loaned to Double Aught Lumber and utilized according to the Small Cities Community Development Block Grant Program Subrecipient Agreement.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 108-14 *AWARD CONSTRUCTION INSPECTION TO
DELTA ENGINEERS FOR WEST CREEK RD.
BRIDGE PROJECT BIN: 3335150*

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

WHEREAS: Funds are available for the inspection of these bridges as part of the Bond Issue; and

WHEREAS: The West Creek Rd. Bridge over E. Branch Owego Creek (BIN: 3335150) is one of the bridges in the program; and

WHEREAS: Delta Engineers did the design phase for this bridge; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the West Creek Rd. Bridge Project (BIN: 3335150) in the amount of \$84,370; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Delta Engineers, Endwell, NY not to exceed \$84,370 to be paid out of the West Creek Rd. Bridge Project H2013.07.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 109-14 *AWARD CONSTRUCTION INSPECTION TO
MCFARLAND JOHNSON ENGINEERS FOR
CATATONK CREEK RD.
BRIDGE PROJECT BIN: 3335130*

WHEREAS: The Catatonk Hill Rd. Bridge (BIN: 3335130) has been placed on the FHWA program; and

WHEREAS: McFarland Johnson did the design phase for this bridge; and

WHEREAS: This project will be funded as follows:

Federal:	80%
State:	15%
Local:	5%

and

WHEREAS: The Commissioner of Public Works received a proposal for the inspections services for the Catatonk Hill Rd. Bridge Project BIN: 3335130 in the amount of \$140,716.08; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to McFarland Johnson Engineers, Binghamton, NY not to exceed \$140,716.08 to be paid out of the Catatonk Hill Rd. Bridge Project H2013.05.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 110-14 *AMEND POLICY 11: TRAVEL POLICY
AND PROCEDURES*

WHEREAS: Policy 11 Travel Policy and Procedures Section VII. Meal Allowances needs clarification; therefore be it

RESOLVED: That Policy 11 Travel Policy and Procedure Section VII. Meal Allowances be amended as follows:

Section VII. Meal Allowances

- A. has added “ (Exhibit A attached)”
- B. 1. Meals will be allowed as follows at time of overnight travel:

Exhibit A has been attached to the policy

And be it further

RESOLVED: That the remainder of Policy 11 Travel Policy and Procedures shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 111-14 *AMEND COUNTY POLICY 14:
SMOKING*

WHEREAS: County Policy 14 provides restrictions on smoking in County buildings and on County property; and

WHEREAS: The citation of the Public Health Law Section currently in the Policy is incorrect; and

WHEREAS: The recent emergence and popularity of “e-cigarettes” or “personal vaporizers” has prompted the need to include said devices in the definition of “smoking” within the Policy; therefore be it

RESOLVED: That the reference to Public Health Law, “Article 13-E Section 1399(0)(6)” be changed to “Article 13-E Section 1399-o (1)”; and be it further

RESOLVED: That County Policy 14, Section III A is hereby amended to read as follows:

“smoking” means the burning of a lighted cigar, cigarette, pipe or other matter or substance which contains tobacco and also use of such devices as e-cigarettes and personal vaporizers.

and be it further

RESOLVED: That the remainder of the Policy remain unchanged at this time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

HHS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 112-14

*AUTHORIZE CONTRACT
SUPERIOR GROUP
TIOGA EMPLOYMENT CENTER*

WHEREAS: Broome & Tioga Counties, in partnership through the Broome/Tioga Workforce Development Board, provides for the delivery of employment and training services under the Workforce Investment Act of 1998; and

WHEREAS: The Tioga Employment Center continues to have a need for a Resource Room Aide to assist individuals in the Employment Center’s Resource Room with operation of computers and various computer programs, to instruct clients on how to use NYS Dept of Labor job site, and to assist clients in accessing employment opportunities; and

WHEREAS: Superior Group is able to provide such services for the Tioga Employment Center, from July 1, 2014 to June 30, 2015, and said contract is to be funded entirely by the Workforce Investment Act; and

WHEREAS: The funds necessary for said contract were included in the WIA PY 2014 Budget under the WIA Grant; and

WHEREAS: The Supervisor of the Tioga Employment Center is authorized to enter into such contract as indicated; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$10.24 per hour at a maximum of 27 hours per week from 7/1/14-12/31/14; and at the bill rate of \$11.20 per hour from 1/1/15 to 6/30/15 to adjust for changes in the NYS minimum wage rate; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Employment Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the bill rate of \$10.24 per hour for six months, and bill rate of \$11.20 per hour for six months at a maximum of 27 hours per week, effective July 1, 2014 through June 30, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 113-14 *BACKFILL PART TIME
VETERANS' SERVICE OFFICER;
AUTHORIZE HIRING WAIVER
VETERANS' SERVICE AGENCY*

WHEREAS: The Tioga County Legislature established a 90-day delay in backfilling vacant positions for the purpose of cost savings; and

WHEREAS: The Tioga County Veterans' Service Agency has a need to backfill the part-time, Veterans' Service Officer position due to the resignation of the incumbent effective April 24, 2014; and

WHEREAS: The Director of the Veterans' Service Agency would like to backfill the vacancy as soon as possible in order to avoid further delays to client services; and

WHEREAS: The Director of the Veterans' Service Agency received verbal authorization to waive the 90-day hiring delay at the April 24, 2014, Legislative Worksession; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a waiver in the 90-day hiring delay by allowing the Director of the Veterans' Service Agency to backfill the part-time, Veterans' Service Officer position effective May 14, 2014, at an hourly rate of \$15.48 per hour; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of the civil service exam for Veterans' Service Officer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 114-14 RECLASSIFY VACANT INVESTIGATOR
POSITION TO SERGEANT SHERIFF'S
OFFICE

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: The Sheriff's Office will experience a vacancy in the position of Investigator effective May 31, 2014 due to the retirement of an incumbent; and

WHEREAS: The Sheriff would like to reclassify the upcoming vacant Investigator position to that of a Sergeant in order to appropriately reflect the functional needs of his divisions; and

WHEREAS: Both the title of Investigator and Sergeant are located within the same salary schedule of the TCLEU contract; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one (1) vacant, full-time Investigator position to a full-time Sergeant effective May 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 115-14 *CREATE AND FILL TEMPORARY CASEWORKER
POSITION FOR
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Foster Care Unit within the Children Services Division of the Department of Social Services has two maternity leaves, one of which will extend through July of 2014 and one of which will extend through January of 2015; and

WHEREAS: The New York State Office of Children's and Families Services recommendation for Foster Care caseloads is 11 to 12 children per worker; and

WHEREAS: The current leaves creates an average caseload for the remaining three workers of 21 children; and

WHEREAS: The estimated salary and fringe savings from the leaves will be \$52,603; and

WHEREAS: The estimated cost of a temporary caseworker for approximately 7 months will be \$20,112; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill a temporary position of Caseworker at the rate of \$18.84/hr. effective June 2, 2014, through December 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 116-14 STANDARD WORK DAY AND
REPORTING RESOLUTION

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

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

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
District Attorney	Kirk Martin	7	1/1/14-12/31/17	N	20
1 st Assistant District Attorney	Eric Gartenman	7	1/1/14-12/31/17	N	20
2 nd Assistant District Attorney	Cheryl Mancini	7	1/1/14-12/31/17	N	20
3 rd Assistant District Attorney	Palmer Pelella	7	1/1/14-12/31/17	N	10.52
Secretary to District Attorney	Carola Kovalovsky	7	1/1/14-12/31/17	Y	N/A
Coroner	Neil Lewis	6	1/1/14-12/31/17	N	0.3
County Treasurer	James McFadden	7	1/1/14-12/31/17	N	20
Deputy County Treasurer	Margareta Olin	7	1/1/14-12/31/17	Y	N/A
Secretary to Economic	Linda Sampson	7	7/8/13-12/31/15	Y	N/A

Development & Planning Director					
Secretary to Commissioner of Social Services	Judith Westmiller	7	12/3/13-1/20/18	Y	N/A
Assistant Public Defender	Mari Townsend	7	1/2/14-12/31/15	Y	N/A
Secretary to Public Defender	Michelle Delaney	7	1/2/14-12/31/15	Y	N/A

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 117-14 *AUTHORIZE HIRING WAIVER; BACKFILL CHIEF ACCOUNTANT/BUDGET OFFICER POSITIONS (TREASURER'S & LEGISLATIVE OFFICES)*

WHEREAS: The Tioga County Legislature established a 90-day hiring delay in backfilling vacant positions; and

WHEREAS: The Chief Accountant and Budget Officer positions shall become vacant as of May 30, 2014, due to the resignation of the incumbent; and

WHEREAS: The County Treasurer received verbal authorization to waive the 90-day hiring delay at the May 8, 2014 Legislative Worksession; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes a waiver of the 90-day hiring delay, allowing the Chief Accountant and Budget Officer positions to be backfilled on or after June 2, 2014; and be it further

RESOLVED: That the annual salary range for Chief Accountant is \$51,850 - \$61,850 and an additional \$15,000 is available for the Budget Officer duties.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:19 A.M.