

Twelfth Regular Meeting
December 9, 2014

The Twelfth Regular Meeting of 2014 was held on December 9, 2014 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

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

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

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

Legislator Roberts read and presented the following recognition resolution and a plaque to Stephen Bidwell.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 273-14

*RECOGNIZING STEPHEN BIDWELL'S
20 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Stephen Bidwell started his employment with Tioga County as a temporary Laborer January 10, 1994 and became a permanent Cleaner II with Buildings & Grounds June 13, 1994. He was appointed to the position of Cleaner III January 01, 1996; he was promoted to Building Maintenance Mechanic I on January 01, 1997; he had a position reclassification to Maintenance Mechanic I on April 01, 2001; a position reclassification to Maintenance Mechanic II was done on January 01, 2002; his position was upgraded to Maintenance Mechanic III on January 9, 2009 and he has remained at this position for the remainder of his career; and

WHEREAS: Stephen Bidwell has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 20 years to the Buildings & Grounds Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Bidwell will retire on December 16, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Stephen Bidwell for his 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Gary Hammond, Deputy Commissioner of Public Works, spoke. “What can you say about Steve Bidwell that has not been said? I got nothing. Steve has been an excellent employee, truly a joy to work with. You never have to worry about where you stand with Steve, he will tell you. I was a little concerned a couple of years back when we promoted his son to be his boss, but he has learned to take orders from his son quite well and he has been an admirable addition to the Public Works Department. His work ethic is beyond compare and I do not believe we will be able to replace him, but we will try. Congratulations.”

Legislator Weston read and presented the following recognition resolution and a plaque to Sheriff Gary Howard on behalf of Pat Hogan.

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

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 274-14

*RESOLUTION RECOGNIZING
PAT HOGAN'S
25 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Patrick Hogan was appointed as a Deputy Sheriff on 11/27/89; appointed to Investigator on 11/10/90; and was promoted to Senior Investigator on 3/17/09; and

WHEREAS: Patrick Hogan has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Patrick Hogan will retire from the Tioga County Sheriff's Office on November 30, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Patrick Hogan for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Gary Howard spoke. "I am accepting this resolution and plaque. Patrick cannot be here, he was shipped off to school yesterday. Some of you may know or may not know he is going to be the new Town of Owego Justice and school started yesterday, so he was unable to be here this evening and wanted me to pass on his thank you to all the Legislators and thank you to the citizens of Tioga. He will be missed. I worked with Pat for about 35 years. He started his career with the Sheriff's Office and then went to the Owego Police Department, and then came back to the Sheriff's Office. He is a very good man and I am sure we will be seeing a lot of him. Thank you."

Legislator Monell read and presented the following recognition resolution to William J. Woods, Jr.

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

REFERRED TO:

ED & P COMMITTEE

RESOLUTION NO. 275-14

*RESOLUTION RECOGNIZING
WILLIAM J. WOODS, JR.
24 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: William J. Woods, Jr. was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 2/13/90; and

WHEREAS: William J. Woods, Jr. served as Chairman of the Tioga County Industrial Development Agency from 3/6/96 to 12/31/02 and as Secretary from 1/1/03 to 12/31/13; and

WHEREAS: William J. Woods, Jr. has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 24 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William J. Woods, Jr. has retired from the Tioga County Industrial Development Agency on October 9, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William J. Woods, Jr. for his 24 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, William J. Woods, Jr.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Aaron Gowan spoke. "First of all I have a letter from our Chairman of the IDA, Ralph Kelsey who is serving on the Farm Bureau Board up in Rochester tonight. "Bill, I am sorry that I am not able to attend the Tioga County Legislative meeting on December 9th when you will be recognized for nearly 25 years of service to the Tioga County Industrial Development Agency. The recognition is well deserved and appropriate for the hours you have given for the betterment of Tioga County. You are to be commended for your personal commitment to the people of Tioga County and for your tenability to do what was right for the people of Tioga County. The years of professional experience you have had with New York State and your diverse opinions brought balance, especially to me and the Board.

"I personally thank you for the time we have served together on the Board and have appreciated your mentoring and personal support, and we will miss your wise counsel. Since you have decided to step off the Board we expect you to enjoy more time on the lake with family and friends or in solitude if you prefer, working hard to catch the big one. The best to you and your family."

"My little statement. For 24 years Bill has served Tioga County as a dedicated volunteer on the IDA Board. He has also served on the LDC Board for many years. Bill served on these Boards without expecting any recognition, but I am here to express my gratitude for the years Bill has volunteered on these Boards. Some of the projects which Bill has been involved with include Best Buy, Central New York Oil & Gas, Lockheed Martin, and the Millennium Pipeline. A few of the projects have not been easy and some have been quite controversial. Bill served as Chairman of the IDA Board for many years prior to my stint as Chairman.

“He may not realize that he was my mentor in regards to the running of the IDA meetings and the process which allowed and encouraged discussions among the Board members without the meeting losing focus. In the IDA meetings Bill had the ability to express a different point of view without resulting in a contentious discussion with other members of the Board. I am truly grateful for the many years that I have had and the privilege of service with Bill on both the IDA and LDC Boards. Tioga County has been blessed for having a person of the caliber of Bill Woods to give his many years as a faithful volunteer. Bill you are a special person and I thank you.”

Bill Woods spoke. “The only comment that I will make is that it is comforting that we are spreading this on the minutes of the meeting as a resolution because I am acquainted with a lot of people and there has been things other than resolutions spread very frequently in this organization. Thank you very much.”

Amy Poff presented Employee of the 4th Quarter 2014 to Stephen Bidwell. “I just want to say on behalf of the Employee Recognition Committee I would like to thank the County Legislature for their support of the Employee Recognition Program. Myself and Ellen Pratt were the only two members that made it today due to the weather I believe.

“Congratulations to Stephen Bidwell, Maintenance Mechanic III for being selected Tioga County Employee of the 4th Quarter of 2014, long overdue I think. Steve Bidwell began his career with Tioga County on January 10, 1994 as a laborer and on January 1, 1997 he was promoted to Maintenance Mechanic I. Over the years he continued to work his way up the ladder, being promoted to Maintenance Mechanic II on January 1, 2002 and Maintenance Mechanic III on January 1, 2009. Steve’s job is very hectic. He helps keep the County Office Buildings functioning and looking great. One day he can be mowing, the other painting, moving furniture or days like today plowing. Steve is always willing to work out day or night. Winter can bring long hard hours for Buildings & Grounds and he is always there whenever he is needed.

“Steve lives in Owego with his wife Edna. He has two grown sons, Mike and Scott, and a daughter Amy who I believe are all here. His son Mike also works for Tioga County Buildings & Grounds and, in fact, is Steve’s boss. He also has four grandchildren, Evan, Stephen, Emily and Jackson. Steve and Edna enjoy spending time in their lovely home, which they remodeled thanks to Tropical Storm Lee. Even though Steve’s house was flooded he spent numerous hours helping the County clean out after the floor. Steve and Edna also like gardening together, which consists of Steve preparing all the soil and Edna planting beautiful flowers. He is very lucky and actually won a large scratch off jackpot. Steve wakes up early and opens up Harris Diner at 3:00 every morning.

He is a joker and not a day goes by that the employees in the County do not know it. All kidding aside, Steve is a very conscientious employee. Thank you Steve for your outstanding loyalty and hard work for the County. Your dedication is appreciated by all and will be missed."

Gary Hammond, Deputy Commissioner of Public Works spoke. "Thank you very much Amy, that was a very nice presentation. Yes, Steve Bidwell does deserve this award and I am very happy to see it. As I said before, he will be missed and Edna if he gets under your skin being retired, we can consider taking him back for a summer job."

There was no privilege of the floor.

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		358.44
A1165	District Attorney		2,697.00
A1170	Public Defender		2,062.51
A1172	Assigned Counsel		9,622.98
A1173	ILS Grant		1,147.52
A1325`	Treasurer		2,535.62
A1355	Assessments		2,718.18
A1410	County Clerk		1,033.94
A1411	Department of Motor Vehicles		220.00
A1420	Law		3,300.00
A1430	Personnel		3,155.05
A1450	Elections		1,392.32
A1460	Records Management		135.14
A1620	Buildings	1,118.61	36,393.38
A1621	Buildings		8,399.44
A1680	Information Technology		3,437.00
A2490	Community College Tuition		15,873.17
A2960	Education of Handicapped Children		47,676.16
A3020	Public Safety Comm E911 System		23,296.24
A3110	Sheriff		20,716.44
A3140	Probation	29.76	924.64
A3146	Sex Offender Program		9,240.00
A3150	Jail		51,579.16
A3315	Special Traffic Programs		2,156.76
A3410	Fire		4,298.30
A3640	Emergency Mgmt Office		440.99
A4010	Public Health Nursing		114.40
A4011	Public Health Administration		2,602.76
A4042	Rabies Control		1,531.49

A4044	Early Intervention	273.20
A4054	Preventive Dental Services	1,856.53
A4064	Managed Care-Dental Services	14,706.95
A4090	Environmental Health	2,781.69
A4210	Alcohol and Drug Services	5,073.86
A4309	Mental Hygiene Co Admin	5,537.83
A4310	Mental Health Clinic	41,223.13
A4320	Crisis Intervention Services	5,276.67
A4321	Intensive Case Management	1,052.23
A5630	Bus Operations	95,564.13
A6010	Social Services Administration	102,177.75
A6422	Economic Development	2,634.00
A6510	Veterans' Service	1,041.58
A6610	Sealer Weights/Measures	126.48
A7310.41	Youth Programs, Refundable	6,000.00
A8745	Flood and Erosion Grant	121,072.25
A9060	Health Insurance	4,171.29
SOLID WASTE FUND		93,271.60
SPECIAL GRANT FUND		3,045.14
LIABILITY INSURANCE FUND		2,743.49
COUNTY ROAD FUND		33,726.90
CAPITAL FUND		1,273,789.21
CONSOLIDATED HEALTH INS FUND		1,144.92
SELF-INSURANCE FUND		<u>1,300.00</u>
GRAND TOTAL		\$ 2,079,798.23

Legislator Monell made a motion to approve the minutes of November 10, 20, & 25, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 276-14 *FIX TIME OF ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Friday, January 2, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 277-14 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 278-14 AUTHORIZE TREASURER TO
ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2014 to allow proper coding of bills for payment in January.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 279-14 *ADOPT COUNTY BUDGET FOR 2015,
APPROPRIATIONS AND SALARY
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2015 submitted by the Budget Officer on November 14, 2014 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2015; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2015; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2015.

Legislator Sullivan spoke. "This budget keeps the tax levy increase within the State's tax cap mandate, but it requires the appropriation of a fair amount of general fund monies to do so. A portion of the fund balance appropriation is due to the funding of three additional positions that this budget adds to the County payroll. In the years beyond this budget year we can be assured of hefty increases in costs, for example in health insurance costs, but at this time

there is no guarantee of offsetting increases in revenue. If a Casino gaming license is granted in this region, we could expect some increase in revenue, but that decision has yet to be made by the State. Until or less we can be assured of increase revenue to pay for increased costs or until and less we cut expenses elsewhere in order to pay for increased costs I cannot support a budget that might continue to chip away at the general fund. This is one of three resolutions regarding the 2015 budget that I will not support for the reasons I have stated."

ROLL CALL VOTE

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

No – Legislators Roberts and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 280-14 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2015; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	25,833	101,721
Newark Valley	-	-
Nichols	1,943	105,216
Owego	-	2,011,444
Spencer	16,994	386,504

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	17,909
Lockwood Fire Protection	39,535
Waverly Joint Fire Protection	262,228
Town of Berkshire	
Berkshire Fire District	140,400
Town of Candor	
Candor Fire District	428,750
Town of Newark Valley	
Newark Valley Fire District	179,918
Town of Nichols	
Lounsberry Fire Protection	3,000
Nichols Joint Fire Protection	157,990
Town of Owego	
Apalachin Fire District	754,306
Owego Fire District	1,224,960
Newark Valley Fire District	26,647
Town of Richford	
Richford Fire District	86,329
Town of Spencer	
Spencer Fire Protection District	75,000
Town of Tioga	
Tioga Fire District	193,190

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	12,100
Water District No. 4/Ext. 15	6,076
Water District No. 4/Ext. 17	23,950
Water District No. 4/Ext. 20	16,175
Sewer District No. 2/Ext. 14	12,762
Sewer District No. 2/Ext. 15	11,920
Lighting District No. 1	6,191
Lighting District No. 2	12,993
Lighting District No. 3	12,488
Lighting District No. 4A	682
Lighting District No. 4B	1,994
Lighting District No. 5	8,001
Lighting District No. 6	16,359
Lighting District No. 7	2,227
Lighting District No. 8	1,446
Lighting District No. 9	662
Lighting District No. 10	950

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$285,076.44; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$5,010.18; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	197,000	507,000
Berkshire	83,605	338,100
Candor	644,512	658,821
Newark Valley	268,686	334,500
Nichols	112,839	171,485
Owego	870,700	-
Richford	205,516	441,872

Spencer	335,395	156,961
Tioga	238,119	540,361

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

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

No – Legislator Roberts.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 281-14 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 279-14 dated December 9, 2014 adopted a Budget for the fiscal year 2015 and by Resolution No. 279-14 dated December 9, 2014 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 280-14 dated December 9, 2014 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	154,487
Berkshire	25,367
Candor	101,054
Newark Valley	68,030
Nichols	62,475
Owego	412,799
Richford	24,275

Spencer	66,264
Tioga	90,907

Total 1,005,658

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$21,725,228.00 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	458,936.97
For School Tax Returned	3,439,010.93
For Deficits from prior years' taxes	36.48
For Reimbursement of Erroneous taxes, etc.	14,196.95
All of the forgoing being subject to credit for excess collection the prior year of	1,243.86

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 280-14 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2014; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	9.752525
	In	9.752525
Berkshire		9.150066
Candor	Out	8.823075
	In	8.823075
Newark Valley	Out	12.886326
	In	12.886326

Nichols	Out	38.853472
	In	38.853472
Owego	Out	10.695853
	In	10.695853
Richford		6.888031
Spencer	Out	8.847361
	In	8.847361
Tioga		126.003385

ROLL CALL VOTE

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

No – Legislators Roberts and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 282-14 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

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

No – Legislator Case.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 283-14 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA COUNTY PROBATION DEPT. AND THE FAMILY AND CHILDREN'S SOCIETY TO PROVIDE ADULT SEXUAL OFFENDER TREATMENT SERVICES*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2015; and

WHEREAS: The Family and Children's Society has amended their contract with Tioga County and provide a total of 21 sexual offender slots as follows: 13 adult assessment and treatment slots; 10 adult safety monitor education slots; 8 juvenile assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 284-14 *AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES*

WHEREAS: Tioga County terminated its contract for the delivery of mass transportation services with First Transit, Inc. effective November 30, 2014; and

WHEREAS: Chemung County and Tioga County have a mutual interest in having mass transportation services provided between the two Counties; and

WHEREAS: Section 119-s of the General Municipal Law of the State of New York authorizes a municipality of the State of New York to act jointly with another municipality to provide a municipal bus system for the performance of mass transportation operations; and

WHEREAS: An Intermunicipal Agreement between Tioga and Chemung Counties has been developed for the provision of said mass transportation operations between the two parties; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to execute said Intermunicipal Agreement allowing for a retroactive service start date of December 1, 2014.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 285-14 RENEW CONTRACT
 PARTNERS IN SAFETY, INC.
 (CDL DRUG & ALCOHOL TESTING)

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$43.00 Per Employee Per Year

To Include:

- Random Selection of Employees (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person
Emergency Service	\$150 per hour
	Minimum 2 hours
	plus the cost of the test

Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification): \$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2015 through December 31, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 286-14 *AWARD PRINTING SERVICES
CONTRACT EXTENSION*

WHEREAS: The Tioga County Legislature entered into a contract with Smith-Ingalls-French on December 6, 2011 for the provision of printing services, which commenced on January 1, 2012 and expires on December 31, 2012; and

WHEREAS: Said contract provided for three one-year extensions; and

WHEREAS: Smith-Ingalls-French is now known as Proforma Boathouse Printing; and

WHEREAS: Proforma Boathouse Printing has requested in writing the third of the three one-year extensions of the printing services contract and is willing to provide the same service specified in the contract; therefore be it

RESOLVED: That the Tioga County Legislature agrees to the third one-year extension of the Proforma Boathouse Printing printing services contract at the same terms and conditions as the December 6, 2011 contract upon approval of the County Attorney, which extension shall commence on January 1, 2015 and expire on December 31, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

INFORMATION TECH. COMMITTEE

RESOLUTION NO. 287-14

AWARD CONTRACT FOR NEW COUNTY WEBSITE

WHEREAS: The Tioga County Legislature recognizes that the existing County website is outdated and in need of replacement; and

WHEREAS: The Information Technology department has conducted interviews of several firms providing professional website design services; and

WHEREAS: The Information Technology department has made a recommendation to select the proposal from Avant IT Consulting at a proposed cost of \$18,750; and

WHEREAS: Amounts in excess of \$10,000 must be approved by the Legislature; therefore be it

RESOLVED: That the Information Technology department be authorized to enter into an agreement with Avant IT Consulting for services at a cost of \$18,750 to implement a new County website utilizing funds already allocated.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 288-14 *AUTHORIZE SPENDING FOR FIBER-OPTIC EXTENSION*

WHEREAS: Tioga County has made investments in enhancing data network connectivity between County buildings for the purposes of increased efficiency and realizing cost reductions; and

WHEREAS: The Information Technology department has identified a strategic need to extend the County's fiber-optic network infrastructure to the communications tower and backup 911 center being constructed on Carmichael Hill Rd ; and

WHEREAS: Construction of this fiber-optic connection involves two separate components of construction and fixed costs to prepare the pathway; and

WHEREAS: Funds for constructing this fiber-optic extension are available via a grant obtained by the Emergency Management Office for this purpose that must be encumbered by December 31, 2014; therefore be it

RESOLVED: That the Information Technology department be authorized to contract with Plexicomm, LLC to construct said fiber-optic extension to Carmichael Hill Rd at a cost not to exceed \$35,000 for the construction of fiber; and be it further

RESOLVED: That the Information Technology department be authorized to pay pathway preparation costs not to exceed \$15,000.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 289-14 *RESOLUTION TO RENEW CONSULTANT
CONTRACT FOR HAZARD MITIGATION PLAN
COORDINATOR FOR 2015*

WHEREAS: Per resolution 193-12 and resolution 13-218, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: After two years of providing said services, the Tioga County Soil & Water Conservation District has quoted a total of \$25,000 to perform these services for 2015; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2015 budget to cover these expenses in the amount of \$25,000 from appropriation account A8020.40-140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2015, not to exceed \$25,000 from Planning Appropriation account A8020.40-140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 290-14 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2014 to September 30, 2014 be and it hereby is accepted; further

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

Town of Barton	\$ 29,525.72
Village of Waverly	12,322.92
Town of Berkshire	7,837.99
Town of Candor	19,744.38
Village of Candor	972.15
Town of Newark Valley	12,258.39
Village of Newark Valley	4,236.25
Town of Nichols	10,833.88
Village of Nichols	1,558.48
Town of Owego	115,803.56
Village of Owego	5,912.78
Town of Richford	3,272.78
Town of Spencer	8,291.86
Village of Spencer	1,083.26
Town of Tioga	<u>15,003.73</u>
	\$248,658.13

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 291-14 *TRANSFER OF FUNDS*
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office recently purchased a TV to utilize in the Court rooms and has a need to purchase a rolling cart for said TV; and

WHEREAS: The District Attorney's budget does not have funds in the equipment account to purchase said cart; therefore be it

RESOLVED: That the following sums be transferred within the District Attorney's budget to cover the purchase of said cart:

From: A1165.40-720-District Attorney \$732.08

To: A1165.20-20-District Attorney \$732.08

ROLL CALL VOTE

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

No – Legislators Monell and Hollenbeck.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 292-14 TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a transfer of funds into the proper account codes from the County Contingency fund; and

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

RESOLVED: That funding be transferred as follows:

From: A1990.40-715	County Contingency Account	\$20,444.35
To: A4390.40-590	Criminal Psychiatric: Services Rendered	\$20,444.35

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 293-14 TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has identified its Administrative Salaries Budget line to be in deficit; and

WHEREAS: TCMH has identified savings in its Mental Hygiene Clinic Salaries budget line; and

WHEREAS: A transfer of funds into the proper accounts will satisfy the salary budget requirements; and

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

RESOLVED: That funding be transferred as follows:

From: A4310.10-10	Mental Hygiene Clinic: Salaries	\$ 21,200.00
To: A4309.10-10	Mental Hygiene Admin: Salaries	\$ 21,200.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 294-14 TRANSFER OF FUNDS
PUBLIC HEALTH

WHEREAS: The costs of the mandated Education of Handicapped Children program have increased due to the increase in the number of children in center-based programs; and

WHEREAS: Additional funding is needed to meet the costs of the Education of Handicapped Children program in 2014; and

WHEREAS: Public Health has determined the amount of additional funding needed for the mandated program through the balance of 2014; and

WHEREAS: Public Health has a portion of the funds needed within their budget reducing the amount required from the County Contingency Fund. These funds are available as a direct result of cost-saving measures implemented throughout the year; and

WHEREAS: The additional costs of the Education of Handicapped Children program will result in additional revenue and state aid reimbursement, also decreasing the amount needed from County contingency funds; and

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

RESOLVED: That funds be transferred as follows:

From: A 1605	Revenue: Education of Handicapped Fees	\$ 43,200
A 3460.00	Revenue: State Aid: Education of Handicapped	\$ 290,000
A 4011.10-10	Personnel: Administration	\$ 6,000
A 4011.10-20	Personnel: Administration	\$ 2,000
A 4053.10-10	Personnel: Primary & Preventive Services	\$ 4,000
A 4053.10-20	Personnel: Primary & Preventive Services	\$ 26,000
A 4070.10-20	Personnel: Disease Control	\$ 12,000
A 4070.10-30	Personnel: Disease Control	\$ 13,000
A 4090.10-10	Personnel: Environmental Health	\$ 24,000
A 4042.40-590	Rabies: Post Exposure Treatment Expenses	\$ 15,000
A 1990.40-715	County Contingency Account	\$ 124,800
To: A 2960.40-590	Handicapped Education- Cont. Services	\$ 499,000
A 2960.40-710	Handicapped Education Transportation	\$ 61,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 295-14 TRANSFER FUNDS TO
PENN. AVE BRIDGE
BIN: 3335490

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

WHEREAS: Penn. Ave Bridge BIN 3335490 is one of the bridges in the bridge bond program; and

WHEREAS: The cost for this project was estimated in August of 2013 prior to the actual bid opening for this project during the 2014 budget process; and

WHEREAS: The estimate for the Penn. Ave. Bridge (BIN 3335490) was \$81,500 short of the actual bid; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfers:

From:	H878.03	Capital Bridge Bond Reserve	\$40,481
	H2010.07	Lillie Hill Rd. Bridge BIN: 3335510	\$12,845
	H2012.06	Gaskill Rd. Bridge BIN: 3335390	\$28,174

For a total of \$81,500 to the Penn. Ave. Bridge (BIN 3335490) Account H2014.02.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 296-14 *TRANSFER OF FUNDS FOR COMMUNITY COLLEGE
TUITION- TREASURER*

WHEREAS: Tioga County Treasurer's is required to pay a portion of the costs for Community College Tuition for Tioga County residents ; and

WHEREAS: The Treasurer's department has received notice and billing from a community college requesting payment in the amount of \$54,976.33 for the Fall semester 2014; and

WHEREAS: The Treasurer's Department has estimated the amount of additional funding needed for incurred expenses through year end to be \$85,000.00 and do not have the budgeted funds and will require a transfer of funds from the County Contingency fund; and

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

RESOLVED: That funding be transferred as follows:

From: A1990.40-715	County Contingency Account	\$55,000.00
To: A2490.40-487	Community College Tuition	\$55,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 297-14 *FUND FINANCIAL MANAGEMENT
SYSTEM RESERVE FUND*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure and established funds for such needs; and

WHEREAS: The Tioga County Legislature would like to fund these reserves through funds previously received from the dissolution of the Consolidated Health Insurance Plan as of December 31, 2013; therefore be it

RESOLVED: That the Tioga County Treasurer funds the "Financial Management System Reserve Fund" with \$1,100,000 as follows:

From: A5031.00 Interfund Transfers all Others	\$1,100,000.00
To: A9950.93-715 Transfer to Capital Fund	\$1,100,000.00

From: H5031.00 Interfund Transfer	\$1,100,000.00
To: H878.08 Financial Management System Reserve Fund	\$1,100,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 298-14 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The term of Tioga County Planning Board member Georgeanne Eckley will expire as of 12/31/14; and

WHEREAS: The Village of Owego has nominated Georgeanne Eckley to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Georgeanne Eckley to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 299-14 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The term of Tioga County Planning Board member Gary Henry will expire as of 12/31/14; and

WHEREAS: The Town of Candor has nominated Gary Henry to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Gary Henry to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 300-14 REAPPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD

WHEREAS: The term of Tioga County Planning Board member Johannes Peeters will expire as of 12/31/14; and

WHEREAS: The Town of Newark Valley has nominated Johannes Peeters to serve another term as their representative; therefore be it

RESOLVED: That the Tioga County Legislature reappoint Johannes Peeters to the Tioga County Planning Board, to serve a 3-year term of 1/1/15 – 12/31/17.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 301-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND PROTECTION
BOARD

WHEREAS: The term of Agricultural & Farmland Protection Board member, John Lacey, representing the Tioga County Farm Bureau (Ag Land Preservation), has a term expiring as of 12/31/2014; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and the Tioga County Farm Bureau has found John Lacey willing to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint John Lacey to the Agricultural and Farmland Protection Board to serve a 4-year term of 1/1/15 – 12/31/18.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 302-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY
BOARD OF HEALTH
PUBLIC HEALTH

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

WHEREAS: The appointed term for Vincent Leonti, MD, on the Board of Health expires 12/31/14; and

WHEREAS: Vincent Leonti, MD, has agreed to serve for another term; therefore be it

RESOLVED: That Vincent Leonti, MD be re-appointed to the Tioga County Board of Health for a term of 1/1/2015 – 12/31/2020.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 303-14 *AWARD CONSTRUCTION CONTRACT
TO PROCON CONTRACTING FOR
REPLACEMENT OF EAST RIVER RD
BRIDGE OVER WAPPASENING CREEK
BIN 3335410*

WHEREAS: Tioga County is receiving Aid for the replacement of the East River Rd. Bridge over Wappasening Creek BIN3335410; and

WHEREAS: The project will be funded as follows:

Federal	80%
State	15%
Local	05%

And

WHEREAS: The Commissioner of Public Works received sealed bids on November 25, 2014 and the bids were as follows:

Economy Paving	Cortland, NY	\$1,643,643.00
FAHS Construction	Binghamton, NY	\$1,666,253.50
Procon Contracting	Vestal, NY	\$1,633,000.00
R.DeVincentis Construction	Binghamton, NY	\$1,813,000.00
Vector Construction	Cicero, NY	\$1,824,518.25

And

WHEREAS: Labella Associates, Rochester, NY have completed the review of the bids and finds the low bidder Procon Contracting, Vestal, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Procon Contracting, Vestal, NY not to exceed \$1,633,000.00 to be paid out of East River Rd. Bridge Account H2009.02.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 304-14 AMEND COUNTY POLICY 44;
NON-UNION BENEFITS

WHEREAS: The County Legislature has determined that an increase in health insurance contributions is warranted for those Non-Union employees contributing 12.5% of premium; and

WHEREAS: No increase in contributions is currently planned for those Non-Union employees currently contributing 15% or 20% of premium; and

WHEREAS: There is a need to add language to Policy 44 to reflect the ineligibility for accrual of a sick day in any month when an unpaid absence of five working days or more is taken or any unauthorized leave is taken; therefore be it

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 be amended so the Contributions Chart appears as follows:

Contributions (% of Premium)

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Legislators	7%	8½%	10½%	12½%	15%
Full-time hired prior to 1/1/09	10%	12½%	13½%	15%	

Full-time hired on or after 1/1/09	15%	15%	15%
4 day/week Attorneys	-----	15%	15%
Part-time Attorneys	20%	20%	20%

and be it further

RESOLVED: That Section 5 be further amended to reflect in paragraph ten “for 2012 – 2015” the Health Reimbursement Accounts shall be funded by the County at the following levels:

Individual:	\$2,600
Family:	\$5,200

And be it further

RESOLVED: That Section 2.C: Sick Time be amended to include the following bullet:

- A sick day shall not be earned for any month in which an unpaid absence of 5 or more working days occurs or any unauthorized leave (paid or unpaid) occurs

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 305-14 *AUTHORIZE CONTRACTS WITH SADD
SCHOOL ASSOCIATES FOR 2015*

WHEREAS: It is the desire of the STOP DWI Program to award four contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to award the four SADD School Associate contracts for the calendar year 2015 to the following individuals; Matt Gelder to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2015 calendar year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 306-14 *APPOINTMENT OF DEMOCRATIC
ELECTION COMMISSIONER*

WHEREAS: The Chair of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That John J. Langan be and hereby is appointed Democratic Election Commissioner for Tioga County Board of Elections from January 1, 2015 through December 31, 2016.

Legislator Sullivan spoke. "I just wanted to point something out regarding this resolution. Per New York State's Election Law combined with the makeup of this Legislative body, being that we are all Republicans and there are no Democrats on this Legislature, the appointment stated in this resolution by law will take effect no matter what action or inaction this body takes. Therefore, this resolution is frivolous and the votes cast on this resolution are entirely irrelevant. Thank you."

ROLL CALL VOTE

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

No – None.

Abstain – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 307-14 *AUTHORIZE 2015 SALARIES
BOARD OF ELECTIONS*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Non-Union staff have been authorized a salary increase for 2015; therefore be it

RESOLVED: That the 2015 rates of pay, for the Board of Elections staff shall be as follow:

	<u>2015 pay:</u>
Commissioners (2)	\$38,979
Deputy Commissioners (2)	\$31,563
Voting Machine Technicians (2)	\$16.20/hr
Election Workers (4)	\$12.39/hr

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 308-14 *AUTHORIZE CONTRACT RENEWAL
CSEA EMPLOYEE BENEFIT FUND*

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer Solstice Vision and Dental plans for CSEA and Non-Union employees; and

WHEREAS: The Dental and Vision plans are contractual benefits for CSEA employees, to be continued for 2015; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2015 – December 31, 2015

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 309-14 *AMEND RESOLUTION #278-11
INCREASE PART-TIME, SEASONAL AND
TEMPORARY HOURLY RATES*

WHEREAS: Resolution #278-11 increased the 2012 hourly rates for part-time, seasonal and temporary positions; and

WHEREAS: These rates have not been adjusted since 2012 and the County Legislature believes these employees are deserving of an increase for 2015; and

WHEREAS: The change in Consumer Price Index (CPI) for 2013 and year-to-date 2014 shall be applied; therefore be it

RESOLVED: That resolution #278-11 is hereby amended that effective January 1, 2015 all part-time, seasonal and temporary hourly rates shall be increased by 1.5%, in accordance with the 2013 change in CPI; and be it further

RESOLVED: That an additional adjustment of 1.7% shall be added effective January 1, 2015, in accordance with the year-to-date change in CPI for 2014.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 310-14

*AMEND RESOLUTION 452-99;
BACKFILL AUTHORIZATION*

WHEREAS: Resolution 452-99 established that the backfill of any vacancy required prior approval of the Chair of the Legislative Committee or Chair of the Legislature and the Personnel Officer; and

WHEREAS: As of January 1, 2015, the Legislature would like both the Chair of the Legislature and Chair of the Legislative Committee, as well as the Personnel Officer, to be required for any backfill of a vacancy; therefore be it

RESOLVED: That effective January 1, 2015, Resolution 452-99 is hereby amended to require the Chair of the Legislature, Chair of the Legislative Committee and Personnel Officer give prior approval for the backfill of any vacancy.

ROLL CALL VOTE

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

No – Legislator Weston.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 311-14 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY- DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective November 24, 2014, a Caseworker position became vacant due to an incumbent's resignation; and

WHEREAS: Said vacancy impacts the CPS/Preventive unit in the Children's Services Division, which is also currently experiencing staffing shortages due to two staff being medically restricted from field work; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Caseworker vacancy at an annual salary of \$39,015 (2014 CSEA Salary Grade XI) effective on or after December 10, 2014 from the appropriate civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 312-14 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY- DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective December 12, 2014, a Senior Caseworker position will become vacant due to an incumbent's resignation; and

WHEREAS: In accordance with Resolution 147-09, the Commissioner of Social Services shall promote a Caseworker to fill said Senior Caseworker vacancy effective on or after December 15, 2014; and

WHEREAS: The Caseworker vacancy resulting from said promotion impacts the Foster Care/Adoption unit in the Children's Services Division, which is currently experiencing staffing shortages due to two staff being medically restricted from field work and, in addition, an existing Caseworker vacancy which occurred on November 24, 2014; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Caseworker vacancy at an annual salary of \$39,015 (2014 CSEA Salary Grade XI) effective on or after December 15, 2014 from the appropriate civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 313-14

*AUTHORIZE WAIVER 90-DAY HIRING
DELAY
DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE*

WHEREAS: The Tioga County Sheriff's Office has a need to backfill a full-time Deputy Sheriff position due to an internal promotion which became effective December 1, 2014; and

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

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position at an annual salary of \$43,476 effective January 1, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 314-14 RECLASSIFY VACANT MAINTENANCE
MECHANIC III POSITION
PUBLIC WORKS

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

WHEREAS: One Maintenance Mechanic III position will become vacant December 16, 2014 due to retirement of an incumbent; and

WHEREAS: The Commissioner of Public Works has determined that his current number of Maintenance Mechanic III staff is adequate to perform the work required of the classification; and

WHEREAS: Due to the Legislature's desire to decrease budgetary costs, the Commissioner of Public Works seeks to downgrade the vacant Maintenance Mechanic III position to a Maintenance Mechanic I; therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant full-time Maintenance Mechanic III (CSEA Grade 3) to a full-time Maintenance Mechanic I (CSEA Grade 5) effective December 16, 2014.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 315-14 *STAFF CHANGES FOR 2015
(VARIOUS DEPARTMENTS)*

WHEREAS: Various Departments proposed staffing changes for 2015 during the 2015 Budget preparation process; therefore be it

RESOLVED: That the following position changes are effective January 1, 2015 unless noted otherwise:

<u>Name:</u>	<u>Current Title/ Salary Grade:</u>	<u>New Title/ Salary Grade:</u>	<u>Budget Impact:</u>
<u>ECONOMIC DEVELOPMENT & PLANNING</u>			
Vacant	Economic Development Specialist (Non-Union)(Unfunded)	Fund for 2015	+\$39,779
<u>MENTAL HYGIENE</u>			
Vacant	Admin. Accounting Supervisor (Grade VIII)	Unfunded	-\$35,799

Vacant	Social Work Assistant II (Grade XI)	Unfunded	-\$39,015
M. Hornick	Account Clerk/Typist (Grade III)	Abolish as of 3/1/15	-\$21,897

PUBLIC HEALTH

B. McCormick	Confidential Admin Assistant (Non-Union)	additional increase	+\$3,983
Vacant	Account Clerk/Typist (Grade III)	Unfunded	-\$24,817
Vacant	Admin. Secretary (Grade V)	Unfunded	-\$26,189

SHERIFF'S OFFICE

Vacant	Deputy Sheriff (2 Positions) (Unfunded)	Fund for 2015	+\$93,008
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SOCIAL SERVICES

Vacant	Social Welfare Examiner (2 positions – Grade 6)	Abolish	-\$56,522
Vacant	Senior Data Entry Machine Operator (Grade 5)	Abolish	-\$26,189

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Case and said motion to be amended as follows:

“Under Public Health B. McCormick remove the word “Admin”.”

ROLL CALL VOTE ON AMENDMENT

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

No – Legislators Sullivan and Weston.

Absent – None.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

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

No – Legislators Monell, Roberts, and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO 316-14 *ELECTION ADMINISTRATION SOFTWARE RENEWAL*

WHEREAS: The Tioga County Board of Elections has a contract with NTS Data Services for the administration of voter registration, absentee and military ballots, candidate petition tracking, and campaign finance from January 1, 2010-December 31, 2014; and

WHEREAS The Tioga County Board of Elections has a contract with NTS Data Services for document scanning software services from February 1, 2014 through December 31, 2014 ; and

WHEREAS: The contract renewal combines those contracts, contains no cost increase from existing contracts and when combined represents a savings of \$3,300.00 per year; therefore be it

RESOLVED: That the Tioga County Legislature awards the contract renewal for election administration software to NTS Data Services, LLC for \$34,026.00 per year for the timeframe of January 1, 2015- December 31, 2019; and be it further

RESOLVED: That the Chair be authorized to execute said contract upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 317-14 *AUTHORIZATION TO EXECUTE
ENGAGEMENT LETTER FROM
COUGHLIN & GERHART, LLP
TO PROVIDE SERVICES REGARDING TIOGA
TRANSPORT, INC. vs. TIOGA COUNTY*

WHEREAS: Tioga Transport, Inc. has commenced a lawsuit against Tioga County; and

WHEREAS: Tioga County wishes to retain the services of Coughlin and Gerhart LLP to defend the action; and

WHEREAS: Coughlin and Gerhart LLP has set forth the services they will provide in an engagement letter; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign said engagement letter from Coughlin and Gerhart LLP for said services.

ROLL CALL VOTE

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

No – None.

Abstain – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:35 P.M.