

Fifth Regular Meeting
May 10, 2011

The Fifth Regular Meeting of 2011 was called to order by the Chair at 1:30 P.M. Seven Legislative members were present, Legislators McEwen and Sauerbrey being absent.

Chair Weston asked Legislator Monell to have a moment of prayer. "Lord, we thank you for the business of this County and for allowing us to be a part of taking care of that business. We pray Lord that you would continue to bless us, bless this Legislative body. Thank you for all the people that are here today and we pray that you would be with each one. Guide and direct in all that we do that we might bring honor to you in all that we do in this meeting."

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

There were 36 people in attendance.

Denis McCann of the Employee Recognition Committee spoke. "This is in regards to the annual Employee Recognition and first I would like to thank the Legislature for their continued support of recognizing employees and in particular the Employee Recognition Committee. Before we get started I want to point out the current members of that Committee, Drew Griffin, Tina Lounsbury, Jamie Cornell, Nat Marsh, Kim Ward, Tim Jewell, Judy Westmiller, Pat Brown, Treasurer, Sandy Saddlemire, Secretary, and myself as Chairperson. At this time I would ask the following honorees that are in attendance to please come forward, Dan Truesdail, Teresa Ryder, Robert Woodburn, Christopher Kallin, Darlene Weidman, Sandra Nugent, Sally Wheeland, and George Awad. Each of these individuals will also be honored at an annual luncheon next week where there biographies will be read, there will be comments from their department heads or others, and a presentation of the gift selected from Van Horn Jewelers for recognition of their years of service. At this time I would like to ask Legislator Loretta Sullivan to read the proclamation recognizing these employees and provide each with a copy of their certified proclamation.

Legislator Sullivan read 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 or 30 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Christopher Kallin	Social Services	30
Teresa Ryder	Social Services	30
Daniel Truesdail	Public Works	30
Robert Woodburn	County Clerk	30
Darlene Weidman	Social Services	25
Sandra Nugent	Social Services	25
Sally Wheeland	Public Health	25
George Awad	Public Defender	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate the week of May 9-13, 2011 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 Weston asked for unanimous motion and carrying of the following three recognition resolutions:

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

REFERRED TO:

HEALTH & HUMAN SERVICES

RESOLUTION NO. 114-11

*RECOGNITION OF JILL HELLENTHAL'S
YEARS OF SERVICE
SOCIAL SERVICES*

WHEREAS: Jill Hellenthal began her career as a Clerk-Typist in the Income Maintenance Division on May 26, 1981, was promoted to Account Clerk-Typist in the Accounting Unit on August 6, 1984, promoted and returned to the Income Maintenance Division as Social Welfare Examiner on October 29, 1984, was promoted to Senior Social Welfare Examiner on August 21, 1986, was promoted to Principal Social Welfare Examiner on February 29, 1988 and finally, promoted to Head Social Welfare Examiner on October 6, 1997, the title she currently holds in the Employment and Transitional Supports Division; and

WHEREAS: Ms. Hellenthal has seen many changes within the Social Services Department in her 30 years with them and has grown with these changes; and

WHEREAS: Ms. Hellenthal will retire on June 11, 2011; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Jill Hellenthal for her 30 years of service to 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, Jill Hellenthal.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No – None.

Absent – Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 115-11

*RESOLUTION RECOGNIZING
GEORGE CRAVENS' 33 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: George Craven was appointed to the position of Laborer through the CETA Program in 1977 and was hired permanent as an Engineering Aid a year later. In 2003 his title was changed to Engineering Technician; and

WHEREAS: George Craven has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 33 years to the Department of Public works. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Craven will retire on June 10, 2011; 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 George Craven for his 33 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, George Craven.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No – None.

Absent – Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

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

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 116-11 *RECOGNITION OF SALLY FIEDLER'S
YEARS OF SERVICE
PUBLIC HEALTH*

WHEREAS: Sally Fiedler began her career as a Typist in the Employment Unit at Social Services on July 26, 1988. She was promoted to Account Clerk-Typist in the Accounting Division on June 4, 1990 then promoted to Senior Account Clerk-Typist in the Accounting Division on August 19, 1991. Sally then transferred to Public Health on March 30, 1998 in her current role as Senior Account Clerk-Typist; and

WHEREAS: Ms. Fiedler has seen many changes within Tioga County in her 22 years and has grown with these changes; and

WHEREAS: Ms. Fiedler will retire on May 18, 2011; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Sally Fiedler for her 22 years of service to Tioga County; and be it further

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

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No – None.

Absent – Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Huttleston read and presented the recognition resolution on Jill Hellenthal.

Legislator Huttleston spoke. "It is people like this and all the current employees that make Tioga County what it is. The big winners are not the Jill Hellenthal's and the people out there, the big winners are the people that we service in this County and do a good job for. I appreciate that as being a Legislator and I know that you do a good job because I get very few complaints. Most of the time I get nothing but good words that they are so pleased with the service that we do provide and I appreciate it. Jill we are going to miss you."

Jill Hellenthal spoke. "I will miss the people. I am tired of working."

Shawn Yetter, Commissioner of Social Services, spoke. "It seems like we have been recognizing you so much lately that I am getting use to it. Actually Jill and I go back a long way and started our careers very much at the same time, and went through a lot of training together, and she has become a friend as well as a colleague and Dick you hit it right on the head when you talked about not getting many complaints. Jill is one of the key people responsible for making that happen, so hopefully after June 11 your phone will not be ringing off the hook.

"Jill has a way with the people that we serve that she has developed over the years to be extremely compassionate, yet fair, understanding of the needs of the department and the taxpayers while recognizing the critical nature of all of the programs that we provide. She has become an important piece of institutional knowledge at the department that when she walks out the door will be sorely missed and she has very big shoes to fill, but we wish her nothing but the greatest in her time of retirement. She has earned that very much. She is one of your employees who comes to work every day and really works her tail off. I speak on behalf of the department and of the county, and of the taxpayers, Jill thank you very much for that."

The recognition resolutions for George Craven and Sally Fiedler are duly noted.

Chair Weston announced that the following two Proclamations on Elder Abuse Prevention Month and Foster Care Recognition Month are being duly noted.

PROCLAMATION

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

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

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

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2011 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.

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, 18 of these children are in foster homes; and

WHEREAS: We have 20 certified foster homes, and 23 Glove House Therapeutic 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 does hereby Proclaim May 2011 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.

Legislator Huttleston read and presented the following Proclamations on Older American's Month/Senior Citizen's Day and Seniors of the Year to Jeff Thornton, Office of Aging Director and to Mr. and Mrs. George Penney, Senior Citizens of the year 2011.

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 nine 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 2011 as

OLDER AMERICANS' MONTH

And May 18, 2011 as

SENIOR CITIZENS' DAY

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.

PROCLAMATION

WHEREAS: George "Lee" and Helen Penney have served as volunteers since moving to the area in 1964; and

WHEREAS: Lee and Helen Penney have been active in the Apalachin/Little Meadows Senior Citizens for many years and have alternated in the offices of president and secretary for the past several years; and

WHEREAS: Helen served as a Girl Scout trainer, leader, committee person and board member; and

WHEREAS: Helen has been a member of the American Association of University Women for fifty years, and a volunteer for the American Cancer Society, American Lung Association, and is now a member of the Garden Club; and

WHEREAS: Lee has served on the Owego Town Board and one term as County Legislator; and

WHEREAS: Lee was a member of the NYPENN Health Planning Council and a Village of Owego planning group; and

WHEREAS: When Lee opened a retail store in Owego he counseled a number of people on personal and financial matters; and

WHEREAS: Lee and Helen have sung in the Owego Community Chorus for forty years and in the Owego United Methodist Church choir for thirty years; and

WHEREAS: Lee and Helen Penney have solicited for the United Way, and as members of the Republican Committee have circulated petitions to place candidates on the ballot; and

WHEREAS: Lee and Helen Penny attend various county meetings in order to keep the public informed by writing a weekly column in a local newspaper; and

WHEREAS: Lee and Helen Penney have been selected as the 2011 Senior Citizens of the Year in Tioga County; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate May 18, 2011

George "Lee" and Helen Penney Day

In the County of Tioga, New York, and commend this observance to our citizens.

Jeff Thornton, Office of Aging Director, spoke. It certainly is a pleasure to have George and Helen as the Senior Citizens of the year. It is a wonderful opportunity for us to celebrate the seniors that still do a great deal of things in their lives and for the county, so it is a wonderful opportunity for us to be able to say thank you to both of you, and it is going to be a wonderful day when we celebrate it at Tioga Opportunities."

Helen Penney spoke. "My husband says every day is a day of challenge and opportunity. We would like to invite any of you who are free to do so, there is to be a luncheon at Countryside on Wednesday, May 18 and any of you are welcome to come. It has been a privilege to have been selected for this. There are many worthy other people too."

George Penney spoke. "I would just like to say thank you for this honor. From the time that we first moved here we loved this community and believe it or not we love you all. Thank you very much."

Chris Bonner had privilege of the floor. He spoke about his concerns regarding college students graduating and leaving the State due to high costs. He also expressed his concerns regarding road and bridge fund monies in Albany being used for other purposes.

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		845.37
A1165	District Attorney		834.88
A1170	Public Defender		2,118.74
A1172	Assigned Counsel		34,256.38
A1325	Treasurer		2,282.92
A1355	Assessments		2,160.00
A1362	Tax Advertising and Expenses		3,635.03
A1410	County Clerk		156.50
A1411	Department of Motor Vehicles		301.60
A1420	Law		1,970.53
A1430	Personnel		1,375.07
A1450	Elections		259.65
A1460	Records Management		49.77
A1490	Public Works Administration		142.50
A1620	Buildings		46,547.52
A1621	Buildings		11,869.43

A1680	Information Technology		12,098.96
A2490	Community College Tuition		220,905.67
A2960	Education of Handicapped Children		356,183.11
A3020	Public Safety Comm E911 System	49.00	2,992.70
A3110	Sheriff	2,479.09	22,968.95
A3140	Probation		136.00
A3146	Sex Offender Program		8,766.67
A3150	Jail	218.91	45,642.03
A3315	Special Traffic Programs		600.00
A3410	Fire		4,203.36
A3552	EMO Grant-SHSP C837970	3,306.02	
A3640	Emergency Mgmt Office		621.24
A4010	Public Health Nursing		47,121.48
A4011	Public Health Administration		11,362.15
A4012	Public Health Education		690.94
A4042	Rabies Control		4,399.30
A4044	Early Intervention		38,376.35
A4053	Preventive/Primary Health Svcs		2,258.28
A4054	Preventive Dental Services		810.26
A4062	Pre-Natal Care and Assistance		669.68
A4064	Managed Care-Dental Services	168.91	14,612.11
A4070	Disease Control		1,444.84
A4090	Environmental Health		1,443.80
A4210	Alcohol and Drug Services		2,119.37
A4309	Mental Hygiene Co Admin	318.00	7,360.24
A4310	Mental Health Clinic		14,147.02
A4315	Mental Retardation		4,077.00
A4320	Crisis Intervention Services		2,160.75
A4321	Intensive Case Management		1,425.25
A6010	Social Services Administration		125,034.10
A6141	Energy Crisis Assistance Programs		33,126.25
A6422	Economic Development		258.58
A6510	Veterans' Service		25.00
A6610	Sealer Weights and Measures		70.08
A8020	Planning		137.66
A9060	Health Insurance		1,596.82
SOLID WASTE FUND			2,552.45
COUNTY ROAD FUND			38,637.09
SPECIAL GRANT FUND			13,311.14
CONSOLIDATED HEALTH FUND			70,939.19
CAPITAL FUND			614,647.69
LIABILITY INSURANCE FUND			464.00

WORKERS' COMP	<u>54,883.05</u>
GRAND TOTAL	\$ 1,900,626.43

Legislator Roberts made a motion to approve the minutes of April 12, 21, and 29, 2011, seconded by Legislator Monell, and carried.

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 Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
 RESOLUTION NO. 117-11 *ADOPT LOCAL LAW NO. 1 OF 2011*

WHEREAS: A public hearing was held on May 5, 2011, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2011 A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2012 and continuing through and including December 31, 2015; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 1 of 2011; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2011.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2012 and continuing through and including December 31, 2015.

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

SECTION 1: PURPOSE

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

Accordingly, it is the purpose and intent of this Local Law to establish the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2012 and continuing through and including December 31, 2015.

SECTION 2: ANNUAL SALARY

- A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2012 and continuing through and including December 31, 2015 is hereby established as follows:

1. County Clerk	\$61,000
2. County Sheriff	\$77,000

SECTION 3: SEVERABILITY

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

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2012.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 118–11 *ADOPT LOCAL LAW NO. 2 OF 2011*

WHEREAS: A public hearing was held on May 5, 2011, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2011 A Local Law to establish the staggered terms of Tioga County Legislators in accordance with Local Law No. 2 of 1994; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 2 of 2011; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 2 of the Year 2011.

A Local Law to establish the staggered terms of Tioga County Legislators in accordance with Local Law No. 2 of 1994.

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

SECTION 1: TERMS OF OFFICE

Notwithstanding the provisions of any general, special or local law to the contrary, members of the Tioga County Legislature shall continue to be elected to staggered terms of three and four years over a ten year cycle as established in Local Law No. 2 of 1994.

SECTION 2: STAGGERED TERMS OF OFFICE

A. The seven County Legislative Districts shall be divided into two groups as follows:

1. Group One shall consist of:
 - a. The representative from District No 1
 - b. The representative from District No 2
 - c. The representatives from District No. 4
 - d. The representative from District No. 5
2. Group Two shall consist of:
 - a. The representative from District No. 3
 - b. The representative from District No. 6
 - c. The representatives from District No. 7

B. The County Legislators elected from the County Legislative Districts included in Group One shall be elected for a term of four (4) years at the general election to be held in the year Two Thousand Eleven (2011) and shall be elected for a term of three (3) years at the general elections to be held Two Thousand Fifteen (2015) and Two Thousand Eighteen (2018).

C. The County Legislators from the County Legislative Districts included in Group Two shall be elected for a term of three (3) years at the general elections to be held in the years Two Thousand Eleven (2011) and Two Thousand Fourteen (2014) and shall be elected for a term of four (4) years at the general election to be held in Two Thousand Seventeen (2017).

- D. Subject to reapportionment, if necessary, staggered terms shall be utilized in the general elections following succeeding federal decennial censuses.

SECTION 3: COUNTY ATTORNEY

The term of office of the County Attorney shall be the same as the term of office of the Legislators in Group One.

SECTION 4: LEGISLATIVE CLERK

The term of office of the Legislative Clerk shall be the same as the term of office of the Legislators in Group One.

SECTION 5: BUDGET OFFICER

The term of office of the Budget Officer shall be the same as the term of office of the Legislators in Group One.

SECTION 6: EFFECTIVE DATE

This local law shall be effective on the date of adoption.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 119-11 *ADOPT LOCAL LAW NO. 3 OF 2011*

WHEREAS: A public hearing was held on May 10, 2011, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2011 A Local Law reapportioning the Tioga County Legislature; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 3 of 2011; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 3 of the Year 2011.

A Local Law Reapportioning the Tioga County Legislature.

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

SECTION 1:

Effective January 1, 2012 the Tioga County Legislature shall consist of nine members elected from seven Legislative Districts as follows:

DISTRICT 1: That portion of the Town of Owego on the north side of the Susquehanna River bounded and described as follows:

Beginning at the northeast corner of the Town of Owego; thence in a southerly direction along the boundary line between the Town of Owego and the County of Broome to a point in the center line of the Susquehanna River; thence in a westerly direction along the center line of the Susquehanna River to a point, said point being the intersection of the center line of the Susquehanna River and the easterly boundary of the Village of Owego; thence in a northerly direction along the easterly boundary of the Village of Owego to a point, said point being the intersection of the easterly boundary line of the Village of Owego and the center line of East Front Street; thence in an easterly direction along the

center line of East Front Street to a point, said point being the intersection of the center line of East Front Street and the center line of Davis Hill Road; thence in a northerly direction along the center line of Davis Hill Road and Lisle Road to a point, said point being the intersection of the center line of Lisle Road and the center line of Patton Road; thence in an easterly direction along the center line of Patton Road and Welch Road to a point, said point being the intersection of the center line of Welch Road and the center line of East Beecher Hill Road; thence in a northerly and northeasterly direction along the center line of East Beecher Hill Road to a point, said point being the intersection of the center line of East Beecher Hill Road and the center line of Gaskill Road; thence in a northwesterly direction along the center line of Gaskill Road to a point, said point being the intersection of the center line of Gaskill Road and the center line of Pultz Hill Road as extended; thence in an easterly direction along the center line of Pultz Hill Road and the center line of Hollister Road to a point, said point being the intersection of the center line of Hollister Road and the center line of Lisle Road; thence in a northeasterly direction along the center line of Lisle Road to a point, said point being the intersection of the center line of Lisle Road and the northerly boundary of the Town of Owego; thence in an easterly direction along the northerly boundary of the Town of Owego to the northeast corner of the Town of Owego, the point and place of beginning.

POPULATION: 5444

REPRESENTATIVES: ONE

DISTRICT 2: That portion of the Town of Owego on the north side of the Susquehanna River, and the Village of Owego, bounded and described as follows:

Beginning at the southwest corner of the Village of Owego; thence in a northerly direction along the westerly boundary of the Village of Owego and the center line of the Owego Creek to a point, said point being the northwest corner of the Town of Owego; thence in an easterly direction along the northerly boundary of the Town of Owego to a point, said point being the intersection of the northerly boundary of the Town of Owego and the center line of Lisle Road; thence in a southwesterly direction along the center line of Lisle Road to a point, said point being the intersection of the center line of Lisle Road and the center line of Hollister Road; thence in a westerly direction along the center line of Hollister Road and the center line of Pultz Hill Road to a point, said point being the

intersection of the center line of Pultz Hill Road as extended and the center line of Gaskill Road; thence in a south easterly direction along the center line of Gaskill Road to a point, said point being the intersection of the center line of Gaskill Road and the center line of East Beecher Hill Road; thence in a southwesterly direction along the centerline of East Beecher Hill Road to a point, said point being the intersection of the center line of East Beecher Hill Road and the center line of Welch Road, as extended; thence in an easterly direction along the center line of Welch Road and Patton Road to a point, said point being the intersection of the center line of Patton Road, as extended, and the center line of Lisle Road; thence in a southerly direction along the center line of Lisle Road and Davis Hill Road, to a point, said point being the intersection of the center line of Davis Hill Road and the center line of East Front Street (said boundary also being the westerly boundary of Legislative District No. 1); thence in a westerly direction along the center line of East Front Street to a point, said point being the intersection of the center line of East Front Street and the easterly boundary of the Village of Owego; thence in a southerly direction along the easterly boundary of the Village of Owego to a point, said point being the southeast corner of the Village of Owego; thence in a southwesterly direction along the southerly boundary of the Village of Owego to the point or place of beginning.

POPULATION: 5515

REPRESENTATIVES: ONE

DISTRICT 3: That portion of the Town of Owego on the south side of the Susquehanna River, bounded and described as follows:

Beginning at a point on the easterly boundary of the Town of Owego, said point being the intersection of the easterly boundary of the Town of Owego and the center line of the Susquehanna River; thence in a southerly direction along the easterly boundary of the Town of Owego and the westerly boundary of Broome County to a point, said point being the southeast corner of the Town of Owego; thence in a westerly direction along the southerly boundary of the Town of Owego and the Pennsylvania Border to a point, said point being the intersection of the southerly boundary of the Town of Owego and the center line of Bolles Hill Road; thence in a northeasterly direction along the center line of Bolles Hill Road to a point, said point being the intersection of the center line of Bolles Hill Road and the center line of Gaylord Road; thence in a westerly direction along the center line of Gaylord Road to a point, said point

being the intersection of the center line of Gaylord Road and the center line of Lillie Hill Road; thence in a westerly direction along the center line of Lillie Hill Road to a point, said point being the intersection of the center line of Lillie Hill Road as extended and the center line of Pennsylvania Avenue; thence in a northerly direction along the center line of Pennsylvania Avenue to a point, said point being the intersection of the center line of Pennsylvania Avenue and the center line of New Street; thence in a northerly direction along the center line of New Street to a point, said point being the intersection of the center line of New Street and the center line of West Main Street; thence in a westerly and northerly direction along the center line of West Main Street to a point, said point being the intersection of the center line of West Main Street and the center line of Watkins Avenue; thence in a westerly direction along said center line of Watkins Avenue to a point, said point being the intersection of the center line of Watkins Avenue and the center line of Holmes Avenue; thence northerly along said center line of Holmes Avenue to a point, said point being the intersection of the center line of Holmes Avenue and the center line of Hilton Road; thence easterly along the center line of Hilton Road to a point, said point being the intersection of the center line of Hilton Road and the center line of NYS Route 434; thence in a southeasterly direction along the center line of NYS Route 434 to a point, said point being the intersection of the center line of NYS Route 434 and the center line of the Apalachin Creek; thence in an easterly direction along the center line of the Apalachin Creek to a point, said point being the intersection of the center line of the Apalachin Creek as extended and the center line of the Susquehanna River; thence in an easterly direction along the center line of the Susquehanna River to the point or place of beginning.

POPULATION: 5439

REPRESENTATIVES: ONE

DISTRICT 4: That portion of the Town of Owego on the south side of the Susquehanna River, and two additional Towns, bounded and described as follows:

(A) That portion of the Town on the south side of the Susquehanna River, bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary of the Town of Owego (on the Pennsylvania Border) and the center line of Bolles Hill Road; thence in a northeasterly direction along the center line of Bolles Hill Road to a point, said point being the intersection of the center line of Bolles Hill Road and the center line of Gaylord Road as extended; thence in a westerly direction along the center line of Gaylord Road to a point, said point being the intersection of Gaylord Road as extended and the center line of Lillie Hill Road; thence in a westerly direction along the center line of Lillie Hill Road to a point, said point being the intersection of the centerline of Lillie Hill Road as extended and the center line of Pennsylvania Avenue; thence in a northerly direction along the center line of Pennsylvania Avenue to a point, said point being the intersection of the center line of Pennsylvania Avenue and the center line of New Street; thence in a northerly direction along the center line of New Street to a point, said point being the intersection of the center line of New Street and the center line of West Main Street; thence in a westerly and northerly direction along the center line of West Main Street to a point, said point being the intersection of the center line of West Main Street and the center line of Watkins Avenue; thence in a westerly direction along the center line of Watkins Avenue to a point, said point being the intersection of the center line of Watkins Avenue and the center line of Holmes Avenue; thence northerly along the center line of Holmes Avenue to a point, said point being the intersection of the center line of Holmes Avenue and the center line of Hilton Road; thence easterly along said center line of Hilton Road to a point, said point being the intersection of the center line of Hilton Road and the center line of NYS Route 434; thence in a southeasterly direction along the center line of NYS Route 434 to a point, said point being the intersection of the center line of NYS Route 434 and the center line of the Apalachin Creek; thence in an easterly direction along the center line of the Apalachin Creek as extended to a point, said point being the intersection of the center line of the Apalachin Creek as extended and the center line of the Susquehanna River; thence in a northerly and westerly direction along the center line of the Susquehanna River to a point on the easterly boundary of the Village of Owego; thence in a southerly direction along the easterly boundary of the Village of Owego to a point, said point being the southeast corner of the Village of Owego; thence in a southwesterly direction along the southerly boundary of the Village of Owego to a point, said point being the southwest corner of the Village of Owego; thence in a northerly direction along the westerly boundary of the Village of Owego to a point, said point being the intersection of the westerly boundary of the Village of Owego and the center line of the

Susquehanna River; thence in a westerly direction along the center line of the Susquehanna River to a point, said point being the intersection of the center line of the Susquehanna River and the westerly boundary of the Town of Owego; thence in a southerly direction along the westerly boundary of the Town of Owego to a point on the Pennsylvania Border, said point being the southwest corner of the Town of Owego; thence in an easterly direction and along the southerly boundary of the Town of Owego and the Pennsylvania Border to a point, said point being the intersection of the southerly Boundary of the Town of Owego (and the Pennsylvania Border) and the center line of Bolles Hill Road, the point or place of beginning.

(B) All of the Town of Nichols.

(C) All of the Town of Tioga.

POPULATION: 10879

REPRESENTATIVES: TWO, no more than one of whom shall reside in the same Town.

DISTRICT 5: That portion of the Town of Barton and the Village of Waverly, bounded and described as follows:

(A) The Village of Waverly.

(B) That portion of the Town of Barton, bounded and described as follows:

Beginning at the southwest corner of the Town of Barton; thence in a northerly direction along the westerly boundary of the Town of Barton and the easterly boundary of the County of Chemung to a point, said point being the intersection of the westerly boundary of the Town of Barton and the center line of Camptown Road; thence in an easterly direction along the center line of Camptown Road to a point, said point being the intersection of the center line of Camptown Road and the center line of NYS Highway 34; thence in a northerly direction along the center line of NYS Highway 34 approximately 420 feet to a point, said point being the intersection of the center line of NYS Highway 34 and an unnamed creek; thence in a southerly and easterly direction along the center line of said unnamed creek to a point, said point being the intersection of the center line of the unnamed creek and the centerline of Ranch Road; thence in a

southerly direction along the center line of Ranch Road to a point, said point being the intersection of the center line of Ranch Road and the center line of Spring Brook; thence in a northeasterly direction along the center line of Spring Brook to a point, said point being the intersection of the center line of Spring Brook and the center line of Talmadge Hill Road West; thence in an easterly direction along the center line of Talmadge Hill Road West to a point, said point being the intersection of the center line of Talmadge Hill Road West and Talmadge Hill Road South; thence continuing in an easterly direction along the center line of Talmadge Hill Road East a distance of approximately 752 feet to a point, said point being the intersection of the center line of Talmadge Hill Road East and the centerline of an unnamed creek; thence in an easterly direction along the center line of the said unnamed creek to a point, said point being the intersection of the center line of said unnamed creek and the centerline of Ellis Creek Road; thence in a southerly direction along the center line of Ellis Creek Road a distance of approximately 6551 feet to a point, said point being the intersection of the center line of Ellis Creek Road and the centerline of Ellis Creek; thence in a southerly direction along the center line of Ellis Creek to a point, said point being the intersection of the center line of Ellis Creek and the center line of Flag Marsh Run; thence in a westerly direction along the center line of Flag Marsh Run to a point, said point being the intersection of the center line of Flag Marsh Run and the center line of Heath Road; thence in a southerly direction along the center line of Heath Road to a point said point being the intersection of the center line of Heath Road and the center line of Rt. 17C; thence in an easterly and northerly direction along the center line of Rt. 17C to a point, said point being the intersection of the center line of Rt. 17C and the center line of Old Barton Road; thence in a northeasterly direction along the center line of Old Barton Road approximately 827 feet to a point, said point being the intersection of the center line of Old Barton Road and the center line of an unnamed creek; thence in a southerly direction along the center line of said unnamed creek to a point where said center line of said unnamed creek intersects with the westerly boundary of the Susquehanna River; thence in a southerly direction along the westerly boundary of the Susquehanna River to a point on the Pennsylvania Border; thence in a westerly direction along the southerly boundary of the Town of Barton and the Pennsylvania Border to the Southwest corner of the Town of Barton to the point or place of beginning.

POPULATION: 6001

REPRESENTATIVES: ONE

DISTRICT 6: That portion of the Town of Barton, and the Town of Spencer, bounded and described as follows:

(A) The Town of Spencer.

(B) The Town of Barton, excluding that portion which forms a portion of District 5.

POPULATION: 6003

REPRESENTATIVES: ONE

DISTRICT 7: That portion of all of the following Towns, bounded and described as follows:

(A) Candor

(B) Newark Valley

(C) Berkshire

(D) Richford

POPULATION: 11844

REPRESENTATIVES: TWO, no more than one of whom shall reside in the same Town.

SECTION 2:

Such Legislators shall be elected for terms as set forth in Local Law 2 of the Year 2011.

SECTION 3:

Town Supervisors, Village Mayors, Members of Town Boards, Members of Village Boards of Trustees shall be ineligible to serve simultaneously as County Legislators.

SECTION 4:

(A) For purposes of the nomination and election of County Legislators, this Local Law shall take effect immediately.

(B) For all other purposes, it shall take effect January 1, 2012, unless within forty-five days after its adoption there shall be filed with the Clerk a petition protesting against this Local Law, signed and authenticated as herein required by qualified electors of Tioga County, registered to vote therein at the last preceding general Election, in number equal to at least five per centum of the total number of votes cast for Governor at the last Gubernatorial Election in Tioga County, whereupon Section 4(B) of this Local Law shall not be effective until approved by the affirmative vote of a majority of the qualified Electors of Tioga County voting on the proposition for its approval.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

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

No –Legislator Quinlan.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 120-11 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2010 to March 31, 2011 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	\$ 30,368.84
Village of Waverly	7,709.55
Town of Berkshire	8,629.05
Town of Candor	21,395.50
Village of Candor	1,203.49
Town of Newark Valley	13,209.25
Village of Newark Valley	1,590.17
Town of Nichols	6,906.74
Village of Nichols	518.44
Town of Owego	144,465.32
Village of Owego	10,827.90
Town of Richford	1,988.66
Town of Spencer	12,644.47
Village of Spencer	1,490.97
Town of Tioga	<u>18,425.58</u>
	\$281,373.93

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 121-11 *TRANSFER OF FUNDS*
PERSONNEL DEPARTMENT

WHEREAS: The Personnel Department budgeted for updates to their law books; and

WHEREAS: Periodically the publisher of the law books prints new editions of the books, incorporating all updates since the last edition; and

WHEREAS: The last edition was printed in 1999; and

WHEREAS: It turns out 2011 is a year in which the publisher printed new law books instead of simply providing updates; and

WHEREAS: The cost of the new books is \$1,530, which exceeds the \$189 budgeted for updates; therefore be it

RESOLVED: That the following sum be transferred:

From: Personnel Account A1430.10 (10) Full Time	\$ 1,340.00
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To: Personnel Account A1430.40 (340) Literature	\$ 1,340.00
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ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 122-11	<i>APPROPRIATION OF FUNDS PUBLIC HEALTH</i>
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WHEREAS: Tioga County Health Department (TCHD) has received additional funding for Public Health Emergency Preparedness through the NYS Department of Health (NYSDOH); and

WHEREAS: TCHD has received NYSDOH budget approval of the funding, and is required to appropriate the funds; and

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

RESOLVED: That funding be appropriated as follows:

From:	A3401.00 Public Health State Aid	\$44,063
To:	A4011.20-130 Public Health Admin: Equip	\$20,000
To:	A4011.40-640 Public Health Admin: Program Supplies	\$18,563
To:	A4053.20-130 Preventive & Primary Health: Equip	\$ 5,500

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 123-11 *RESOLUTION APPOINTING
DIANE SAGUE TO THE
COMMUNITY SERVICES BOARD*

WHEREAS: The Tioga County Community Services Board has a vacant position available; and

WHEREAS: Diane Sague, residing in Newark Valley, NY, has expressed an interest in filling the vacant position; and

WHEREAS: The Community Services Board nominated Ms. Sague for the position at its April 21, 2011 meeting; now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Diane Sague to the Tioga County Community Services Board for a term beginning May 10, 2011 and ending on March 31, 2015.

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 124-11 *RESOLUTION APPOINTING
BARBARA NEWCOMB TO THE
COMMUNITY SERVICES BOARD*

WHEREAS: The Tioga County Community Services Board has a vacant position available; and

WHEREAS: Barbara Newcomb, residing in Apalachin, NY, has expressed an interest in filling the vacant position; and

WHEREAS: The Community Services Board nominated Ms. Newcomb for the position at its April 21, 2011 meeting; now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Barbara Newcomb to the Tioga County Community Services Board for a term beginning May 10, 2011 and ending on March 31, 2015.

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 125-11 *APPROVE PUBLIC TRANSPORTATION
BUS ROUTE CHANGES
SOCIAL SERVICES*

WHEREAS: A review of the current bus route schedule was done to look for efficiencies and ensure maximization of revenue miles; and

WHEREAS: Adjustments to some fixed routes will enhance ridership and increase revenue miles; therefore be it

RESOLVED: That the Department of Social Services be authorized to make the following fixed route changes, effective May 11, 2011:

1. Begin and end Route 1 in Owego
2. Begin first route in the morning on Route 5 and 8 in Owego
3. Begin and end route 7 in Owego

ROLL CALL VOTE

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

No –None.

Absent –Legislators McEwen and Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 2:00 p.m.