

*Third Regular Meeting*  
March 15, 2016

The Third Regular Meeting of 2016 was held on March 15, 2016 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we pray you continue to watch over us as we strive to serve the people of Tioga County. We ask that you guide us and grant us the blessings of wisdom, courage, and understanding so that our actions meet the needs of those we serve. In your son's name hear our prayer."

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

There were 15 people in attendance.

Tara Chilson of the Employee Recognition Committee presented the Employee of the 1<sup>st</sup> Quarter 2016 to Liz Struble of the Sheriff's Department.

"At this time we would like to thank the Legislature on behalf of the Employee Recognition Committee for your support for this program. Liz was selected as Employee of the 1<sup>st</sup> Quarter of 2016. She is a Dispatcher at the Sheriff's Department. She started working for Tioga County as a Dispatcher at the Sheriff's Department on May 19, 2002 until September 3, 2004. She left for a short time and returned to the Department as a Dispatcher on October 29, 2006. Liz has a very difficult job. As a Dispatcher, it is her responsibility to handle calls when they come in, calm down the callers who at times are very anxious and agitated, and gather all the important details to pass along to the Deputies. This is a weighty responsibility because one error can put the Deputies in jeopardy.

"Due to the nature of this job, it is easy for others to get frustrated and those frustrations at times are directed at Liz, but she always is polite and calm. Liz is a multitasker, which is a must in Dispatching, gathering information from the caller, entering it into the computer, transmitting information to the Deputies, looking up driver information, assisting coworkers with transmissions and keeping track of the Deputies location to ensure their safety.

"Liz was born on Long Island, New York and lived there for 14 years. She then moved to Barton and attended Tioga Central School. She worked at Hadco/Samina for 27 years. She has been married for 38 years to her husband Charles. She has one stepdaughter and two grandchildren who reside in Florida. Liz enjoys many hobbies, which include gardening, needlework, reading

and shopping. She also loves driving her new Mini Cooper. Liz enjoys spending time with her family and friends. Liz is a great asset to the Sheriff's Department and to the residents of Tioga County. Thank you Liz for your outstanding loyalty to and hard work for the County. Your dedication is appreciated by us all."

Legislator Mullen spoke. "Good evening. It is a unique privilege for me to recognize Liz tonight because for 17 years I was a road trooper here in Tioga County, and I can tell you there is no better friend than for a road trooper or a road deputy or any police officer working a road or a serious incident to have a Dispatcher who is calm, cool and collected and helping you think through a serious incident, and I can tell you it was always a relief. I spent many many evenings in Liz's company where I was in the State Troop car and Liz was at the Dispatch desk at the Public Safety Building, but when you ask Liz to do something for you it got done and if you forgot to do something, you did not really forget because Liz remembered. I can tell you that I have firsthand experience in life and death situations, and the resolution says she is calm, cool, and collected, and that is exactly what she is. She is a professional, she is easy going, and she makes a very difficult job of a law enforcement officer much much easier, and I just want to congratulate on behalf of the County Legislative body and thank you for your hard work and dedication to Tioga County."

Sheriff Howard spoke. "Liz is the calm before the storm and during the storm, and after the storm. She guides everybody through. She knows what to do. She tells us what to do. She tells the Deputies, the Troopers, and all the Police Officers. She is very calm and you never have a problem understanding what she wants you to do. She will tell you. She left us for a little while. I heard she was back. I tracked her down, I begged her to come back, and she did, and I think she is here to stay. We really appreciate her. Tioga County should be very happy and proud to have her as an employee."

Liz spoke. "Thank you, I am very honored to accept this. Thank you very much."

Chair Sauerbrey gave the State of the County Address.

"I am pleased to have this opportunity to tell you about our accomplishments and challenges over the last year and give you a glimpse of the State of the County.

"Change is a part of daily life and last year we lost several leaders and friends. We were saddened by the loss of former Legislators Dom D'Angelo and George Penney; and most recently Legislator Ray Case.

“With the start of a new year we congratulated Bob Woodburn on his retirement and welcomed, County Clerk, Andrea Klett, Department of Health Director Lisa McCafferty and Legislator Dennis Mullen.

“Tioga County is a great place to live and raise a family. We have excellent schools, it's safe, and it's beautiful. This is our home, where we raise our families and hopefully enjoy our grandchildren, but for our children to stay in the area, they need good jobs, decent housing and opportunity.

“In 2015 we celebrated Tioga Downs's approval for the Casino License application; the arrival of a new manufacturing company, Crown Cork and Seal, \$300,000 Main Street Grant for the Village of Waverly; and the ground breaking of Owego Gardens housing project. Tioga County is part of the Southern Tier Regional Economic Development Council. The Council received \$117 million for 100 projects and URI (upstate revitalization incentives) strategies that will benefit Tioga County, as well as the entire Southern Tier.

“Last year we reduced our unemployment rate by 1.1% from the year before. There was over \$318 million in new investment, 813 direct permanent jobs and 1,300 direct construction jobs that were created and/or retained. There has been nearly \$3.7 million in loans and grants made over the last year coupled with over \$230,000 in private investment by our small businesses.

“Our Tioga Business Services Team has been working together to bring jobs to our county, last week over 900 people attended the second annual job fair with over 80 businesses participating. The efforts of the Economic Development and Planning Department, along with our partners, have brought and retained jobs, investment, proper planning, improvements and growth opportunities.

“The Tyler Technologies Financial Management Accounting System (FMAS) Software Project has been the largest and most time consuming project we have taken on in several years, encompassing every county department and requiring a tremendous amount of staff time. All of our departments from DSS, to Board of Elections have been involved in the planning, implementation and training of this financial software project. Financials went live in November, payroll in January and HR is currently underway. This system will create efficiencies that will save us time and provide more accurate timely financial information.

“The IT Department has been involved in the Tyler FMAS Project and will be more so as we complete training and stand alone. They keep our computers running, they manage our communications and much more. Last year we launched a new website which is much easier to navigate and contains more

information. We also installed a new phone system throughout the county. The new phone system allowed DSS to create a call center for the HEAP (Home Energy Assistance Program) department. The HEAP staff now can log into the call center and take calls as they come in rather than only have one phone to answer calls.

“We were successful in updating the County Security Policy and will follow through with the implementation in 2016. The Document Restoration project from the flood of 2011 was finally completed and documents are back on the shelves. Other FEMA projects have been closed out and we expect to finish the rest by the end of the year. The Law Department has been active in all of these projects along with many others including the bidding out of the new Jail Medical and Mental Hygiene Services Contract.

“Since we can’t control Mother Nature, severe summer storms continue to create havoc with culverts and drain pipes and create problems throughout the county. Our Public Works Department addressed those issues and worked with Towns and Villages to get roads and bridges back in shape and safe again. Three bridge projects were completed and the Third and Final Phase of the County Court House Restoration was completed. The Department of Solid Waste continues to provide a safe and economical method for residents to dispose of their waste and to recycle items mandated by State law. As an added bonus more than 800 tons of tires have been cleaned up over an eight year period through a special donation from Upstate Shredding-Ben Weitsman.

“There are approximately 4,000 veterans in Tioga County and our Veterans Services Department is here to serve the needs of all our Tioga County Veterans. Last year, with the help of our Real Property Department, the Legislature adopted a new local law, approving the Gold Star Veteran Exemption for parents who have lost a child who died in the line of duty serving for the United States Military.

“We continue to provide quality services to the citizens of Tioga County through the Mental Health Department and the Department of Social Services. Our staff is committed to delivering services for people who need help, be it counseling for alcohol or drug addiction, providing food for the table, housing, or help with family matters. We provide programs to insure that the children of Tioga County have enough to eat and a safe place to live.

“Recently we heard from a mom who was part of the Healthy Neighborhoods Program; a personal health, and safety program administered by the County Health Department. Last year she had been given two carbon monoxide detectors that were installed in her home. As it turns out, during the night a detector alerted them that the house had been filled with Carbon

Monoxide and they evacuated the home. She called the next day to express her thanks for saving herself and her five children.

“Our Public Safety team continues to keep us safe from danger and disaster. The Sheriff's Department, Fire Bureau, and Emergency Management Office work together to insure our well-being. Increased drug activity has taken up additional county services and concern. Deaths by heroin overdoses have increased. This is an addiction that affects people from every walk of life. We just held a meeting to find out how the heroin epidemic has affected Tioga County and what resources we have to deal with the problem. Needless to say our resources are few and the questions how to fight it are many. We have joined the rest of the country in the fight against heroin and other drug issues.

“Planning for the future is a big challenge because we are never sure what is going to happen to the financial markets, job scene or if there will be another costly disaster. We love the low gas prices, however it has translated into a decrease in sales tax income for the county of 3.4% from 2014.

“So let's talk about the Tax Cap. Everyone loves the idea of keeping taxes low, including the Legislature. The public perception is that the cap is at 2%, but the calculations presented by the State include Pilot Receivables, previous year rollover funds and the Inflation Factor, our estimated levy is 1.5% or less. It's great for the taxpayers, but with very limited fund balance to add to the budget it's a challenge to fund day to day operations without cutting services.

“For the last ten years, Tioga County has kept its Property Tax Rate at an average of 2%. 83% of the County Budget is designated for mandated programs. When State Lawmakers enacted the property tax cap they said mandate relief would follow. They capped Medicaid and reformed the pension system, but they did nothing to lower mandates for the counties. I believe we have done all we can to keep our taxes down and now we need the state to keep their promise and give us mandate relief.

“As we set goals for the future they are pretty basic! We will finish up with our financial software project, continue to provide needed services, work for new jobs, and keep taxes low. That is what you have told us you want and that is what we intend to do.

“As Chair of the Legislature I am at the county every day and I'm able to be part of our county operations and see how our employees go about their daily business. Our successes during the past year are largely due to the hard work and dedication of our county Department Heads and their staff. I am

extremely proud of all of our employees, I'm proud of the work that we do here, of the services we provide to the citizens of Tioga County.

"Thank you for this opportunity to address you today.

"Each year I ask each department to provide an Annual Report to the Legislature noting their accomplishments. These reports are very informative and contain a lot of data. I encourage you to go on the legislative page on the county website and review the reports that the departments have presented."

Chair Sauerbrey noted the following Proclamation on Public Health Week.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of deadly diseases; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 4-10, 2016 as

#### PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

Legislator Standinger read and presented the following Proclamation on National Poison Prevention Week to Marilyn Reynolds, Supervisor for the Public Health Department.

#### County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: Household and environmental poisons pose risks to Americans of all ages, while children under age 6 account for half of all cases of poison exposure; and

WHEREAS: More than 90 percent of poisoning deaths occur among people over the age of 20; and

WHEREAS: Most poisonings take place at home where cleaning products, cosmetics, and other chemicals are stored; and

WHEREAS: Everyone should also be aware of local environmental poisons, including plants, insects, and berries; practice safe food preparation and handling to avoid food poisoning; and guard against carbon monoxide by installing detectors for this colorless, odorless gas; and

WHEREAS: Lead poisoning, which is an increased level of lead in the blood, is especially dangerous for children; lead is found in drinking water from lead pipes and lead-contaminated paint, dust and soil are commonly found in older homes, specifically pre-1978 built homes; and

WHEREAS: If you suspect someone has been poisoned, fast action is essential, immediately call the toll-free Poison Help line at 1-800-222-1222. Do not wait for signs of poisoning; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of March 20-26, 2016 as

NATIONAL POISON PREVENTION WEEK

and urges all residents to take steps to educate themselves, their families, and the community about the importance of poison prevention.

Legislator Standinger spoke. "I just want to say a couple of things about poison. I know that there has been a lot of media attention lately about lead poisoning of children and I would like to say that I commend the Health Department for being on top of it. At our Committee meeting they gave us a dissertation on the steps they are taking to ensure that water is tested properly, and I commend them for that."

Marilyn Reynolds, Supervisor for the Public Health Department spoke. "On behalf of the Public Health Department, I would like to thank the Legislators for their recognition and support of poison prevention awareness month and prevention week. There are many household and environmental poisons, and we are especially aware of lead, especially with it being in the new so much. Thank you very much for recognizing and supporting this."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of February 9, 2016, seconded by Legislator Monell, 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 Hollenbeck.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 51-16

*ERRONEOUS ASSESSMENT  
TOWN OF BARTON*

WHEREAS: An application for corrected tax roll for property no. 12206 assessed to Andrea Kovacs on the 2016 tax roll of the Town of Barton indicates that this parcel is invalid due to Errors of Essential Fact – improvement is present on different parcel; and



WHEREAS: A 2016 tax bill was issued for this invalid parcel #12206 erroneously; be it therefore

RESOLVED: That the erroneous town tax of \$127.50 be charged back to the Town of Barton; and the erroneous fire tax of \$55.65 be charged back to the Barton Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$27.46 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$586.91 be charged back to the Waverly School District; and be it further

RESOLVED: That the erroneous county tax and school penalty of \$635.60 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 52-16                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll for property No. 11700, assessed to Sanmina Corp on the 2016 tax roll of the Town of Owego indicates that the 2015/16 school taxes were paid to OASD through a Pilot payment from TCIDA but were not posted by the OASD; and

WHEREAS: The 2015/16 school taxes were returned to the County Treasurer's office as unpaid and the taxes and penalties in the amount of \$39,340.22 were relieved to the Sanmina Corp 2016 Town & County bill in error; be it therefore

RESOLVED: That a new 2016 tax bill be issued by the Town of Owego Tax Collector to Sanmina Corp for property no. 11700 as follows:

	<u>Bill Property #11700</u>	<u>NEW Bill Property #11700</u>
County	15,014.35	15,014.35
Recycle	693.58	693.58
Townwide	1,424.88	1,424.88
Part Town	3,832.47	3,832.47
OASD School	39,340.22	-
Owego Fire	<u>2,940.80</u>	<u>2,940.80</u>
	<u>\$63,246.30</u>	<u>\$23,906.08</u>

And be it further

RESOLVED: That the erroneous school tax and interest of \$36,766.56 be charged back to the Owego Apalachin School District; and be it further

RESOLVED: That the erroneous county penalty of \$2,573.66 be charged to the proper accounts in the records of the County Treasurer.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. 53-16 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and

approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$114,882.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$114,882.00 for the period of April 2016 – April 2017; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$9,573.50 at a total annum amount of \$114,882.00.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:                   ED&P COMMITTEE  
                                          FINANCE COMMITTEE

RESOLUTION NO. 54-16           *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE  
                                          OF CHAIRS FOR THE ECONOMIC DEVELOPMENT &  
                                          PLANNING CONFERENCE ROOM*

WHEREAS: The Economic Development & Planning Conference Room has no chairs for guest seating; and

WHEREAS: The Economic Development and Planning expense account does not have an existing account for the purchase of these chairs; and

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the guest chairs for the Economic Development and Planning Conference Room and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$200.00

To: ED&P Account A6422 - 520070 \$200.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 55-16      *AUTHORIZE TRANSFER OF FUNDS FROM  
SOFTWARE RESERVE FOR SHERIFF'S OFFICE  
FOR CIVIL OFFICE SOFTCODE SOFTWARE*

WHEREAS: Tioga County established a Software Reserve fund; and

WHEREAS: Tioga County adopted the 2016 budget that included software needs for the Sheriff's Office for the Civil Office called softcode; and

WHEREAS: There are funds available for software; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer to transfer funds in the amount of \$44,000 out of the Software Reserve Account H 387804 into the dedicated H3110-520620 Sheriff Software Expense to fund the purchase of softcode for the Sheriff's Civil Office.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 56-16      *APPROPRIATION OF FUNDS*  
*MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through federal aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with Tioga County Council on Alcoholism and Substance Abuse (TCCASA) to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4211 444860 Federal Aid Council on Alcoholism      \$571.00

To:     A4211 540590 Alcohol & Drug Services: Services Rendered      \$571.00

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 57-16                      *MODIFY 2016 BUDGET*  
*EMERGENCY MANAGEMENT*

WHEREAS: The Emergency Management Office has budgeted \$10,000 for Hyper-Reach, the County's emergency notification system; and

WHEREAS: This money was erroneously budgeted under an inactive Homeland Security grant account A3357.540140; and

WHEREAS: In order to process this bill for payment, it is necessary to transfer the \$10,000 to an active account A3640.540660; therefore be it

RESOLVED: That the 2016 Emergency Management budget be modified as follows:

**Transfer \$10,000**

**FROM:** A3357.540140 Homeland Security 2012                      \$10,000

**TO:**     A3640.540660 EMO Telephone                                      \$10,000

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 58-16 *HOME RULE REQUEST IN SUPPORT OF S6664/A7897A: AN ACT TO AMEND CHAPTER 412 OF THE LAWS OF 1990 RELATING TO AUTHORIZING THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION TO LEASE A PORTION OF STATE LAND TO PUBLIC TELEVISION STATION WSKG, IN RELATION TO LEASING SUCH LAND, TOWER AND ASSOCIATED UTILITY LINES TO THE TIOGA COUNTY BUREAU OF FIRE, THE NORTHERN TIOGA EMERGENCY MEDICAL SERVICES, THE NEWARK VALLEY CENTRAL SCHOOL DISTRICT, THE BERKSHIRE FIRE DEPARTMENT AND THE TOWN OF BERKSHIRE HIGHWAY DEPARTMENT*

WHEREAS: Section 1 amends Chapter 412 of the laws of 1990 relating to authorizing the Commissioner of Environmental Conservation to lease a portion of state land to public television station WSKG, in relation to leasing such land, tower and associated utility lines to the Tioga County Bureau of Fire, the Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department, and the Town of Berkshire Highway Department. The lease of such land and television translator system shall be made upon such terms and conditions as the commission determines, provided the lease does not exceed twenty years; and

WHEREAS: The radio tower site was leased from 2004-2014 by the Berkshire Emergency Squad from the Commissioner of Environmental Conservation and is the primary radio tower for Newark Valley Central School, the Northern Tioga EMS and the Berkshire Fire and Highway Department. The Tioga County Bureau

of Fire will be a new lease holder and will integrate the county's fire and EMS services through the radio tower. Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department and the Town of Berkshire Highway Department will also continue to use the radio tower; and

WHEREAS: State Legislative authority is needed to authorize the Commissioner of Environmental Conservation to lease state land, associated utility lines and television translator system to the Tioga County Bureau of Fire and other occupants; now therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate bill number S6664 and Assembly bill number A7897A entitled "An Act to Amend Chapter 412 of the laws of 1990 relating to authorizing the Commissioner of Environmental Conservation to lease a portion of state land to public television station WSKG, in relation to leasing such land, tower and associated utility lines to the Tioga County Bureau of Fire, the Northern Tioga Emergency Medical Services, the Newark Valley Central School District, the Berkshire Fire Department, and the Town of Berkshire Highway Department".

ROLL CALL VOTE

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

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. 59-16

*AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE*

WHEREAS: A project for the Tioga County Bridge Preventive Maintenance Program (FFY15), PIN 9753.97 (the "Project") is eligible for funding under Title 23



U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Construction and Construction Supervision and inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and be it further

RESOLVED: That the sum of \$200,000 is hereby appropriated from D5110 (Org) 540050 (Object) and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED: That the Chair of the County of Tioga Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and /or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement of approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED: That this Resolution shall take effect immediately.



## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 61-16                      *AUTHORIZE THE SUBMISSION OF EMPG16  
GRANT APPLICATION  
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security and Emergency Services will be issuing a grant to the Tioga County Office of Emergency Management in the amount of \$24,151. The grant will be used to offset operational costs; and

WHEREAS: The Tioga County Emergency Management Office has received funds through the Emergency Planning Grant (EMPG) for several years; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application which is due by the end of March; therefore be it

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

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 62-16

*AUTHORIZE THE SUBMISSION OF  
HOMELAND SECURITY GRANT  
APPLICATION  
(SHSP 16 and SLETPP 16)  
EMERGENCY MANAGEMENT  
SHERIFF'S OFFICE*

WHEREAS: The Office of Homeland Security has issued a grant of \$70,000 to Tioga County. The grant will be used for the County's "Dark Fiber" project. Once the grant is awarded, 75% (\$52,500) will be appropriated to Emergency Management (SHSP16); and 25% of the monies (\$17,500) will be appropriated to the Sheriff's Office (SLETPP16); and

WHEREAS: The Tioga County Emergency Management Office has to submit an application for this funding by March 29, 2016; and

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

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO:                   LEGAL/FINANCE

RESOLUTION NO. 64-16            *AUTHORIZE EXECUTION OF  
MODIFIED 2015 COOPERATIVE  
AGREEMENT BETWEEN THE LAW  
DEPARTMENT AND DSS*

WHEREAS: The 2015 Cooperative Agreement between the Law Department and DSS was submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and

WHEREAS: The Office of Children and Family Services requested a change in the wording of the agreement; now therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute the modified 2015 Cooperative Agreement between the Law Department and DSS; and be it further

RESOLVED: That the modified 2015 Cooperative Agreement between the Law Department and DSS shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 65-16

*AUTHORIZE EXECUTION OF  
COOPERATIVE AGREEMENTS  
BETWEEN THE LAW DEPARTMENT,  
ITCS, SHERIFF, PUBLIC HEALTH, DSS,  
AND MENTAL HYGIENE*

WHEREAS: Tioga County is implementing a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and ITCS and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 66-16 *AUTHORIZE CONTRACT FOR NEW  
INTERNET AND PHONE SERVICE*

WHEREAS: Tioga County routinely engages in multi-year contracts in order to achieve savings on telephone and Internet services; and

WHEREAS: The current contract for Internet and phone services ends in March 2016; and

WHEREAS: The Information Technology department has evaluated options from multiple vendors; and

WHEREAS: Time Warner Cable has submitted a proposal that reduces costs by approximately 33% from the current contract (\$3,200 to \$2,100 per month); and

WHEREAS: The Information Technology Department has recommended the County sign this contract; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign the associated contracts for this service after review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 67-16 *REAPPOINT MEMBER  
BOARD OF ETHICS*



WHEREAS: Gwen Kania's appointment on the Board of Ethics is due to expire March 31, 2016; and

WHEREAS: Gwen Kania has agreed to serve another term on the Board of Ethics; therefore be it

RESOLVED: That Gwen Kania, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2016 through March 31, 2019.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 68-16 APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/16-3/31/17
Crime Victim	4/1/16-3/31/17
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/16-3/31/17

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 69-16      *APPROVE THE BUREAU OF FIRE TO  
CONTRACT WITH DR. JOHN P. ZEVAN  
AS MEDICAL DIRECTOR  
TO OVERSEE THE BUREAU OF FIRE  
EMS TRAINING PROGRAMS*

WHEREAS: The New York State Department of Health requires that each organization providing EMS training to Fire and EMS units have a Medical Director to oversee such training programs; and

WHEREAS: The Tioga County Bureau of Fire provides such EMS Education to the Fire Departments, Emergency Squads and other organizations in Tioga County; and

WHEREAS: Due to the passing of EMS Medical Director Dr. Aaron Daggy this created a vacancy in the position of EMS Medical Director; and

WHEREAS: Dr. John P. Zevan has expressed an interest in performing this task for the Bureau of Fire and has experience in Emergency Medicine; therefore be it

RESOLVED: That the Tioga County Legislature, after approval by the County Attorney, hereby authorizes the Bureau of Fire to enter into a contract with Dr. John P. Zevan for services as Medical Director for EMS Training for the sum of \$3,000.00 per year effective March 21, 2016; and be it further

RESOLVED: That this funding will come out of the current Bureau of Fire Budget and cause no increase to the Bureaus Annual Budget.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 70-16      *AUTHORIZATION TO CREATE AND FILL ONE (1)  
PART-TIME, INFORMATION SECURITY OFFICER  
POSITION  
LEGISLATIVE OFFICE*

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

WHEREAS: Resolution 237-15 amended Tioga County Policy 43 by establishing the *Comprehensive Information Security Policy* which identified that Tioga County would appoint an Information Security Officer (not a member of ITCS) to be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That one (1) part-time, Information Security Officer shall be created within the Legislative Office effective March 21, 2016; and be it further

RESOLVED: That Susan Haskett shall be appointed to the part-time, Information Security Officer position for 2016 and will be compensated at an annual rate of \$5,000 per year; and be it further

RESOLVED: That the Legislative Office authorized part-time headcount for 2016 shall increase from 10 to 11.

## ROLL CALL VOTE

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

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. 71-16                      *CREATE AND FILL HIGHWAY WORKER  
(SEASONAL) POSITION  
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2016; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective May 2, 2016 through October 14, 2016 at an hourly rate of \$9.70, however no more than 1210 hours may be worked May 2, 2016 – October 14, 2016.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

Legislator Sullivan moved to have the following late-filed resolution considered, seconded by Legislator Monell and carried.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 72-16                      *CREATE THREE (3), FULL-TIME TEMPORARY  
CONSTRUCTION INSPECTOR POSITIONS  
PUBLIC WORKS*

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2016 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating three (3) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2016; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create three (3) full-time, temporary Construction Inspector positions effective March 21, 2016, at an hourly rate range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks and one (1) Construction Inspector will be employed for a temporary duration not to exceed 16 weeks.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:29 P.M.