

Agenda



TIOGA COUNTY LEGISLATURE

3/14/2017

6: 00 PM

EDWARD D. HUBBARD AUDITORIUM
 RONALD E. DOUGHERTY COUNTY OFFICE BUILDING
 56 Main Street
 Owego NY 13827

Meeting called by: Chair Martha Sauerbrey

Type of meeting: 3rd Regular

Attendees:
 Legislator Hollenbeck
 Legislator Huttleston
 Legislator Monell
 Legislator Mullen
 Legislator Roberts
 Chair/Legislator Sauerbrey
 Legislator Standinger
 Legislator Sullivan
 Legislator Weston

Agenda topics

Invocation	Legislator Monell
Pledge of Allegiance	Legislator Monell
Recognition Resolutions (3)	Judith Quigley, County Attorney Donald Bostwick, Public Works Joan Kellogg, Public Health
Proclamations (3)	Women's History Month Child Abuse Prevention Month National Poison Prevention Week
STATE OF THE COUNTY ADDRESS	

Privilege of the Floor Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments Reports Standing/Special Committees	February 14 and 23, 2017	
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RESOLUTIONS:	<ol style="list-style-type: none"> 1. Home Rule Request in Support of S4089/A5907: Extending the current and imposing additional sales and compensating use taxes by the County of Tioga 2. DMV Fee Retention Increase 3. Authorize Increase in administering mortgage tax by the Tioga County Clerk as approved by New York State Department of Taxation and Finance 4. Authorize Transfer of Funds for Purchase of Chairs for the Economic Development & Planning Conference Room 5. Appropriation of Funds Public Health 6. Fund Transfer to facilitate respirator physicals and fit testing 7. Transfer of Capital Funds-Sheriff Office 8. Appoint Members Alternatives to Incarceration Advisory Board 9. Adopt the North Tioga Agricultural District (#3) as modified and submit same to the New York State Department of Agriculture and Markets for Approval 10. Authorize 2017 Requests for inclusion of lands in Agricultural Districts 11. Authorize Application for NYS DOS Countywide Resiliency Planning Grant 12. Filing of an application for State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and signing of the associated State Master Grant Contract, under the appropriate laws of New York State 13. Award Fire and Security Alarm Dialer Replacement 14. Rescind Resolution No. 39-17 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 15. 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 16. Authorize Execution of Cooperative Agreements between the Law Department, ITCS, Sheriff, Public Health, DSS, and
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	<p>Mental Hygiene</p> <ol style="list-style-type: none">17. Amend County Policy 10; Personnel Policies18. Reappointment of County Historian19. Create Temporary Position; Authorize Appointment Law Department20. Authorize Temporary Appointment Law Department21. Create and Fill Highway Worker (Seasonal) Position Public Works22. Create two (2), full-time Temporary Construction Inspector Positions Public Works23. Abolish one (1) vacant Full-Time Clinical Social Worker; and Create one (1) Full-Time Certified Alcohol & Drug Counselor Department of Mental Hygiene
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REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -17 RESOLUTION RECOGNIZING
JUDITH M. QUIGLEY'S
YEARS OF SERVICE TO
TIOGA COUNTY

WHEREAS: Judith M. Quigley started working for Tioga County in September 1983 when she began working for the District Attorney's Office as an Assistant District Attorney and worked in that capacity until July 1992; and

WHEREAS: In July 1992 Judy began working for the Law Department as an Assistant County Attorney handling juvenile delinquency and person in need of supervision matters, a position that requires not only applying the law but weighing matters that could potentially affect young people for the rest of their lives; and

WHEREAS: In August 2010 Judy became the County Attorney and as such became sole legal counsel to the Tioga County Legislature and all Tioga County departments, as well as counsel for all Legislative committees; and

WHEREAS: During Judy's tenure with the County she has maintained a working relationship that is marked by extreme conscientiousness and professionalism, often acting beyond the scope of her duties as legal counsel; and

WHEREAS: Judy's dedication to Tioga County did not end with her work day as is evidenced by her current and past service to many boards and organizations in the community such as Hospice, A New Hope Center, Senior Citizens Foundation, Rotary, and Owego Gymnastics. In addition, she attended monthly Board of Health meetings on behalf of the County before the work day began; and

WHEREAS: Judy Quigley has been a committed and diligent employee to Tioga County for over 30 years and will retire on March 17, 2017; 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 Judy Quigley for her 33 plus years of dedicated and professional service to Tioga County and its residents; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this exemplary employee, Judy Quigley.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -17

RECOGNIZING DONALD BOSTWICK'S
21 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY

WHEREAS: Donald Bostwick started his employment with Tioga County as MEO I of Public Works August 28, 1995; and was promoted to MEO III on January 1, 1997; and was promoted to HEO I on March 8, 1999; and was promoted to HEO II on January 26, 2004 and was promoted to HEO III on April 14, 2008; and

WHEREAS: Donald Bostwick has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 21 years to the Public Works Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Bostwick is retiring on March 31, 2017; 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 Donald Bostwick for his 21 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 dedicated and outstanding employee, Donald Bostwick

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -17

RECOGNITION OF
JOAN KELLOGG'S 28 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT

WHEREAS: Joan Kellogg was appointed to the position of Account Clerk Typist in the Public Health Department on February 21, 1989, and was promoted to Sr. Account Clerk Typist on October 2, 1989. She was again promoted on January 9, 1997 to Principal Account Clerk; and

WHEREAS: Earlier this year Joan was honored as the Public Health Team Member of the Quarter by her peers in Public Health; and

WHEREAS: Joan has spent a significant portion of her Public Health career working in our children services programs: Preschool Supportive Health Services and Early Intervention; and

WHEREAS: Joan Kellogg has been dedicated and loyal in the performance of her duties and responsibilities in Public Health. She has earned the respect of her colleagues and peers throughout Tioga County, as well as within the New York State Department of Health and State Education Department; and

WHEREAS: Joan Kellogg will retire on March 18, 2017; 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 Joan Kellogg for her over 28 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, Joan Kellogg.

PROCLAMATION
WOMEN'S HISTORY MONTH

WHEREAS: Tioga County women, past and present, have contributed to the economic, social, and cultural success in every sphere of life; and

WHEREAS: Tioga County women have made countless chronicled, as well as undocumented, historic contributions to the growth and strength of our County; and

WHEREAS: Dr. Helen Dean King 1869-1955; Born in Owego, graduated from Bryn Mawr in 1892 and attained her PhD in 1899. In 1932 while assistant professor of embryology at the Wistar Institute of Anatomy at the University of Pennsylvania, she was selected as one of two women of highest attainment of scientific research in the world. At the turn of the century she was the only woman with the highest achievement to hold a professorship in research other than Madam Curie of France; and

WHEREAS: Alida V. Noble 1849-1929; Born in Newark Valley, attended Elmira College, taught mathematics for 10 years at Claverack College on the Hudson. While there, she began studying painting and was widely recognized as perhaps the best American copyist of the Old Masters; and

WHEREAS: Belva Lockwood 1830-1917, Born in Niagara County, later moved to Owego, became a teacher and opened the Owego Female Seminary on Front Street. She later moved to Washington, DC to study law, graduated and was later admitted to the Bar. In 1879 she was the first woman permitted to practice law in the Supreme Court of the U.S. In 1888 at the end of her career she ran for president of the United States; and

WHEREAS: Tioga County women have been leaders, not only in securing their own professions but in the rights of suffrage that of voting as a right rather than a privilege, and including equal opportunity; and

WHEREAS: Esther H. Morris 1814-1902; Born in Spencer, NY, resided in Owego and later moved to Wyoming where she had been the primary factor in lobbying for women's right to vote. A bill was passed in 1869 and for the first time that granted women the right to vote equally with men. In 1870, she became the first female Justice of the Peace in the United States. Today, there is a large statue of her in front of the State Capitol Building in Cheyenne, and a smaller one has been place in Statuary Hall in Washington, DC.; and

WHEREAS: Elizabeth B. Chatfield 1844-1917; born in Owego, also fought for the rights of women and became the private secretary and close friend to Susan B. Anthony, fighting for women's rights. When Ms. Anthony visited Owego to speak at the courthouse in 1894, she was Elizabeth's overnight guest on Front Street; and

WHEREAS: the Tioga County Legislature recognizes March as Women's History Month, and

WHEREAS: 2017 marks the 100th Anniversary of Women's Right to Vote in New York State, therefore

THE TIOGA COUNTY LEGISLATURE encourages all citizens of Tioga County to honor and respect those women who came before them; and to acknowledge and celebrate the sacrifices made by those who worked to secure the Right for Women to vote that was secured with the 19th Amendment to the Constitution in 1920.

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,095 reports of alleged abuse/neglect involving 2,285 children in 2016; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2017 as

CHILD ABUSE PREVENTION 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 insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

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. Do not wait for signs of poisoning; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of March 19-25, 2017 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.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -17 HOME RULE REQUEST IN SUPPORT OF S4089/
A5907: EXTENDING THE CURRENT AND
IMPOSING ADDITIONAL SALES AND
COMPENSATING USE TAXES BY THE COUNTY
OF TIOGA

WHEREAS: The continuation of previously authorized additional sources of revenue is required to enable counties, such as Tioga County to meet the ever-increasing costs of delivering essential governmental services to their citizens without undue reliance on local property taxes; and

WHEREAS: State Legislative authority is needed to extend the current sales and compensating use taxes for the County of Tioga at the same level and upon the same terms and conditions as now currently exist; now therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate bill number S4089 and Assembly bill number A5907 entitled "An Act to Amend the Tax Law in relation to extending the authorization of the County of Tioga to impose an additional one percent of sales and compensating use taxes".

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -17 DMV FEE RETENTION INCREASE

WHEREAS: 51 of 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles Office; and

WHEREAS: Local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services; and

WHEREAS: Under current law, the Tioga County Clerk pays 87.3% of all fees collected from the work performed by the County DMV to the New York State Motor Vehicles Department; and

WHEREAS: The remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the County DMV office has increased in that same time period; and

WHEREAS: Increasing the County DMV revenue sharing rate with the State will not result in any increased cost or fees to local residents or taxpayers and will provide counties with the needed revenue to continue to provide necessary local government services; and

WHEREAS: There is a clear inequity present when a county DMV provides all the services, including overhead and staffing to fulfill these DMV needs for state residents, yet the State is paid 87.3% of the revenue generated from said services; and

WHEREAS: Senate Bill S1908 and Assembly Bill A3397 provide a more equitable distribution of fees that would require 75% of all fees for in-office transactions to be forwarded to the State with the county retaining 25% of these fees, with the exception that the amount of county retention of the fee for Enhanced Driver's Licenses would increase from 30% to 60% and the counties would retain 8% of the total fee for internet transactions processed for their perspective county residents; and

WHEREAS: Counties recognize the important function of the State DMV in providing both support to counties and resident services; accordingly any loss the State DMV operational budget that occurs from increasing county revenue should be made whole through the State General Fund; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew M Cuomo and members of the State Legislature to pass and approve Senate Bill S1908 and Assembly Bill A3397; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature forward copies of this resolution to Governor Andrew M Cuomo, the New York State Executive Deputy Commissioner of Motor Vehicles, and Tioga County representatives of the New York State Legislature.

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. -17 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 \$123,024.00 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 \$123,024.00 for the period of April 2017 – April 2018; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$10,252.00 at a total annum amount of \$123,024.00.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -17 AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE
OF CHAIRS FOR THE ECONOMIC DEVELOPMENT &
PLANNING CONFERENCE ROOM

WHEREAS: The Economic Development & Planning Department is replacing the conference room chairs in the Economic Development & Planning Conference Room; and

WHEREAS: Economic Development and Planning put \$1800.00 in the 2017 chairs expense account budget to cover the estimated cost for the purchase of the chairs; and

WHEREAS: Upon researching the actual cost of the conference room chairs it is necessary to increase the chairs expense account by \$509.10 for the purchase of the chairs; therefore be it

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

From: ED&P Account A6422 - 540010 \$509.10

To: ED&P Account A6422 - 520070 \$509.10

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -17 APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: Public Health has been awarded funding from Care Compass Network to be used specifically toward a "Richford Smiles" event to be held in the Town of Richford; and

WHEREAS: "Richford Smiles" will provide dental services, public health education and access to a number of other services to Tioga County residents in the Richford area; and

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

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Dental Services: Grants	\$ 5,000
To: A4064 540640	Dental Services: Supplies	\$ 5,000

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -17

FUND TRANSFER TO FACILITATE
RESPIRATOR PHYSICALS AND
FIT TESTING

WHEREAS: The Sheriff's Office was inspected by a representative of the NYS PESH (Public Employee Safety and Health) and was found to be non-compliant in providing physicals and fit test for personnel who may be required to utilize respirators; and

WHEREAS: The Sheriff's Office must now provide physicals and respirator fit test to required employees; and

WHEREAS: Funding to pay for these physicals and fit testing is not available within the Sheriff's Office 2017 operating budget and it is requested that this funding be acquired from the Contingency Account, now therefore be it,

RESOLVED: That the following funds be transferred and appropriated as follows:

From:	A1990 540715	Contingency Account-Transfers	\$9,000
To:	A3110 540470	Physicals	\$9,000

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -17 TRANSFER OF CAPITAL FUNDS-
SHERIFF OFFICE

WHEREAS: Funding in the amount of \$20,000 was approved in the 2017 Jail Capital Budget for the purchase of a prisoner transport van; and

WHEREAS: Purchase bids were solicited through the NYS OGS (Office of General Services) Vehicle Market place for the procurement of a prisoner transport van; and

WHEREAS: Three bids were received, with all three exceeding the budgeted amount of \$20,000; and

WHEREAS: Budgeted surplus capital funds under the Sheriff's purview are available to be utilized to bridge the funding gap to procure a prisoner transport van; therefore it be

RESOLVED: That the following funds be transferred to provide for adequate funding for the purchase of a prisoner transport van:

From: H3150 520130	Equipment (Not Car)	\$ 2,400
H3110 520130	Equipment (Not Car)	\$ 1,600
To: H3150 521060	Car/Truck	\$ 4,000

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -17

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	4/1/17-3/31/18
Crime Victim	4/1/17-3/31/18
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/17-3/31/18

REFERRED TO: ED&P & AGRICULTURE COMMITTEES

RESOLUTION NO. -17 ADOPT THE NORTH TIOGA AGRICULTURAL DISTRICT (#3) AS MODIFIED AND SUBMIT SAME TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR APPROVAL

WHEREAS: Pursuant to the New York State Agriculture and Markets Law Article 25AA and upon 300-day notice by the Department of Agriculture and Markets, the Tioga County Legislature has initiated a review of the existing North Tioga Agricultural District (#3) to determine if it should be modified or terminated; and

WHEREAS: The Agricultural and Farmland Protection Board has been requested by the Legislature to review the District and make a recommendation for revision or termination; and

WHEREAS: The Tioga County Planning Department has conducted this review and has created a corresponding plan based on public comments, surveys and extensive consultation with area farmers that results in expanding the North Tioga Agricultural District to a total of 29,336 acres with 22,806 acres in farms, including 31 added farms; and

WHEREAS: By unanimous resolution the Agriculture and Farmland Protection Board did adopt said proposed plan for modification of the North Tioga Agricultural District; and

WHEREAS: A public hearing was held on March 1st, 2017 where the District map and findings along with the proposed modifications were presented to the public; and

WHEREAS: The proposed district review report is comprised of the map and findings filed with the Clerk of the County Legislature for the public comment period and copies showing proposed revisions were presented at the public hearing; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: This plan has been found to have "little likelihood of significant adverse environmental impact..." consistent with the programmatic

review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; therefore be it

RESOLVED: That based upon Tioga County Planning's review of the above as outlined on the SEQR Short Environmental Assessment Form, the Tioga County Legislature make a SEQR Negative Declaration regarding said modifications to the North Tioga Agricultural District; and be it further

RESOLVED: That the Tioga County Legislature does hereby approve said proposed plan to modify the North Tioga Agricultural District, and directs the Planning Department to prepare a submission package as required by the NYS Department of Agriculture and Markets describing this proposal, along with the associated SEQR Environmental Assessment Form, and to submit same on behalf of the Legislature to that agency for review as described in Article 25AA; and be it further

RESOLVED: That it is intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make this North Tioga District modification effective immediately.

REFERRED TO: ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO -17 AUTHORIZE 2017 REQUESTS FOR INCLUSION
OF LANDS IN AGRICULTURAL DISTRICTS

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared the required report listing these requests, which are located within the Spencer and Owego/Nichols Agricultural Districts, and totaling nearly 495 acres; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have “little likelihood of significant adverse environmental impact...” via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2017 requests for inclusion of land listed in said report into the Spencer and Owego/Nichols Agricultural Districts, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS

Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer and Owego/Nichols Agricultural Districts effective immediately.

REFERREED TO:

ED&P COMMITTEE

RESOLUTION NO. -17

AUTHORIZE APPLICATION FOR NYS
DOS COUNTYWIDE RESILIENCY
PLANNING GRANT

WHEREAS: The NYS Department of State's Office of Planning and Development has made available a funding opportunity for counties to create a Countywide Resiliency Plan that will identify methods of making the community and economy more resilient and therefore less impacted by significant flood events; and

WHEREAS: Tioga County realizes the importance of identifying projects that will make our community and economy more resilient before a flood disaster so that recovery happens more swiftly; and

WHEREAS: This grant source requires no local match and allows a maximum request of \$250,000 in funding per application; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to NYS Department of State in the amount not to exceed \$250,000.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS: The State of New York provides financial aid for household hazardous waste programs; and

WHEREAS: Tioga County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS: It is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now therefore be it

RESOLVED BY THE TIOGA COUNTY LEGISLATURE:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That Tioga County's Legislative Chair, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the State; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -17

AWARD FIRE AND SECURITY ALARM
DIALER REPLACEMENT

WHEREAS: There is a need to replace the fire and security alarm dialer so that it will function correctly with the new VOIP phone system; and

WHEREAS: The Commissioner of Public Works has budgeted for the replacement of the fire and security alarm dialer in the current year budget; and

WHEREAS: The Commissioner of Public Works has received proposals for replacement of the alarm dialer and the proposals came in as follows:

Red Hawk Fire & Security	\$13,257.00
Syracuse Time & Alarm	\$15,224.03

And

WHEREAS: The Commissioner of Public Works completed the review of the proposals and finds the low bidder Red Hawk Fire & Security meets all of the qualifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the replacement of the fire and security alarm dialer to Red Hawk Fire & Security, 7020 Fly Road E, East Syracuse, NY 13057 not to exceed \$13,257.00 to be paid out of H1620 520160 Fire & Alarms Equipment.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

RESCIND RESOLUTION NO. 39-17
AUTHORIZING THE IMPLEMENTATION
AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL AID AND STATE
"MARCHISELLI" PROGRAM-AID
ELIGIBLE COSTS OF A
TRANSPORTATION FEDERAL-AID
PROJECT AND APPROPRIATING
FUNDS

WHEREAS: Resolution No. 39-17 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 39-17 appropriated the sum of \$15,000 from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The amount should have been \$25,000; therefore be it

RESOLVED: That Resolution No. 39-17 is hereby rescinded and a new resolution will be adopted with the correct amount.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

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

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 3 - (FFY 17), PIN 9753.99 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering and Design (Phases 1 – 6) work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

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

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering and Design (Phases 1 – 6) work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$25,000 is hereby appropriated from the Bridge Projects Account D51110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby further

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

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

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

RESOLVED: That this Resolution shall take effect immediately.

REFERRED TO:

LEGAL/FINANCE

RESOLUTION NO. -17

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

WHEREAS: Tioga County has implemented 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.

REFERRED TO

PERSONNEL COMMITTEE

RESOLUTION NO. -17

AMEND COUNTY POLICY 10;
PERSONNEL POLICIES

WHEREAS: There is a desire to document the County's long standing position on supplemental employment and alternate work schedules to accommodate supplemental employment; therefore be it

RESOLVED: That effective March 15, 2017, a new Section IX shall be added to Policy 10, which reads as follows:

IX: SUPPLEMENTAL EMPLOYMENT

1. All County employees are prohibited from performing work for any employer other than Tioga County on County time per Policy 26, Tioga County Ethics Law III A,2
 - A. Any adjustment to an employee's work schedule for the purpose of accommodating supplemental employment must be requested in advance in writing from the Department Head or, in the instance of a Department Head requesting revision of their schedule, the Chair of the Legislature. Whether such request is approved is the sole discretion of the Department Head or Chair of the Legislature.
 - I. In the event an employee receives approval to work a reduced number of hours on any given day to accommodate supplemental employment, those hours not worked for the County shall be offset by a charge of the employee's leave accruals; there shall be no opportunity to "make up" the County hours not worked. In the event the employee has insufficient leave time other than sick time to cover the hours not worked, said hours not worked shall be reported as a leave of absence without pay.

and be it further

RESOLVED: That the remainder of Policy 10 is unchanged.

REFERRED TO:

ADMINISTRATIVE SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17

REAPPOINTMENT OF COUNTY
HISTORIAN

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

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2017; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2017 until March 31, 2019.

REFERRED TO:

LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17

CREATE TEMPORARY POSITION,
AUTHORIZE APPOINTMENT (LAW
DEPARTMENT)

WHEREAS: The position of County Attorney will become vacant on March 18, 2017 due to the retirement of the current incumbent; and

WHEREAS: The County Legislature has selected a candidate for County Attorney; and

WHEREAS: There is interest from both the Legislature and the incoming County Attorney to have an opportunity for the incoming candidate to work with the retiring County Attorney for a period of time to transition the workload; and

WHEREAS: In order to accomplish this, a temporary position needs to be created; therefore be it

RESOLVED: That the Legislature hereby authorizes the creation of a temporary full-time Special County Attorney position retroactive to March 13, 2017 through April 3, 2017; and be it further

RESOLVED: That Peter DeWind is hereby appointed Special County Attorney retroactive to March 13, 2017 at an annual salary of \$98,000; and be it further

RESOLVED: That effective March 18, 2017, Peter DeWind shall be appointed County Attorney at an annual salary of \$98,000 for the balance of the current term which runs through December 31, 2018.

REFERRED TO:

LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17

AUTHORIZE TEMPORARY
APPOINTMENT (LAW DEPARTMENT)

WHEREAS: The position of Special County Attorney was created for the period March 13, 2017 through April 3, 2017; and

WHEREAS: Judy Quigley is retiring as County Attorney effective March 18, 2017 but is willing to continue working to transition the workload to her replacement; therefore be it

RESOLVED: That Judy Quigley is hereby appointed to the temporary position of Special County Attorney effective March 20, 2017 through April 3, 2017 at an hourly rate of \$58; and be it further

RESOLVED: That Judy Quigley is authorized to work up to 35 hours per week during the time period indicated, to be determined by her and the County Attorney; and be it further

RESOLVED: That the Special County Attorney position shall be abolished as of close of business April 3, 2017.

REFERRED TO:

PUBLIC WORKS
PERSONNEL

RESOLUTION NO. -17

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 2017; 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 April 29, 2017 through October 13, 2017 at an hourly rate of \$9.89, however no more than 1000 hours may be worked April 29, 2017 – October 13, 2017.

REFERRED TO:

PUBLIC WORKS
PERSONNEL

RESOLUTION NO. -17

CREATE TWO (2), 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 2017 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) 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 2017; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective April 1, 2017 at an hourly 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.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -17 ABOLISH ONE (1) VACANT FULL-TIME CLINICAL
SOCIAL WORKER; AND CREATE ONE (1) FULL-TIME
CERTIFIED ALCOHOL & DRUG COUNSELOR
DEPARTMENT OF MENTAL HYGIENE

WHEREAS: Legislative approval is required to abolish and create any positions within Tioga County; and

WHEREAS: A Clinical Social Worker position (CSEA SG XVI, \$50,994 – 51,694) has been vacant since July 2016 and since that time the Department of Mental Hygiene has been unable to recruit for this position due to a lack of qualified candidates; and

WHEREAS: The Director of Community Services has determined that said vacancy would be better utilized and prove less difficult to recruit and retain if classified as a Certified Alcohol & Drug Counselor position; therefore be it

RESOLVED: That one (1) vacant full-time Clinical Social Worker position shall be abolished and one (1) full-time Certified Alcohol & Drug Counselor position (CSEA SG XI, \$39,015 - \$39,715) shall be created effective March 15, 2017.