

*Third Regular Meeting  
March 13, 2018*

The Third Regular Meeting of 2018 was held on March 13, 2018 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we pray that you guide us as we conduct the business of the citizens of Tioga County and we thank you that we are born and live in a free country, United States of America."

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

There were 4 people in attendance.

Legislator Huttleston read and presented the following Proclamation on Welcome Home Vietnam Veterans Day in Tioga County to John Holton, Veterans' Services Director.

PROCLAMATION  
WELCOME HOME VIETNAM VETERANS DAY

WHEREAS: March 29, 2018 is National Welcome Home Vietnam Veterans Day; and

WHEREAS: More than 500,000 members of our Armed Forces served in Vietnam, with 58,272 giving the ultimate sacrifice for their Country. Tioga County has 4,623 veterans living here in Tioga County, many of whom are Vietnam Era veterans; and

WHEREAS: To recognize their service and sacrifice and the failure of our nation to offer them proper respect and gratitude when they returned home at the end of the Vietnam War; therefore

THAT THE TIOGA COUNTY LEGISLATURE does hereby proclaim

March 29, 2018 as  
"Welcome Home Vietnam Veterans Day" in Tioga County

and encourages Tioga County citizens to honor Vietnam Veterans Day in appreciation of our Tioga County Veterans who have served.

Legislator Huttleston spoke. "As you all know we have a new Director of Veterans' Administration, John Holton, which the reports I get is he is doing a real good job. It is a blessing that you get somebody finally in office that can do these things that need to be done in the County. I appreciate all you are doing and I know the Legislature does. Thank you."

John Holton, Veterans' Service Director spoke. "Thank you very much. It is an honor to serve and I have no prepared notes. I myself am a Vietnam Era Veteran and on behalf of my brothers and sisters who served, those veterans present, and all those who have gone before us and who continue to serve. I personally thank this body for its support for the veterans. I am grateful. Thank you very much and bless you all."

Legislator Standinger spoke. "I just want to say I missed the Vietnam Era by a matter of months. I enlisted in 1976 after things were pretty much shut down, so I did not have to go over to that foreign land. I know a lot of my friends and coworkers when I was in the Military did and I am pleased that we put that Proclamation out there."

Legislator Standinger read and presented the following Proclamation on Rabies Prevention and Awareness Month to Lisa McCafferty, Public Health Director.

County of Tioga  
Executive Proclamation

WHEREAS: Rabies is a contagious and fatal virus that is spread among dogs, cats, bats, raccoons, foxes and other mammals, including humans; and

WHEREAS: It is vital to notify Tioga County Public Health of all animal bites and wild animal exposures, including bats, due to the potential risk of rabies; and

WHEREAS: If left untreated in humans rabies has a 100% fatality rate; and

WHEREAS: With animal vaccination, rabies is preventable; and

WHEREAS: New York State law requires all dogs, cats, and ferrets get their first rabies vaccination no later than four months of age and their second rabies shot within one year. Thereafter, a booster shot is required every three years; and

WHEREAS: Tioga County Public Health hosts numerous rabies vaccination clinics throughout the county, including one on March 22 at the Waverly Village Barn; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of March 2018 as

RABIES PREVENTION & AWARENESS MONTH

and urges all the citizens of our County to vaccinate their pets against rabies.

Legislator Standinger spoke. "The Public Health Department has been very proactive in regards to rabies vaccinations with these clinics and it is a pretty painless operation to go and get your dog shots. Hopefully people will comply."

Lisa McCafferty, Public Health Director spoke. "Thank you very much for your support. All I can say is as an Environmental Sanitarian and Public Health Director this is one of the best things a community can do to control rabies and your wildlife population. Thank you."

Legislative Chair gave the state of the county address.

"If you read the newspaper or listen to the news you begin to wonder what this world is coming to. I am concerned every time I listen to the news about our County and I think about how we can change the direction we are going in.

"Mother Teresa said, "If you want to make the world better - go home and love your family".

"My immediate family is my husband, my children and my grandchildren. My family is also each and every citizen of this county. As a leader, I ask myself what can I do to make this county better. I believe that we have the tools to be better and to succeed with our dedicated and talented workforce and we need to continue to be open to new ideas and look for better ways of doing things.

"We have made progress. Tioga County has streamlined their process and become the third county in the State to implement a mobile management system for Child Welfare Workers. Through an iPad based system, casework staff can more efficiently administer their responsibilities and increase the amount of time devoted to true casework versus mandated paperwork requirements.

"This year the District Attorney's Office started a new Traffic Safety Diversion Program. The program allows qualified motorists to take a six hour driving class in lieu of their traffic ticket being prosecuted and this program is expected to improve traffic safety.

“Economic Development and Planning continues to bring jobs and opportunity to our communities. It often takes years to develop a project, however last year we saw the completion of several projects opening being Crown Cork and Seal, Owego Gardens Housing and the new Fed Ex operation. Tioga Downs opened their new hotel and began operating as Tioga Downs Casino Resort and Events Center. Ongoing projects include the Owego Gateway, Waverly Main Street Development and the Owego Parkview Anchor grant along with other projects that are in early stages of development.

“A recent Housing & Economic Impact Study was completed through collaboration with the Tioga County Economic Development and Planning Team, the Tioga County IDA and Tioga Opportunities. This information will help us create an overall housing strategy that identifies our housing needs in Tioga County and then will help us to develop strategies as we move forward.

“The Tioga County Property Development Corporation (Land Bank) was recently established to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned, tax foreclosed and underutilized residential and commercial properties.

“As part of our Regional Economic Development Council award, Tioga County received a \$300,000 grant to purchase a new mobile dental vehicle. Since 2003, our Mobile Dental Program has served 10,000 Tioga County children and adults throughout the county at schools and community centers. After 14 years in upstate New York weather, our current dental trailer is rusty and identified as in need of replacement. We expect the arrival of our new Dental Vehicle in early 2019.

“Our Veterans Service Department had an exceptional year offering a focused outreach throughout the county to increase awareness of the services they provide. In January, our part time Veterans Service Officer became a full time employee, which allows for extended hours and more programs. These gentlemen have done an amazing job of reaching out to our veterans, bringing new resources and providing needed support to our veterans. They have successfully collaborated with other county departments and outside agencies to bring services that were never offered in the past.

“The bulk of Tioga County's 347 full-time employees are represented by three labor unions and last year all three union contracts were negotiated and completed. Personnel and negotiation teams put in a significant amount of time and thoughtfulness to the collective bargaining process.

"It is a sad day when a long time employee retires and last year we honored our County Attorney Judy Quigley as she retired after 30 years of government service. We hired Peter DeWind as our new County Attorney and when he arrived he hit the ground running. Peter has his hands full since he arrived with new challenges including he is the advisor for the Shared Services Program.

"Last year the Governor instituted a Shared Services Initiative wherein he required the Chief Executive Official of each county, excluding New York City, to establish a Shared Services Panel that would include the mayor of each city and village and the supervisor of each town. The objective was to develop a Property Tax Savings Plan through shared, coordinated and more efficient services between local governments within the county. We had four meetings last year with 100% participation at our first meeting. We also had three public hearings as required. Despite the cooperation and the numerous meetings we did not identify a plan that showed savings. What we did learn was that our towns and villages have been cooperating with each other and sharing services for many years. We are required to continue this year and we will do so in an effort to find a shared service that saves taxpayer dollars and as a side note we think we have found it and we will keep you in tune.

"Tioga County is financially sound thanks to the Legislators conservative approach on spending. We continued to stay under the tax cap in 2017 with a zero increase in county property taxes. Sales tax revenue increased by 7.5% and our fund balance is estimated to be 21 million dollars. We received 1.1 million in casino revenue, which was transferred to our Capital Reserve Account to be spent on future capital projects that will benefit all Tioga County residents.

"What is concerning is that for the past few years we have seen a dramatic increase in the number of community members addicted to opiates. Drug and Alcohol abuse not only affects immediate families, but our communities as well. This impacted our finances by the increased need for county services. We have experienced a greater need for foster care homes along with mental health services. Jail costs have increased with an estimated 75% of the people that are incarcerated are there due to drug or alcohol related crimes. The number of people on probation is increasing, but some of them are going to a Drug Treatment Court. The District Attorney's office works with the Sheriff's office and area police departments to stop the flow of drugs to our communities. The Public Health Department provides Tioga County Emergency Services and Law Enforcement with trainings and the opioid overdose prevention kits called Narcan. Almost all of our county departments are impacted in one way or another.

"The Tioga County Allies and Substance Abuse Prevention (ASAP) Coalition was organized over a year and a half ago and is made up of community members, government agencies, and professional organizations working for a healthy county free from the effects of substance abuse. Last year this organization hosted several projects; a Community Picnic to engage and educate the public about the dangers of drug abuse and a "Do 1 Thing Event" to encourage the community and increase individual involvement.

"2017 was the 100th Anniversary of the Women's Right to Vote in New York State. With the help of our County Historian and many volunteers throughout the county we honored those women who fought for the right to vote in Tioga County. Events were held throughout the county and a special daylong event was held at the Tioga County Court House.

"New regulations have come from the State regarding Raise the Age and Attorney at Arraignment and have required much time and attention by our departments to address these requirements. We are a rural county and many of these programs address the needs of bigger counties and do not necessarily apply to smaller counties.

"Succession Planning is important in any organization and for the last year and a half we have been taking a hard look at the future of our workforce. A Succession Planning Committee was formed to address the issue of our aging workforce and possible loss of historical knowledge. We found that over 100 essential employees, of those nearly 40% of them were eligible for retirement. We quickly went to work developing a plan and during this past year the committee did a great deal of work identifying key positions and developed a yearlong five session training curriculum that contained key components for developing leaders in a preemptive attempt to retain younger employees with leadership potential. The Institute for Advancement kicked off its first meeting in January with a presentation on County Government 101. Nineteen of our county employees are participating in the program.

"Last year the Legislature reorganized the Office of Emergency Management with the Bureau of Fire creating the Office of Emergency Services in an effort to improve efficiency and provide better services. Working together we have redesigned the department, enhanced with a full time employee dedicated to providing emergency services throughout the county. As we grow into this new way of doing things each day provides better service.

"Safety of our employees is a high priority and last year the Legislature enacted an Active Shooter Policy, which is providing employees with valuable information on how to survive an active shooter incident. We also installed an

Active Shooter Alarm system and held several drills in the Health and Human Services Building.

"The Sheriff's Office and the Office of Emergency Services are working with the community and schools to raise awareness and develop preparedness plans in case of unwanted incidents.

"This year we held our Fourth Annual Tioga County Job Fair on March 7<sup>th</sup> with 109 businesses registered. The effort is supported by the Tioga County Business Services Team, which was formed prior to the First Annual Job Fair and they continue to provide services to new and existing businesses. This year over 450 people attended.

"Challenges and difficulties will always be with us. It is how we handle them that make a difference in the outcome. In New York State counties deliver vital programs and services to the citizens of their communities. We are the heart of the state, working directly with and for our residents. I am confident that the leadership of this county will continue to make thoughtful decisions and together with our workforce we will continue to find better ways of providing services to the public.

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of February 13 and 22, 2018, 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 Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 62-18 APPOINT CERTIFYING OFFICER FOR  
ENVIRONMENTAL REVIEW  
PUBLIC HEALTH

WHEREAS: Tioga County has been awarded Community Development Block Grant (CDBG) funds from New York State for the replacement of the Tioga County Mobile Dental Van; and

WHEREAS: Projects that include CDBG funds must be assessed in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFR Part 58; and

WHEREAS: A Certifying Officer must be identified to do an environmental review to determine that there are no unanticipated impacts nor impacts not adequately addressed in the program review related to the environment; therefore be it

RESOLVED: That Todd Kopalek, Supervising Public Health Sanitarian, shall be designated as the Certifying Officer for Tioga County CDBG Project Number 1142PF59-17 and will be responsible for all activities associated with the environmental review process.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 63-18 *RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Beth Johnson expires as of March 31, 2018; and

WHEREAS: Beth Johnson has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Beth Johnson for another three-year term of 4/1/18 – 3/31/21.



ROLL CALL VOTE

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

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

RESOLUTION NO. 64-18 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Sonny Dewitt expires as of March 31, 2018; and

WHEREAS: Sonny Dewitt has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Sonny Dewitt for another three-year term of 4/1/18 – 3/31/21.

ROLL CALL VOTE

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

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. 65-18 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	4/1/18-3/31/19
Crime Victim	4/1/18-3/31/19
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/18-3/31/19

ROLL CALL VOTE

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

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. 66-18      *CREATE A COUNTY ANIMAL RESPONSE TEAM (CART)  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Any disaster that impacts humans also impacts animals as they rely on human intervention to ensure their safety. To meet the needs of animals, New York State has adopted the Empire State Animal Response Team (ESART); and

WHEREAS: Since disaster response begins and ends at the local level, ESART supports the creation of County Animal Response Teams (CART) to develop, train, and resource coordination during such events; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services is authorized to create a County Animal Response Team (CART).

## ROLL CALL VOTE

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

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. 67-18                      *AMEND COMPREHENSIVE EMERGENCY  
PLAN (CEMP)  
TO INCLUDE ANIMAL  
EMERGENCY PLAN  
EMERGENCY SERVICES*

WHEREAS: Resolution #140-13 approved the revision of the Comprehensive Emergency Management Plan (CEMP), and

WHEREAS: The Director of Emergency Services would like to add an annex to include an Animal Emergency Plan; therefore be it

RESOLVED: That the current Comprehensive Emergency Management Plan (CEMP) be revised to include the Animal Emergency Plan.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
AGRICULTURE COMMITTEE

RESOLUTION NO 68-18                      *AUTHORIZE 2018 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 located within the Owego/Nichols Agricultural Districts totaling 122 acres, and prepared the required report listing these requests; 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 2018 requests for inclusion of land listed in said report into the 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 Owego/Nichols Agricultural Districts effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 69-18                      *AMEND RESOLUTION NO. 279-17  
TO STATE CORRECT BID PRICE*

WHEREAS: It appears necessary to amend resolution number 279-17 wherein the Tioga County Legislature authorized the sale of property identified as Tax Map number 62.00-1-17.111 to Thomas D. Darpino and Deborah A. Darpino for a purchase price of \$45,000; therefore be it

RESOLVED: That resolution number 279-17 be and hereby is amended to state a purchase price of \$22,500.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 70-18      *RESOLUTION REINSTATING THE  
TAX ENFORCEMENT OF THE  
COLLECTION OF REAL PROPERTY  
TAXES AND FUTURE TAXES OF  
CERTAIN PROPERTY PURSUANT TO  
ARTICLE ELEVEN OF THE REAL  
PROPERTY TAX LAW*

WHEREAS: The Tioga County Legislature canceled the enforcement of collection of delinquent taxes and future taxes on property listed below pursuant to Resolution #24-15; and

WHEREAS: The impediments that caused the property to be withdrawn and the tax canceled have been resolved. The Tioga County Treasurer recommends that the parcel be removed from the exempt section of the tax assessment rolls and reinstated for the future collection of real property taxes; therefore be it

RESOLVED: That the Tioga County Legislature has determined that the property be removed from the exempt section of the tax assessment rolls and reinstated for the future collection of real property taxes. The Legislature further directs the enforcing officer to issue a certificate of reinstatement and file a copy of certificate with the County Director of Real Property Tax Services and with the Assessor of the assessing unit in which the parcel is located.

<u>FORMER ASSESSED OWNER</u>	<u>TOWN/VILLAGE</u>	<u>TAX MAP #</u>
Northern Tioga Enterprises LLC Current Owner: Leroy Eiklor	Newark Valley	64.19-3-32.2

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 71-18 *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 \$126,528.00 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 \$126,528.00 for the period of April 2018 – April 2019; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$10,544.00 at a total annum amount of \$126,528.00.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 72-18 *APPROPRIATION OF FUNDS AND AMEND 2018 BUDGET PUBLIC HEALTH*

WHEREAS: Tioga County Public Health has been awarded additional grant funding from the New York State Department of Health; and

WHEREAS: The funding is designated for the purchase of approved program related deliverables; and

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

RESOLVED: That the 2018 budget be amended and funding be appropriated as follows:

From: A4011 434010 State Aid	\$ 1,498
To: A4011 540640 Supplies	\$ 1,498

ROLL CALL VOTE

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

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. 73-18 *FUND SHERIFF'S GRANT –NYS POLICE TRAFFIC SERVICES GRANT*



WHEREAS: The Sheriff's Office has been awarded a NYS Police Traffic Services Grant (PTS-2018-Tioga Co SO-00106-(054) in the amount of \$17,775; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Police Traffic Services Grant be appropriated as follows:

Expense Account: A3110.510030 Overtime/Other \$17,775

State Aid Revenue Account: A3110.433900 \$17,775

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 74-18 BUDGET MODIFICATION  
YOUTH PROGRAMS

WHEREAS: The Youth Bureau Director has resigned; and

WHEREAS: The salary related administrative functions of the Youth Bureau will be done within Social Services allowing for more funds to be awarded to programs and non-salary administrative expenses; and

WHEREAS: Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A7310.510020 Part Time/Temporary	\$ 6,287
To: A7310.541540 Reimbursements	\$ 6,287

## ROLL CALL VOTE

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

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. 75-18

*RESOLUTION TO APPROVE  
CONTINUED MOU BETWEEN TIOGA COUNTY  
PROBATION DEPARTMENT AND SMART  
START*

WHEREAS: The Tioga County Probation Department must supervise offenders who are sentenced to probation supervision by Tioga County courts for drink and driving behavior ; and

WHEREAS: Many probationers divest themselves of their motor vehicles pre or post sentencing so that they do not have to install an ignition interlock device (IID). The Smart Start company markets a hand held IID, similar to an IID, that will allow defendants to blow into the device at assigned times and have their BAC calculated, a photo taken and a GPS location established; and

WHEREAS: The Smart Start company has partnered with Tioga County since 2015 to provide these devices at the rate of \$3.10 per day via an MOU that is renewable automatically each year and would like to continue the program in 2018; and

WHEREAS: Tioga County Probation has budgeted funds for Clinic Supplies for testing of probationers in the amount of \$4,250 in account number A3140 540080 and there is one time 2018 STOP-DWI funding available in the amount of \$3,977 for this service; therefore be it

RESOLVED: That the Tioga County Legislative Chair is approved to contract with Smart Start, upon approval by the County Attorney, to provide hand held alcohol testing devices for the year 2018.

## ROLL CALL VOTE

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

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. 76-18 *AUTHORIZE LEASE FOR RURALNET*

WHEREAS: The Tioga County Legislature recognizes the importance of quality Internet services for businesses and residents within the county borders; and

WHEREAS: The ITCS department has helped facilitate that development through work with Southern Tier Network, providing a “POP” (Point of Presence) location in the County data center that can be utilized by providers to connect to the Southern Tier Network middle-mile fiber optic network; and

WHEREAS: The provider RuralNet has approached the County to lease space to place a data rack and establish a connection to Southern Tier Network at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: A contract has been submitted, reviewed and approved by ITCS and the County Attorney for the above service; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to sign the associated lease agreement with RuralNet at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 77-18

*SALARY ADJUSTMENTS FOR PUBLIC  
DEFENDER'S OFFICE  
PUBLIC DEFENDER*

WHEREAS: Legislative approval is required to adjust the salary of non-union employees; and

WHEREAS: Per Resolution 44-18, Tioga County will receive grant funding from the New York State Office of Indigent Legal Services (ILS) which will be used to fund salaries in the Public Defender's office; therefore be it

RESOLVED: That the following 2018 non-union salaries shall be adjusted as follows and shall be effective retroactive to 01/01/2018:

Mari Townsend, Assistant Public Defender, from \$60,708 to \$66,208 annually;

Todd Miller, 1<sup>st</sup> Assistant Public Defender, from \$40,553 to \$42,553 annually;

Thomas Cline, 2<sup>nd</sup> Assistant Public Defender, from \$39,379 to \$41,379 annually;

Stacey Reynolds, Secretary to the Public Defender, from \$11.92/hour to \$12.49/hour;

and be it further

RESOLVED: That with said salary adjustments, the Treasurer's Office shall be reimbursed by the ILS grant for only those fringe benefits which are associated with the salary increase.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO:	ADMINISTRATIVE SERVICES COMMITTEE
RESOLUTION NO. 78-18	<i>MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO FULLY FUND EARLY VOTING OPERATIONS</i>

WHEREAS: Under State Law, counties in New York State manage, operate, and fund elections in New York State; and

WHEREAS: In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and

WHEREAS: The proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and

WHEREAS: Counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan county Board of Elections and subject to standards of accessibility and convenience; and

WHEREAS: County Boards of Elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and

WHEREAS: These proposals will significantly increase costs to county Boards of Elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and

WHEREAS: Under New York State Law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and

WHEREAS: The cost of early voting has been estimated at \$6.4 million per year; and

WHEREAS: The State-imposed property tax cap makes it difficult for local governments to absorb new costs of any kind; therefore be it

RESOLVED: That the Tioga County Legislature calls upon the State to fund all costs associated with early voting; and be it further

RESOLVED: That the State consider removing the early voting requirement unless they are able to provide full funding; and be it further

RESOLVED: That certified copies of this resolution be sent to Honorable Andrew M. Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, and New York State Association of Counties.

Legislator Standinger spoke. "I would like to address this early voting issue because it really is a cure to a nonexistent problem. We have absentee ballots available, which if the person cannot vote on the day of the election they have the option of an absentee ballot, so to put an added burden on the staff and the finances of the County to conduct early voting to cure a problem that does not exist does not make any sense to me. Unfortunately that is not the case with the individuals in Albany who came up with this idea."

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 79-18      *AUTHORIZE REIMBURSEMENT TO  
DARYL WILLIAMS*

WHEREAS: Daryl Williams was employed by the Tioga County Sheriff's Department before retiring in 2009; and

WHEREAS: Daryl Williams has made a claim that he has been underpaid for past due employee benefits through no fault of his own; and

WHEREAS: The Tioga County Legislature wishes to reimburse Daryl Williams for such underpaid benefits and adjust his claim through April 2018; therefore be it

RESOLVED: That the Tioga County Legislature authorizes payment to Daryl Williams in the amount of \$72,500, which shall be paid from the Liability Insurance Fund, Account No. CI120000 contingent upon entering into a settlement agreement with the County as approved by the County Attorney.

Legislator Mullen spoke. "I would just like to thank County Attorney Peter Dewind and Personnel Director Bethany O'Rourke for the monumental amount of hours and taking on this task and making what was a very unfortunate situation and making it right. Thank you Peter."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 80-18                    *AUTHORIZE APPOINTMENT OF  
VOTING MACHINE TECHNICIAN  
BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on February 26, 2018; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That Jean Caporal is appointed to the title of Voting Machine Technician effective March 19, 2018 at the established non-union rate of \$16.52 per hour.

Legislator Mullen spoke. "I just want to point out this goes in with what Legislator Standinger just talked about. We have had to increase the hours and training for all of our Board of Elections employees since 2009 and it has grown expeditiously in the last nine years, and this is a direct result of more and more from the state and more and more burden upon the counties in the costs. We have increased costs to the Board of Elections and to the county as a whole that we did not expect and now we have to pay for it."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:30 P.M.