

*Third Regular Meeting*  
March 14, 2006

The Third Regular Meeting of 2006 was called to order by the Chair at 6:01 P.M. All Legislative Members were present.

The Chair asked Legislator Huttleston to have a moment of prayer.

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

There were 23 people in attendance.

Pat Scott of the Employee Recognition Committee presented the Employee of the 1<sup>st</sup> Quarter 2006, Beth Olmstead. “Good evening. I represent the Tioga Employee Recognition Committee and I would like to present Beth Olmstead who is our Employee of the First Quarter for 2006. I would like to tell you a little bit about her. Beth began working for the Tioga County Probation Department in August of 2000 as a temporary part time Account Clerk Typist. In January of 2001 she was appointed as a full time Senior Typist. Beth has been an integral part of the Probation Department since the day she was hired and is relied on to produce accurate timely professional documents for the 19 different Courts served by the Department. Beth is responsible for maintaining the day-to-day workings of the Probation Department’s central office. Her duties routinely include handling all incoming calls which often include calls from Judges, Attorneys, and other professionals, and occasionally from clients who are upset. She types and proofreads reports, greets those entering the Department, assists the Probation Officers, supervises, directs with everything imaginable, and fills in for other support staff that may need assistance.

“Beth does all of this without complaints while maintaining a friendly and professional demeanor. She quickly earned the nickname of “workhorse” due to her ability to multitask and produce an enormous amount of work. Beth has willingly taken on increasingly difficult and complex tasks while demonstrating a level of maturity not normally seen in someone her age. The Probation Officers see Beth as someone they can go to with an emergency and be assured the tasks will be completed. She is a sounding board for all staff and is relied upon to clarify probation procedures. Officers are comforted by her presence as they are confident in her work and assured all legal documents are completed correctly.

“Beth is a lifelong resident of Owego and she currently resides with her 7-year-old son, Ethan, and her boyfriend, Zack, and their two pets. Beth has been taking courses at Broome Community College since 2004 and is working toward her degree in Human Services Gerontology. She enjoys exercising, reading, camping, and movies. Congratulations.”

John Worthing, Probation Officer, spoke. “Everything that was said is true. She is our right hand woman.”

Legislator Marte Sauerbrey spoke. “I want to congratulate Beth. I made it a point to go over and talk with you last Friday, get to know you a little bit. She is definitely the kind of employee that we love having working for Tioga County and this girl is just getting started. She is going back to school, she is running a family, she is keeping the Probation Department in line from what I understand. I think we are going to see more of this young woman and I hope I am around to see it. Congratulations again.”

Legislator George Penney presented Beth with a plaque and bond. “Beth it is with great personal pleasure that on behalf of the Legislature of Tioga County I wish to present you this plaque for your accomplishment as being named the Employee of the Quarter.”

Beth Olmstead spoke. “I just want to say thank you and I am very honored to accept this award. Thank you to all of my coworkers who nominated me and who believe in me. Thank you.”

Chair Burns noted the following Proclamation on Friendship Lodge #153, Free and Accepted Masons.

#### PROCLAMATION

**WHEREAS:** The Friendship Lodge #153, Free and Accepted Masons, located in Owego, will be celebrating their 200<sup>th</sup> anniversary of the signing of their Charter in 1806; and

**WHEREAS:** The Free and Accepted Masons Lodge #153 practices the three principal tenets of Masonry: Friendship, Mortality and Brotherly Love and to make “better men out of good men”; and

**WHEREAS:** The Free and Accepted Masons Lodge #153 has conducted the ceremony for the laying of the cornerstone for the Tioga County Courthouse on August 1, 1871; and

**WHEREAS: The Free and Accepted Masons Lodge #153 and the Free and Accepted Masons Lodge #587, of Owego consolidated into Friendship Lodge #153 in 1926; and**

**WHEREAS: The Free and Accepted Masons Lodge #153, in cooperation with other Masonic bodies, conduct numerous benevolent activities by providing leadership and monetary assistance to their communities; now therefore**

**The Tioga County Legislature does hereby proclaim sincere congratulations and wishes for an even more successful future to the Free and Accepted Masons Lodge #153.**

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		2,371.83
A1165	District Attorney		5,668.29
A1170	Public Defender		1,985.83
A1172	Assigned Counsel		21,490.75
A1185	Medical Examiners/Coroners		4,024.65
A1230	County Manager		425.97
A1325	Treasurer		865.95
A1345	Purchasing		50.00
A1355	Assessments		121.13
A1362	Tax Advertising and Expense		2,000.00
A1410	County Clerk		17,501.44
A1411	Department of Motor Vehicles		232.45
A1420	Law		811.32
A1430	Personnel		7,841.91
A1450	Elections		3,426.49
A1460	Records Management		15.00
A1490	Public Works Administration		405.25
A1620	Buildings		84,002.95
A1680	Information Technology		14,996.19
A1920	Municipal Association Dues		5,222.00
A2960	Education of Handicapped Children		63,969.33
A3020	Public Safety Comm E911 System		32,447.65
A3021	Enhanced Wireless 911		79,669.30
A3110	Sheriff	194.92	6,550.34
A3310.41	Sheriff-Court Attendants		1,514.15
A3140	Probation		2,374.19
A3150	Jail-Annex		26,458.56
A3315	Special Traffic Programs		2,488.55
A3410	Fire	85.00	8,883.79
A3640	Emergency Management Office		447.36

A4010	Public Health Nursing		38,609.23
A4011	Public Health Administration	553.34	15,908.31
A4012	Public Health Education		3,222.97
A4042	Rabies Control		1,716.87
A4044	Early Intervention		28,361.68
A4053	Preventive/Primary Health Services		696.98
A4054	Preventive Dental Services		1,744.44
A4064	Managed Care-Dental Services		16,530.41
A4070	Disease Control		2,288.39
A4090	Environmental Health		5,724.24
4210	Alcohol and Drug Services		12,507.45
A4309	Mental Hygiene Co Admin		12,937.91
A4310	Mental Health Clinic		84,562.96
A4311	Rehabilitation Support Services		26,822.75
A4315	Mental Retardation		17,775.39
A4320	Crisis Intervention Services		30,593.14
A4321	Intensive Case Management		1,083.68
A4333	Psycho Social Club		26,670.25
A4390	Psychiatric Expenditure, Criminal Actions		525.00
A6010	Social Services Administration	121.32	140,552.34
A6422	Economic Development		1,492.19
A6510	Veterans' Service		30.00
A6610	Sealer of Weights/Measures		291.55
A7310.41	Youth Programs, Refundable		16,941.39
A8020	Planning		69.46
SOLID WASTE FUND			58,939.62
COUNTY ROAD FUND			89,627.62
SPECIAL GRANT FUND			33,072.98
CAPITAL FUND			225,715.21
WORKERS' COMPENSATION			<u>114,557.00</u>
GRAND TOTAL			\$ 1,408,788.61

Legislator Huttleston made a motion to approve the minutes of February 9, 14, and 23, 2006, seconded by Legislator Roberts and carried.

Committee Meeting Reports are on file in the Legislative Clerk's Office and may be procured there by any interested person.

Chair Burns gave the following State of the County Address:

2005 State of the County Address

**Public Works**

In addition to repairing and maintaining the county's highways the Tioga County Highway Department hauled 780 loads of gravel from dredging operation in the Susquehanna River to Owego Creek for a creek bank stabilization project. Buildings and Grounds constructed all furniture in the newly constructed Probation Dept. and built the new District Attorneys offices in the court annex, prepared 231 Main Street for sale, responded to flooding in the basement at 56 Main County Office Building and installed a preventative gate valve to prevent sewage backups in flood situations. In addition, completion and occupation of the new Health & Human Services Building occurred in September 2005 on time and on budget, and the county also began construction on the Court House and Court Annex Renovation Project.

**County Clerk**

The County Clerks Office collected and returned to the county almost 1.8 million dollars in fees, miscellaneous filings and Real Estate related taxes through the clerks office and the Department of Motor Vehicles. It continues to be one of the departments where revenues exceed costs of operation.

**Records Management**

Our Records Management Department was the recipient of several grants which were used to update our sprinkler system in the inactive records area and for conversion of records to an electronic format. They also processed and eliminated 1147 cubic feet of outdated records and continued tagging and bar-coding new assets in 2005. Lila Hall, our Director of Records Management was appointed to the local Government Regional Advisory Council by New York State Archives.

**Real Property**

In 2005 Real Property updated their software, produced over 50,000 Town, County, School, and Village tax bills with no errors, acquired an assessment inventory from all towns and converted to a new mapping format for GIS maps.

**Board of Elections**

In order to comply with the new Help America Vote Act (HAVA) the Board of Elections has upgraded their staffing, expanded their training of election officials, developed and instituted more public information, outreach and education projects and instituted centralization of election functions for Tioga County's 31,072 registered voters. These new changes will continue to be carried forward throughout 2006.

### **Tioga County Personnel Department**

The county's Personnel Department continued to oversee and manage our Health Benefits, Civil Service, Workers Compensation, Contract Negotiations and recruitment in addition to performing many of these functions for local municipalities thereby generating additional cost saving to our community. They arranged for training seminars, driver training classes, and coordinated the Employee Recognition Committee. The department received a Letter of Commendation from the New York State Civil Service Commission and Tioga County Personnel Director Bethany O'Rourke was named President of the New York State Association of Personnel & Civil Service Officers.

### **Emergency Management Office**

Tioga County's Emergency Management Office recovered more than 3 million dollars for infrastructure damage that was suffered by the county and local governments as a result of the April 2005 flooding. They also trained 98% of county law enforcement in Weapons of Mass Destruction recognition. They updated equipment at the county's emergency management center.

### **Fire Service**

Fire, Hazmat, Search and Rescue and EMS training continued throughout the county in 2005. There were 7,126 incident in the county in 2005. Search & Rescue had 5 calls for missing persons, Fire Investigation examined 25 fires and continued upgrading and training for Hazmat incidences in 2005. Recruitment for new volunteer fire members continues to be a primary goal.

### **Sheriff's Department**

The Sheriff's Department came in under budget, generated over 1 million dollars in revenue, procured and implemented the 2004 Homeland security Grant worth \$210 thousand dollars and the NYS Byrne Grant worth \$65 thousand dollars in 2005. New software packages were procured and placed in operation. An additional 406 thousand dollars for 911 Wireless Communications and an additional 60 thousand dollars for Homeland Security were awarded in the form of grants. Sheriff Howard also testified before the US Congress and New York State Assembly on the methamphetamine problem. The jail housed 1,018 inmates, Emergency 911 Center dispatched 40,580 police calls and 7,126 Fire-EMS calls in 2005. Deputies handled 27,779 calls, made 67 DWI arrests, investigated 792 motor vehicle accidents, made 778 penal Law arrests, and issued 3,773 traffic tickets. An additional 362 cases were investigated by the Criminal Investigation Division. 17% of those cases were sex offender cases, a dramatic increase over previous years. The Civil Department collected \$337,556.26 and brought in an additional \$50,334 in revenue for the county. The Records Division processed 1,200 Freedom of Information requests and completed 403 Pistol Permit transactions generating \$1,800 in revenues.

**Probation**

The Probation Department supervised 715 cases, completed 408 investigations and processed 103 juveniles either as PINS or Juvenile Delinquents during 2005. They also interviewed 197 inmates for the Pretrial Release Program, supervised or coordinated over 9,000 hours of community service work, collected \$28,800 in DWI supervision fees, \$57,057.00 in fines and \$12, 270.00 in mandatory County Court surcharges. They also collected \$1,125 in Crime Victim Assistance Fees and \$480.00 in County Court Fees.

**District Attorney's Office**

In 2005 the District Attorney's office handled 161 Indictments and Superior Court Informations, disposed of 153 County court cases with 152 convictions and one dismissal and continued to support all prosecutions in the town and village courts within Tioga County.

**Law Department/County Attorney**

The County Attorney's Office continued to represent the interests of the county in 2005 in several challenges to the auction and foreclosure procedures from the previous year, in negotiating the Howland Bothers legal issues in Berkshire, representing the county in Family Court proceedings regarding support and in Child Protective Services cases. Mark Dixon became the county's attorney effective January 1, 2005.

**Treasurer**

The Tioga County Treasurer's Office participated in several Tobacco Securitization Fund reorganizations that have secured an additional 5 million dollars for the county which will be used for infrastructure maintenance. New steps and policies regarding tax foreclosures and enforcement and seven interest rate increases for county investments were also accomplished by this office.

**Purchasing**

Additional vendors were added to the state contract list, purchasing assumed responsibility for equipment receiving, phone system billings and repair requests, cleaning and print billings.

**Veterans**

The Tioga County Veteran's Service Agency estimates compensation, pension, educational and vocational rehabilitation benefit expenditure to the approximately 4,900 Tioga County veterans to be in excess of 4.6 million dollars. The agency conducted 954 contacts with county veterans in 2005. Retiring director Terry Collins was replaced by new Director Stephen Martin in January of 2006.

### **Office of Legislative Support**

The Office of Legislative Support printed and processed over 11,000 purchase orders, answered 34 Freedom of Information requests, coordinated auditorium renovations, converted the annual Journal of Proceedings to an Internet based format and transferred county switchboard operations to the Health and Human Services Building in 2005.

### **Economic Development and Planning**

2005 was a busy year for Economic Development and Planning with the award of 750+ jobs for the presidential helicopter contract to Lockheed Martin in Owego. Former County building 231 Main Street was transferred to a private developer for renovated housing. Tioga Downs began construction on its new facility in Nichols. Hagen Pet Foods expanded operations in Barton. Tioga Hardwoods expanded operations to the former Howland Brothers site in Berkshire. Jim's RV relocated from Pennsylvania to Nichols. National Paper opened a processing plant at the Industrial Park in Owego. ED&P also secured \$66,000 for snowmobile trails in the county and completed the Owego Nichols agricultural district. The county tourism department printed 67,000 county guides and brochures.

### **Information Technology**

Information Technology received \$103,500 in grants for software improvements in the County Clerk's Office and the Probation Department, completed upgrades and installations of IT systems at our main center and in the new Health and Human Services Department Building, upgraded the county telephone system and completed a major upgrade to the Sheriff's Department computer aided CIS dispatch system.

## **Health and Human Services**

### **Mental Hygiene**

Tioga County Mental Hygiene produced a savings of over \$50,000 due to significant increases in fee revenue and management of costs, successfully moved to the new HHS building on route 38, developed policies for the new facility, produced an orientation manual for all staff in the facility and developed protocols for closer workings with agencies in the building. They also expanded the Sexual Offender's counseling program and developed and expanded parent education programs in the county.

**Health Department**

The Tioga County Department of Health offered dental services to 2400 cases, continued to maintain and upgrade their Personal Health Care visitation programs and the Long Term Home Health Care program. Continued training for Emergency Preparedness Responses was a major part of new initiatives in 2005. The Health Department also coped with flooding issues in April of last year, developed and implemented a new restructuring of the residential septic program and continued to work with a number of our communities on water, sewer and public health issues. They also inoculated 1771 people for flu virus.

**Department of Social Services**

In 2005 expenditures for cash assistance decreased while caseloads grew due to the “working poor” maintaining themselves on some form of assistance to augment family needs. Medicaid continued to grow at a 4.7% increase but has slowed significantly from a total of near 30 % cumulatively for the previous two years. A state cap on Medicaid was critical in reaching a reduction in 2006. Child Protective Services investigated 537 cases of which approximately one third were indicated for further services. Staffing turnovers in this area have been substantially reduced. Child Support Collection Services collected over 4.8 million dollars in 2005.

One of the major accomplishments of 2005 was the integration of Social Services, Mental Health and Public Health into one facility on route 38. This ability to be together in one location has improved cooperation and taken advantage of many opportunities to enhance service delivery.

**Tioga Employment Center**

The movement of the Employment Training Center to the new HHS building on route 38 helped improve the delivery of services. In 2005 the TEC directly assisted 145 unemployed customers in attaining employment. They provided an additional \$77,000 in funding to 26 individuals for training and \$42,000 to local businesses to hire and train new workers.

**Soil and Water Conservation District**

Soil and Water was involved in numerous projects throughout the county spending almost 1.3 million dollars on erosion projects, stream clearing and stabilization and storm water management. In 2006 they will be moving to their new quarters on route 38.

**Cornell Cooperative Extension**

In 2005 Cornell Cooperative Extension continued their programs in agriculture, family development, community nutrition and wellness, youth development and community development by delivering over 1.8 million dollars in financial and in kind services to the community. Through their support for 4H, Points of Light Youth Leadership Institute, Independent Living Skills and the anti-

tobacco Reality Check program CCE continues to prepare our youth for the future and reaches out to thousands of county residents through a variety of outreach programs. Their highly touted Master Gardener Program continues to beautify county buildings and parks throughout the community.

**Tioga Opportunities, Inc.**

2005 is the 40th anniversary of Tioga Opportunities. Under the Department of the Aging 7,885 meals were served to senior citizens and home energy assistance distributed 318 thousand dollars to 977 seniors to assist them with home heating bills. In addition they provided counseling and information on a variety of senior living issues. They also coordinated efforts of county food pantries and soup kitchens, maintained a community center and oversaw pre-kindergarten and Headstart programs in the county.

Chair Burns spoke. “When I did this report and started putting these things together it became rather obvious to me that this County I think has kind of reached a turnaround point. I think we are on an upswing. I think 2005 has been a good year. I strongly believe 2006 is going to be an even better one so I look forward to the coming year with great anticipation.”

**REFERRED TO: LEGISLATIVE WORKSESSION**

**RESOLUTION NO. 77-06      *ADOPT POLICY 51  
WATER COOLERS***

**Adoption moved by Legislator Huttleston,  
seconded by Legislator Weston.**

**RESOLVED: That Policy 51 Water Coolers be and hereby is adopted effective April 1, 2006.**

**POLICY 51 WATER COOLERS**

It is the policy of Tioga County to provide its employees with safe and adequate drinking water. Subject to the provisions set forth below, in County facilities where safe and adequate drinking water is not available, the County will provide at its expense water coolers. At all other facilities, employees may contract for water cooler service provided such contracts do not create a legal liability for the County.

**Availability of Safe and Adequate Drinking Water**

Safe and adequate drinking water will be deemed *available* if the facility is serviced by municipal water and the employees' floor has at least one water fountain available for employee use.

Safe and adequate drinking water will be deemed *not available* if (1) the facility’s water is from a non-municipal source, or (2) the facility is served with municipal water but there are no operational drinking fountains on the floor of the facility.

**Contracts for Water Cooler Service**

County Obligated Water Cooler Service: In areas where safe and adequate drinking water is not available, the department head may approve such service as a County expense charged to that department’s budget provided such contract for service is less than a one-year term. The County Manager shall be notified of such contract. The County Manager shall make every effort to consolidate the service county-wide to obtain optimum pricing.

Employee Obligated Water Cooler Service: For departments where safe and adequate drinking water is available, water cooler service may be provided to such departments provided the employees of the department and not the County are legally liable for the payment of such service and for any claims, demands or actions arising out of such service. All contracts for service shall be on file with the department head with a copy to the County Manager for information purposes only.

**Effective Date**

The effective date of this policy shall be April 1, 2006 or upon the expiration of any non-policy compliant County obligated contracts for any water cooler service in existence on April 1, 2006.

**Roll Call:**  
**Ayes 09**  
**Noes 00**  
**Absent 00**  
**CARRIED**

**REFERRED TO: ED&P COMMITTEE  
AG COMMITTEE**

**RESOLUTION NO. 78-06      *AUTHORIZE 2006 REQUESTS FOR  
INCLUSION OF LANDS IN AGRICULTURAL  
DISTRICT***

**Adoption moved by Legislator Harrington,  
seconded by Legislator Sauerbrey.**

**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 a report listing and summarizing these requests which are located in both the Spencer and Owego Nichols Agricultural Districts; and

**WHEREAS:** The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of predominantly 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; therefore be it

**RESOLVED:** That the Tioga County Legislature approve the 2006 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.

**CARRIED**

**REFERRED TO:**

**PUBLIC WORKS**

**RESOLUTION NO. 79-06**

***RESOLUTION URGING THE  
GOVERNOR AND THE LEGISLATURE  
OF THE STATE OF  
NEW YORK TO INCREASE LOCAL  
FUNDING FOR HIGHWAYS AND  
BRIDGES***

**Adoption moved by Legislator Roberts,  
seconded by Legislator Huttleston.**

**WHEREAS:** Local governments are responsible for an increasing proportion of the statewide highway and bridge system; eighty five percent of the State's 110,000 miles of roadways, and fifty percent of the State's 18,000 bridges; and

**WHEREAS:** A safe and efficient highway infrastructure is necessary for trade, economic development and revitalization, our schools, businesses, health and hospital facilities, emergency responders, as well as the general traveling public; and

**WHEREAS:** The State’s Consolidated Highway Improvement Program (CHIPs) funds are vital to county highway departments in order to upgrade important components of the local transportation system, and purchase necessary highway equipment and materials; and

**WHEREAS:** The Marchiselli Funding Program is the State component of a successful Federal, State, and Local partnership, delivering transportation improvements to federally-aidable local highway projects; and

**WHEREAS:** The level of CHIPs funding in the five year capital plan falls well short of the proportional funding commitment provided to the State-owned system in the 2006-2007 Executive Budget; over \$100 million less than what is needed to address the critical condition of the local transportation infrastructure; and

**WHEREAS:** Marchiselli funding has not increased in the past five years and will remain flat at \$40 million under the five year capital plan, while the identified needs require a \$10 million increase in the state share to pay for unfunded projects and to leverage more federal dollars; and

**WHEREAS:** The demands on the municipally-owned 9,000 bridges, too many of which are in poor and unsafe condition, necessitates the establishment of a new \$250 million bridge and culvert program; and

**WHEREAS:** While the local system remains woefully under-funded, costs of maintenance, fuel, equipment and materials continues to increase and the local infrastructure continues to deteriorate, making it necessary to initiate automatic increases in CHIPs funding tied to the Producer Price Index (PPI); therefore be it

**RESOLVED:** That the New York State Association of Counties (NYSAC) in conjunction with the New York State County Highway Superintendents Association, Inc., urges the Governor and the Legislature of the State of New York to give priority to local roads and bridges by increasing the state commitment to CHIPs and Marchiselli to meet the demonstrated need, and indexing CHIPs so that local governments can budget and properly plan to address the deficiencies in the local transportation system; and be it further

**RESOLVED:** That Tioga County urges the Governor and the Legislature of the State of New York to establish a new Bridge and Culvert program to insure the safety of the local transportation system, so important to the state's economy and the millions of citizens who rely on local roads every day to get them to and from their places of employment; and be it further

**RESOLVED:** That copies of this resolution be forwarded to Governor George E. Pataki, the full membership of New York State Legislature and all others deemed necessary and proper.

**Roll Call:**

Ayes 09

Noes 00

Absent 00

**CARRIED**

Legislator Oberbeck made a motion to have the following seven (7) resolutions, all on erroneous assessments, passed as one, seconded by Legislator Huttleston and carried.

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 80-06                      *ERRONEOUS ASSESSMENT  
TOWN OF OWEGO***

Adoption moved by Legislator Oberbeck,  
seconded by Legislator Huttleston.

**WHEREAS:** An application for corrected tax roll indicates that the \$5,200 taxable value on property no. 47, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$1,053 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 47 as follows:

	<u>Taxable Assessment</u>	<u>2006 Tax</u>
County	\$1,053	\$ 10.25
Recycle	\$1,053	\$ 0.27
Townwide	\$1,053	\$ 0.90
Part Town	\$1,053	\$ 1.73
Apalachin Fire	\$1,053	<u>\$ 1.47</u>
	<b>TOTAL</b>	<b>\$ 14.62</b>

and be it further

**RESOLVED:** That the erroneous town tax of \$10.40 be charged back to the Town of Owego and the erroneous fire tax of \$5.76 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$1.08 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$40.36 be charged to the proper account in the records of the County Treasurer

**Roll Call:**  
 Ayes 09  
 Noes 00  
 Absent 00  
**CARRIED**

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 81-06                      *ERRONEOUS ASSESSMENT  
 TOWN OF OWEGO***

Adoption moved by Legislator Oberbeck,  
 seconded by Legislator Huttleston.

**WHEREAS:** An application for corrected tax roll indicates that the \$24,800 taxable value on property no. 5450, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$6,671 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 5450 as follows:

	<u><b>Taxable Assessment</b></u>	<u><b>2006 Tax</b></u>
County	\$6,671	\$ 64.92
Recycle	\$6,671	\$ 1.74
Townwide	\$6,671	\$ 5.71
Part Town	\$6,671	\$ 11.01
Apalachin Fire	\$6,671	<u>\$ 9.28</u>
	<b>TOTAL</b>	<b>\$ 92.66</b>

and be it further

**RESOLVED:** That the erroneous town tax of \$45.46 be charged back to the Town of Owego and the erroneous fire tax of \$25.20 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$4.71 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$176.43 be charged to the proper account in the records of the County Treasurer

**Roll Call:**

Ayes 09

Noes 00

Absent 00

**CARRIED**

**REFERRED TO:**

**FINANCE COMMITTEE**

**RESOLUTION NO. 82-06**

***ERRONEOUS ASSESSMENT  
TOWN OF OWEGO***

**Adoption moved by Legislator Oberbeck,  
seconded by Legislator Huttleston.**

**WHEREAS:** An application for corrected tax roll indicates that the \$6,500 taxable value on property no. 5453, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$908 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 5453 as follows:

	<u>Taxable Assessment</u>	<u>2006 Tax</u>
County	\$908	\$ 8.84
Recycle	\$908	\$ 0.24
Townwide	\$908	\$ 0.78
Part Town	\$908	\$ 1.50
Apalachin Fire	\$908	<u>\$ 1.26</u>
	<b>TOTAL</b>	<b>\$ 12.62</b>

**and be it further**

**RESOLVED:** That the erroneous town tax of \$14.02 be charged back to the Town of Owego and the erroneous fire tax of \$7.78 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$1.45 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$54.42 be charged to the proper account in the records of the County Treasurer

**Roll Call:**  
 Ayes 09  
 Noes 00  
 Absent 00  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 83-06** *ERRONEOUS ASSESSMENT  
 TOWN OF OWEGO*

Adoption moved by Legislator Oberbeck,  
 seconded by Legislator Huttleston.

**WHEREAS:** An application for corrected tax roll indicates that the \$167,800 taxable value on property no. 5449, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$136,195 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 5449 as follows:

	<u>Taxable Assessment</u>	<u>2006 Tax</u>
County	\$136,195	\$1,325.45
Recycle	\$136,195	\$ 35.41
Townwide	\$136,195	\$ 116.66
Part Town	\$136,195	\$ 224.83
Apalachin Fire	\$136,195	<u>\$ 189.33</u>
	<b>TOTAL</b>	<b>\$1,891.68</b>

and be it further

**RESOLVED:** That the erroneous town tax of \$79.24 be charged back to the Town of Owego and the erroneous fire tax of \$43.93 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$8.22 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$307.58 be charged to the proper account in the records of the County Treasurer

**Roll Call:**

Ayes 09

Noes 00

Absent 00

**CARRIED**

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 84-06                      *ERRONEOUS ASSESSMENT  
TOWN OF OWEGO***

**Adoption moved by Legislator Oberbeck,  
seconded by Legislator Huttleston.**

**WHEREAS:** An application for corrected tax roll indicates that the \$16,900 taxable value on property no. 7624, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$2,663 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 7624 as follows:

	<u>Taxable Assessment</u>	<u>2006 Tax</u>
County	\$2,663	\$ 25.92
Recycle	\$2,663	\$ 0.69
Townwide	\$2,663	\$ 2.28
Part Town	\$2,663	\$ 4.40
Apalachin Fire	\$2,663	<u>\$ 3.70</u>
	<b>TOTAL</b>	<b>\$ 36.99</b>

**and be it further**



**RESOLVED:** That the erroneous town tax of \$36.91 be charged back to the Town of Owego and the erroneous fire tax of \$20.46 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$3.82 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$143.23 be charged to the proper account in the records of the County Treasurer

**Roll Call:**

Ayes 09

Noes 00

Absent 00

**CARRIED**

**REFERRED TO:**

**FINANCE COMMITTEE**

**RESOLUTION NO. 86-06**

***ERRONEOUS ASSESSMENT  
TOWN OF OWEGO***

**Adoption moved by Legislator Oberbeck,  
seconded by Legislator Huttleston.**

**WHEREAS:** An application for corrected tax roll indicates that the \$21,700 taxable value on property no. 5452, assessed to Henry and Lois Huizinga on the 2006 tax roll for the Town of Owego, is erroneous in that the taxable value should be \$4,742 due to an Agricultural Exemption; be it therefore

**RESOLVED:** That a corrected 2006 tax bill be issued by the Town of Owego to Henry and Lois Huizinga on property no. 5452 as follows:

	<u>Taxable Assessment</u>	<u>2006 Tax</u>
County	\$4,742	\$ 46.15
Recycle	\$4,742	\$ 1.23
Townwide	\$4,742	\$ 4.06
Part Town	\$4,742	\$ 7.83
Apalachin Fire	\$4,742	<u>\$ 6.59</u>
	<b>TOTAL</b>	<b>\$ 65.86</b>

**and be it further**

**RESOLVED:** That the erroneous town tax of \$42.52 be charged back to the Town of Owego and the erroneous fire tax of \$23.58 be charged back to the Apalachin Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$4.41 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$165.03 be charged to the proper account in the records of the County Treasurer.

**Roll Call:**  
Ayes 09  
Noes 00  
Absent 00  
**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE**

**RESOLUTION NO. 87-06 APPOINT MEMBERS YOUTH BOARD  
YOUTH BUREAU**

**Adoption moved by Legislator Huttleston,  
Seconded by Legislator Harrington.**

**WHEREAS:** The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

**WHEREAS:** The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

**WHEREAS:** The Youth Bureau has communicated with Municipalities, School Districts and Youth Agencies in the County regarding Youth Board positions filled and vacant, and the process for filling vacancies; and

**WHEREAS:** The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

**WHEREAS:** The County Legislature previously appointed members to the Youth Board under Resolution No. 21-06 and vacancies still exist and terms have expired; now therefore be it

**RESOLVED:** That the following listed representatives be appointed as members of the Tioga County Youth Board with their corresponding terms of office consistent with the requirement of staggered rotation.

	<u><b>TERM</b></u>
Teri Rosenberg (Replacing Harmony Ayers)	03/01/06 - 12/31/08
Nancy McGavin (Replacing Kathy McEwen)	03/01/06 - 12/31/08

**CARRIED**

**REFERRED TO**                      **ED&P COMMITTEE**

**RESOLUTION NO. 88-06**    *RESOLUTION APPOINTING MEMBER TO  
THE TIOGA COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY (TCIDA)*

Adoption moved by Legislator Weston,  
seconded by Legislator Oberbeck.

**WHEREAS:** Pursuant to §856(2) of the General Municipal Law the members of the Tioga County IDA serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

**WHEREAS:** The Legislature feels that it is important to have legislative representation on the IDA Board; now therefore be it

**RESOLVED:** That Legislator Michael Roberts be and hereby is appointed in the place and stead of former Legislator Johnson effective March 14, 2006.

On roll call vote on the above resolution, eight members voted Aye, Legislator Huttleston voting no and the resolution was adopted.

**REFERRED TO:**                      **INFORMATION TECHNOLOGY COMMITTEE  
FINANCE COMMITTEE**

**RESOLUTION NO. 89-06**                      *TRANSFER OF FUNDS  
PURCHASE OF EQUIPMENT  
INFORMATION TECHNOLOGY*

Adoption moved by Legislator Harrington,  
seconded by Legislator Oberbeck.

**WHEREAS:** Legislative approval for items not included in departmental budgets is necessary to purchase equipment; and



Roll Call:  
Ayes 09  
Noes 00  
Absent 00  
CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 91-06      *STANDARDIZING SLIDING FEE SCALES  
FOR THE TIOGA COUNTY  
DEPARTMENT OF MENTAL HYGIENE*

Adoption moved by Legislator Huttleston,  
seconded by Legislator Harrington.

WHEREAS: The poverty level guidelines issued by the federal government are published in the federal register; and

WHEREAS: It is appropriate and necessary to adjust fees for individuals who fall within the poverty level guidelines in order that they may receive the services they need and in order that that fee payment for these individuals be based on the ability to pay; and

WHEREAS: The Tioga County Health Department has been approved by the Legislature to utilize the federal poverty level guidelines in establishing a sliding fee scale for services; and

WHEREAS: The Department of Mental Hygiene utilizes a sliding fee scale to adjust fees based on income related to the poverty level; and

WHEREAS: The Tioga County Department of Mental Hygiene desires to utilize the federal guidelines to enable consistency among the Health and Human Services Departments that charge fees for services; be it therefore

RESOLVED: That the Tioga County Department of Mental Hygiene is authorized to utilize the federal poverty level guidelines to establish a sliding fee schedule.

Roll Call:  
Ayes 09  
Noes 00  
Absent 00  
CARRIED

**Legislator Penney introduced the following Local Law: A Local Law revoking, abrogating, and repealing Local Law No. 3 of 1999 which provided for the establishment of a County Manager for the County of Tioga.**

**County of Tioga**

**Local Law No. of the Year 2006.**

**A Local Law revoking, abrogating, and repealing Local Law No. 3 of 1999 which provided for the establishment of a County Manager for the County of Tioga.**

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

**SECTION 1:**

**Local Law No. 3 of the year 1999 be and hereby is revoked, abrogated, and repealed.**

**SECTION 2:**

**This Local Law shall take effect on the 30<sup>th</sup> day of April, 2006.**

**REFERRED TO:**

**LEGISLATIVE WORKSESSION**

**RESOLUTION NO. 92-06**

***SCHEDULE PUBLIC HEARING  
LOCAL LAW INTRODUCTORY  
NO. B OF 2006***

**Adoption moved by Legislator Huttleston,  
seconded by Legislator Roberts.**

**RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2006 A Local Law revoking, abrogating, and repealing Local Law No. 3 of 1999 which provided for the establishment of a County Manager for the County of Tioga in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, April 6, 2006 at 7:00 PM. All persons desiring to present written or oral comments may do so at said time.**

**CARRIED**

**REFERRED TO: PUBLIC WORKS COMMITTEE**

**RESOLUTION NO. 93-06**      *CLOTHING ALLOWANCE  
NON-UNION PUBLIC WORKS  
EMPLOYEES*

Adoption moved by Legislator Roberts,  
seconded by Legislator Oberbeck.

**WHEREAS:** The CSEA contract Article 7 Section C states that all Tioga County Public Works employees shall receive a clothing allowance in the amount of \$325.00 and shall provide the employer with receipts for all items purchased prior to payment by the County; and

**WHEREAS:** The CSEA contract does not cover Public Works non-union employees; therefore be it

**RESOLVED:** That all full-time non-union Public Works employees be entitled to an annual clothing allowance in the amount of \$325.00 and shall provide the employer with receipts for all items purchased prior to payment by the County.

**Roll Call:**  
Ayes 09  
Noes 00  
Absent 00  
**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE**

**RESOLUTION NO. 94-06**      *RECLASSIFY SUSAN  
HEWITT'S POSITION FROM CERTIFIED  
ALCOHOL & DRUG COUNSELOR (SALARY  
GRADE 11) TO SUPERVISING CERTIFIED  
ALCOHOL & DRUG COUNSELOR (SALARY  
GRADE 14)*

Adoption moved by Legislator Huttleston,  
seconded by Legislator Harrington.

**WHEREAS:** Legislative approval is required for positions to be reclassified that would have budgetary impact; and

**WHEREAS:** In October 2005, the Personnel Department received a request for classification review from the Mental Hygiene Department for a Certified Alcohol & Drug Counselor position currently held by Susan Hewitt; and

**WHEREAS:** Upon review of the position questionnaire and the information obtained from a desk interview, it has been determined that the current title of Certified Alcohol & Drug Counselor is not an adequate reflection of the duties being performed by Ms. Hewitt; and

**WHEREAS:** The Personnel Department has determined that the classification of Supervising Certified Alcohol & Drug Counselor more accurately reflects the work performed by Ms. Hewitt and has recommended her position be reclassified to said title; therefore it be

**RESOLVED:** That the Tioga County Legislature authorize Susan Hewitt’s title of Certified Alcohol & Drug Counselor (CSEA salary grade XI) upgraded to the title of Supervising Certified Alcohol & Drug Counselor (CSEA salary grade XIV) at an annual salary increase of \$4,679.00 retroactive to October 24, 2005; and be it further

**RESOLVED:** That Ms. Hewitt’s 2006 salary will then be established at \$41,181.00 based upon the 2005 salary **AFTER** the adjustment resulting from this reclassification and provisional appointment.

**Roll Call:**  
Ayes 09  
Noes 00  
Absent 00  
**CARRIED**

**REFERRED TO:** HEALTH & HUMAN SERVICES  
PERSONNEL

**RESOLUTION NO. 95–06** *CREATE AND FILL  
SEASONAL CLERK POSITIONS  
SOCIAL SERVICES*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Oberbeck.

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

**WHEREAS:** For many years, Tioga County has supported the creation of several temporary positions in various departments each summer; and

**WHEREAS:** These positions offer substantial and cost-effective staffing relief in light of recent staffing efficiencies and continued Medicaid caseload growth and will provide continued assistance with our switchover to high-density filing; and

**WHEREAS:** The intent of the County is to offer these positions, when possible, to students pursuing a college education in order to provide those individuals with some earning potential; now therefore be it

**RESOLVED:** That the Department of Social Services be hereby authorized to create and fill six (6) Seasonal Clerk positions at the rate of \$7.75 per hour (minimum wage plus \$1) for the summer of 2006, effective April 14 until August 31, 2006; and be it further

**RESOLVED:** That hiring preference will be given to college students and returning student employees; and be it further

**RESOLVED:** That students who have worked for Tioga County as Seasonal Clerks during previous summer months and are returning will be compensated at \$7.75 per hour plus 20 cents per hour for each summer of employment previously served with Tioga County.

**Roll Call:**

Ayes 09

Noes 00

Absent 00

**CARRIED**

**REFERRED TO:** HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 96-06**      *AMEND RESOLUTION #74-06*  
*PUBLIC HEALTH DEPARTMENT*

Adoption moved by Legislator Huttleston,  
seconded by Legislator Harrington.

**WHEREAS:** Resolution #74-06 authorized the creation of an Engineering Technician position (CSEA grade VII) in the Public Health Department; and

**WHEREAS:** The creation of an Engineering Technician is not an appropriate title for the work duties associated with the position; and

**WHEREAS:** The true intent was to create the title of Public Health Technician (CSEA grade VII); therefore be it

**RESOLVED:** That Resolution #74-06 be amended to create the title of Public Health Technician effective retroactive to February 15, 2006.

On roll call vote on the above resolution, seven members voted Aye, Legislators Quinlan and Weston voting no, and the resolution was adopted.

Legislator Oberbeck made a motion to consider the following late-filed resolution, seconded by Legislator Roberts and carried.

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE**

**RESOLUTION NO. 97-06**                    *AUTHORIZE CONTRACT BETWEEN  
TWIN TIER PATHOLOGY  
ASSOCIATES, PC AND TIOGA COUNTY*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Oberbeck.

**WHEREAS:** Beginning January 1, 2006 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

**WHEREAS:** The contract calls for \$700.00 to be paid to Pathologists, \$350.00 for morgue fees, and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

**RESOLVED:** That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/06 through 12/31/06.

**Roll Call:**  
Ayes 09  
Noes 00  
Absent 00  
**CARRIED**

Legislator Huttleston made a motion to adjourn at 6:26 P.M., seconded by Legislator Oberbeck and carried.