

***Fourth Regular Meeting  
April 15, 2008***

**The Fourth Regular Meeting of 2008 was called to order by the Chair at 1:30 P.M. Eight Legislative Members were present, Legislator Burns being absent.**

**Chair Weston asked Legislator Huttleston to have a moment of prayer. “Before we start the prayer, for some of you who are not aware of it yesterday Jack Howey, our Director of Tioga County Veterans’ Service Agency, passed away suddenly. He was an excellent Director, a good man, and a real gentleman. He will surely be missed by a lot of people. I ask that all our thoughts and prayers be with his family during this sad and difficult time.”**

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

**There were 29 people in attendance.**

**Elaine Lasater from the Employee Recognition Committee presented the Employee of the First Quarter 2008 to Lori Monk of the Department of Mental Hygiene.**

**Elaine spoke. “The Tioga Employee Recognition Committee is pleased to award the Employee of the first quarter 2008 to Ms. Lori Monk. Lori began her employment with Tioga County in September 2002 as a Clinical Social Worker for the Department of Mental Hygiene, Alcohol & Drug Services. Her responsibilities at that time included working with Alcohol & Drug clients, conducting group therapy, and individual therapy. Soon after that, Lori began working with dual diagnosis clients.**

**“In May 2007 Lori took on the responsibility as Coordinator of the Dual Diagnosis Program and became a supervisor to other clinicians. She continues to provide quality clinical care to clients as well as consistently making herself available to other staff members for clinical support and direction. Lori continues to serve in this role in the Mental Hygiene Department, Alcohol & Drug Services.**

**“Lori considers being selected Employee of the Quarter an honor and recognizes that it has much to do with the people she works with. Lori states: “I am proud to be a member of such a great team”.**

**“Lori is a graduate of Binghamton High School, Broome Community College and Marywood University. She moved from Broome County to Tioga County 12 years ago. Outside the work place, Lori has a daughter and a son. She likes to spend time with family and friends, and she likes to travel and read when time allows. Lori truly does enjoy working with the population she works with and considers it a privilege to be part of a great team of co-workers.”**

Paul LeBlanc, Director of Community Services, spoke. "First of all I want to thank the Legislature for this activity and this function. It is really important that the staff and employees know that you care about them and that you recognize people's work, and that you recognize people who do very good work. I am very appreciative of this as are our staff members so thank you very much for that.

"Lori is a real pleasure to work with. She is kind of one of the unsung heroes, very quiet in her demeanor, but very efficient and effective. She is one of the people who was a natural born leader and that people turn to with all kinds of things that even go beyond her job description. It is not uncommon to walk into her office, find her one hand on the computer and the phone, someone talking from the hallway asking something of her, and she always is very gracious and very helpful to do it. Lori volunteered to take on a very difficult task in our Department, working with individuals who have a combination of both mental health and addiction's needs. It is very challenging work and through it all Lori has really shown a great deal of competence, effectiveness, and a great deal of grace. One of the staff said that she would qualify for the circus because she has to juggle so many things. Lori I really appreciate what you do and congratulations."

Susan Hewitt from the Department of Mental Hygiene. "I would just like to say that Lori certainly deserves this honor and I appreciate the committee for giving her this. I had spoken to the committee a couple of times about Lori so they are familiar with my admiration for her, but I know that there are many people here that don't have the opportunity to come into contact with Lori on a regular basis. What I can say is I was trying to think about this and what might best describe her and there were three words that came to my mind, respectfulness, ethical, and conscientious. She is all of those things and with all duties and things that she juggles she never lets any of those things go by the wayside. She works with our most difficult clients she does an excellent job with them.

"The residents of Tioga County with both substance abuse and mental health issues are very fortunate to either work directly with her or with people that are under her direction. No matter how ill someone is, no matter what the challenge is in front of her, as I said she is always very respectful. I have questions sometimes on policy, its funny because people might come and ask me and I scratch my head and think Lori I am sure has the answer to that question because she does things by the book as they should be done and keeps me in line. I am very appreciative of all she does and I am very fortunate to have her working on my staff. Thanks."

Legislator Huttleston presented Lori with a plaque and savings bond. "It is people like this that make my job a lot easier. Congratulations and it is always a joy having people like you on our staff."

Lori spoke “I would like to say thank you. For as much as people think I give other people, those very same people give me more than I can ever express in words, the population I serve as well as my coworkers and colleagues. This is a great honor and I am fortunate to work with such great people. Thank you very much.”

Legislator Huttleston presented the following proclamation on Child Abuse Prevention Month to Maureen Hawley, Youth Bureau Director.

### **Child Abuse Prevention Month Proclamation**

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**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: The Youth Bureau and Board sponsored a Child Abuse Prevention event on April 1, 2008 with a presentation by Lourdes Healthy Families Program at St. Patrick’s Church in Owego; and**

**Whereas: The Family Resource Centers of Tioga County, a program of Cornell Cooperative Extension of Tioga County in collaboration with Tioga County departments and agencies, is sponsoring a Family Fun Night during Child Abuse Prevention month to be held on April 26, 2008 to celebrate Tioga County’s investment in the safety and nurturing of all children; 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 2008 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.

Maureen Hawley spoke “Thank you for recognizing April as Child Abuse Prevention Month. It is one of the Youth Bureaus main priority areas. Nancy McGavin, a Board Member, organized a very nice event on April 1<sup>st</sup>. Our goal really is to promote the resources that are available for our families in Tioga County.”

Legislator Huttleston read and presented the following proclamation on National Nursing Week to Elaine Doupe.

*County of Tioga*

***EXECUTIVE PROCLAMATION***

**WHEREAS:** The nurses who live and who work in Tioga County while serving in many roles are all members of one profession, and as such have shown strength, commitment, professional skill and compassion directed at improving the health of the residents of Tioga County; and

**WHEREAS:** The nursing profession is rapidly changing, requiring nurses to expand their role through critical thinking, and holistic analysis of patient care, to meet the new challenges; and

**WHEREAS:** Tioga County nurses serve in many capacities within Tioga County; e.g., immunization clinics, control of communicable disease, homecare, mental health, well child clinics, Department of Social Services, doctor’s offices, prenatal care programs, nursing homes, and more; and

**WHEREAS:** The week of May 4 through 10, 2008 is “NATIONAL NURSING WEEK” and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County; therefore be it

**RESOLVED:** THAT THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 4 – 10, 2008 as:

***“NATIONAL NURSING WEEK IN TIOGA COUNTY”***

and encourage businesses, government agencies, community-based organizations, service groups and our fellow citizens to recognize the many nurses who work and live in Tioga County as being nurses with strength, commitment and compassion.

Legislator Huttleston spoke “If you have ever had any experience with having nurses, which I have had over a period of time, there is nothing better than a nurse and of all my years I have ran into a lot of different people I have had to deal with, but I never ran into a bad nurse. Sometimes there more than a nurse, a lot times they are a Chaplin to, and they do a lot of other things. I really appreciate the work you do and I get a lot of good comments from people that I know that you have serviced over the years and I really thank you.”

Elaine Doupe spoke “I really appreciate this from the Legislature. I did want to take this opportunity because I thought to myself you know, we do not have a lot of staff, yet how much work they do. For example, they did 6898 home visits last year to a lot of people and how many visits does that add up to, that adds up to maybe two visits a month for a person in long term care, an average of six visits for a whole episode for someone who is in the certified home care agency, which is a low volume of visits. They actually did 2339 immunizations. They did 227 TB testing. There were 200 clinic visits that they handled and that is only a small part of what they do. They do disease control follow-up. There are about 70 diseases that we are required to follow up on and I think there were 144 of them. It takes quite a bit of time because its contact tracing, working with doctors, etc. We have a lead poison prevention program. We have TB clinics. There is a lot that is done by a small number of people. I wanted to thank you as a Legislature for supporting that activity because in a situation where you have multiple options you could choose to not have that be your option. I thank you for your ongoing support of nurses in the community and in the Health Department.

“I would like to introduce to you some of those key people. This is Maggie Conover. She is one of our home care nurses. She goes anywhere and everywhere, and her patients love her. I get more letters on her than any other home care nurse. This is Sandy Hoose who supervises our home care staff and she, in fact, was recognized by the Health Department as the Team Member of the quarter this month. Everybody loves her and she can work both sides of the fences is how we put it. She can work primary prevention and home care, which most of our people can, but she can also do a certain amount of supervision in both areas.

“This is Marilyn Reynolds who many of you probably already know. She is our Supervisor for our Primary and Prevent Programs, which includes disease control. It includes high risk pregnancies, newborn babies. It includes a variety of activities within the Health Department. These are the people that you can call if you have any questions at any time just call 8600. Thank you.”

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		919.64
A1165	District Attorney		5,249.58
A1170	Public Defender		2,055.85

A1172	Assigned Council		25,702.72
A1185	Medical Examiners and Coroners	19.95	2,386.45
A1325	Treasurer		2,218.75
A1345	Purchasing		143.07
A1355	Assessments		4,417.71
A1357	RPTS Assessment Grant		1,250.00
A1410	County Clerk		1,193.24
A1411	Department of Motor Vehicles		3,135.18
A1420	Law		834.63
A1430	Personnel		2,117.60
A1450	Elections		9,376.70
A1460	Records Management		159.53
A1460.41	Records Management Grant Program		30,969.85
A1490	Public Works Administration		85.87
A1620	Buildings	120.29	84,867.13
A1680	Information Technology	693.67	41,896.19
A2960	Education of Handicapped Children		133,618.90
A3020	Public Safety Comm E911 System		5,165.05
A3110	Sheriff	569.94	18,063.81
A3110.41	Sheriff Court Attendants		1,470.61
A3140	Probation		6,753.86
A3146	Probation Sex Offender Registration		469.25
A3150	Jail		60,114.04
A3315	Special Traffic Programs		770.00
A3410	Fire	1,330.37	5,309.18
A3640	Emergency Management Office		416.95
A3650	EMO WMD Grant	7,040.32	
A4010	Public Health Nursing		38,951.01
A4011	Public Health Administration	189.00	16,299.30
A4012	Public Health Education		2,142.97
A4042	Rabies Control		1,193.20
A4044	Early Intervention	2,192.00	62,351.65
A4053	Preventive and Primary Health Services		480.35
A4054	Preventive Dental Services		3,738.36
A4062	Lead Poisoning Program		19.00
A4064	Managed Care Dental Services		14,873.26
A4070	Disease Control		1,938.15
A4090	Environmental Health		6,169.34
A4210	Alcohol and Drug Services		11,114.29
A4211	Council on Alcoholism		9,561.92
A4309	Mental Hygiene		5,194.26
A4310	Mental Health Clinic		56,336.94
A4311	Rehabilitation Support Services		4,235.00
A4315	Mental Retardation		17,727.36
A4320	Crisis Intervention Services		10,616.23
A4321	Intensive Case Management		1,191.80

A4333	Psycho Social Club		50,199.25
A6010	Social Services Administration	78.00	81,958.54
A6141	Energy Crisis Assistance Program		40,288.77
A6422	Economic Development	832.27	796.85
A6510	Veterans' Office		132.08
A6610	Sealer of Weights and Measures		323.29
A7310	Youth Programs		167.00
A8020	Planning		383.40
A9060	Health Insurance		798.00
<b>SOLID WASTE FUND</b>			<b>70,029.72</b>
<b>COUNTY ROAD FUND</b>			<b>46,107.92</b>
<b>SPECIAL GRANT FUND</b>			<b>11,223.63</b>
<b>CONSOLIDATED HEALTH FUND</b>			<b>661,971.26</b>
<b>CAPITAL FUND</b>			<b>207,245.45</b>
<b>LIABILITY INSURANCE FUND</b>			<b>2,134.09</b>
<b>WORKERS' COMP</b>			<b>38,393.16</b>
<b>GRAND TOTAL</b>			<b>\$ 1,940,483.95</b>

Legislator Roberts made a motion to approve the minutes of March 11, 2008, seconded by Legislator Oberbeck and carried.

Chair Weston made the following appointment to the Deputies Negotiating Team:

- County Attorney
- Personnel Officer
- County Sheriff
- County Undersheriff
- Chair of Public Safety Committee
- County Legislator

Legislator McEwen made a motion to untable the resolution tabled at the March 11, 2008 regular meeting, seconded by Legislator Oberbeck, and the motion to untable was carried.

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

**RESOLUTION NO. 117-08      *RESOLUTION TO APPOINT  
DR. SUSAN CHOI TO THE  
COMMUNITY SERVICES BOARD***

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

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

**WHEREAS:** Susan Choi, MD, who practices medicine in Apalachin, NY, has expressed interest in filling a vacant position; and

**WHEREAS:** The Community Services Board formally nominated Dr. Choi for a position at its January 2008 meeting, and recommends to the Tioga County Legislature that she be appointed to the Community Services Board; now therefore be it

**RESOLVED:** That the Tioga County Legislature hereby appoints Dr. Susan Choi to the Tioga County Community Services Board for the remainder of a vacant term ending December 31, 2009.

**CARRIED**

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

**REFERRED TO:** COUNTY CLERK COMMITTEE  
FINANCE COMMITTEE

**RESOLUTION NO. 118-08** *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

Adoption moved by Legislator Roberts,  
Seconded by Legislator Sauerbrey.

**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 office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$72,494 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 \$72,494 for the period of April 2008 – March 2009; be it therefore

**RESOLVED:** That the County Clerk be authorized to collect or withhold from its disbursements \$6,041.16 for the months of April 2008 through February 2009, and the amount of \$6,041.24 for the month of March 2009, for a total annum amount of \$72,494.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

**RESOLUTION NO. 119-08** *MORTGAGE TAX DISTRIBUTION*

Adoption moved by Legislator Penney,  
seconded by Legislator McEwen.

**RESOLVED:** That the mortgage tax report for the period October 1, 2007 to March 31, 2008 be and it hereby is accepted; further

**RESOLVED:** That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 50,670.42
Village of Waverly	14,644.93
Town of Berkshire	6,978.15
Town of Candor	33,284.97
Village of Candor	1,960.29
Town of Newark Valley	15,255.42
Village of Newark Valley	1,931.29
Town of Nichols	14,244.24
Village of Nichols	1,217.54
Town of Owego	148,089.32
Village of Owego	10,120.14
Town of Richford	1,611.94
Town of Spencer	15,686.48
Village of Spencer	2,022.49
Town of Tioga	<u>23,394.84</u>
	<b>\$341,112.46</b>





**RESOLVED:** That the erroneous county tax of \$7,132.83 be charged back to the proper account in the records of the County Treasurer.

**Roll Call:**  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 122-08** *ERRONEOUS ASSESSMENT  
TOWN OF CANDOR*

Adoption moved by Legislator McEwen,  
seconded by Legislator Oberbeck.

**WHEREAS:** An application for corrected tax roll indicates that the taxable value of \$2,500 on property no. 1761, assessed to Edward B. Monroe on the 2008 tax roll of the Town of Candor, is erroneous in that a Senior Citizen Exemption of \$1,250 was approved, however not applied, therefore reducing the taxable value to \$1,250; be it therefore

**RESOLVED:** That a corrected 2008 tax bill be issued to Edward B. Monroe for property no. 1761 by the Town of Candor as follows:

<u>2008 Corrected Tax</u>	
County	\$ 127.00
Recycle	5.55
Townwide	74.07
Part Town	15.06
<u>Candor Fire</u>	<u>28.50</u>
<b>TOTAL</b>	<b>\$ 250.18</b>

and be it further

**RESOLVED:** That the erroneous town tax of \$89.12 be charged back to the Town of Candor and the erroneous fire district tax of \$28.50 be charged back to Candor Fire district; and be it further

**RESOLVED:** That the erroneous recycle tax of \$5.55 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$127.00 be charged back to the proper account in the records of the County Treasurer.



**RESOLVED:** That the erroneous recycle tax of \$14.97 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$343.03 be charged to the proper account in the records of the County Treasurer

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 124-08** *APPORTION DOG FUND MONIES*

Adoption moved by Legislator McEwen,  
seconded by Legislator Oberbeck.

**WHEREAS:** There has been received from the County Treasurer a report of the expenditures and surplus from the Dog License Fund monies for the year ended December 31, 2007; be it therefore

**RESOLVED:** That the County Treasurer is hereby authorized and directed to pay to the several Towns the surplus monies apportioned to them as follows:

Town of Barton	\$1,264.73
Town of Berkshire	\$ 256.29
Town of Candor	\$1,542.68
Town of Newark Valley	\$ 542.01
Town of Nichols	\$ 461.76
Town of Owego	\$2,068.19
Town of Richford	\$ 257.99
Town of Spencer	\$ 523.55
Town of Tioga	<u>\$ 936.83</u>
<b>TOTAL</b>	<b>\$7,854.03</b>

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO: FINANCE/LEGAL  
TREASURER**

**RESOLUTION NO. 125-08 TRANSFER OF FUNDS  
DISTRICT ATTORNEY**

**Adoption moved by Legislator McEwen,  
Seconded by Legislator Oberbeck.**

**WHEREAS: There is a need to purchase a replacement fax machine due to the fact  
the previous fax machine is no longer working; and**

**WHEREAS: Information Technology has approved a fax machine suitable for the  
District Attorney’s needs and has provided a quote of \$470.00; and**

**WHEREAS: Funds will need to be transferred from District Attorney Account  
A1165.40-720 to District Attorney Account A1165.20-140; therefore be it**

**RESOLVED: That the following sums be transferred:**

<b>From:</b>	<b>A1165.40-720</b>	<b>\$470.00</b>
<b>To:</b>	<b>A1165.20-140</b>	<b>\$470.00</b>

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

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

**RESOLUTION NO. 126-08 TRANSFER OF FUNDS –  
PURCHASE COMPUTER EQUIPMENT  
ECONOMIC DEVELOPMENT & PLANNING**

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

**WHEREAS: Legislative approval is necessary to purchase equipment; and**

**WHEREAS: Legislative approval is necessary to transfer funds from one account  
to another; and**



**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE**

**RESOLUTION NO. 128-08 FUND EMERGENCY  
MANAGEMENT OFFICE GRANT -  
NYS SHSP GRANT**

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

**WHEREAS: The Emergency Management Office has been awarded a  
NYS Homeland Security Grant (OHS-WM07387970) in the amount of  
\$73,000; and**

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

**RESOLVED: That the NYS Homeland Security Grant (OHS-  
WM07387970) be appropriated as follows:**

<b>From: State Aid-EMO WM07387970</b>	<b>H3306.00</b>	<b>\$73,000</b>
<b>To: EMO WM07387970 Grant-Equipment</b>	<b>H3645.21</b>	<b>\$73,000</b>

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: PUBLIC WORKS**

**RESOLUTION NO. 129-08 RE-ESTABLISH PRIOR YEAR  
CAPITAL PROJECTS**

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

**WHEREAS: Prior year capital projects need to be re-established for the remaining  
balance as of year end 2007 for completion in 2008; therefore be it**

**RESOLVED: The following accounts and amounts be re-established**

## Tobacco

<u>Bridge Project</u>	<u>Account #</u>	<u>BIN #</u>	<u>Re-establish</u>
Reniff Rd.	H2007.12	3335420	\$ 338.00
Penn Ave	H2006.04	3335470	\$ 18,280.81
West Creek Rd	H2007.09	3335160	\$ 93,880.73
West Creek Rd.	H2007.04	3335170	\$ 18,213.75
West Creek Rd.	H2007.05	3335230	\$ 50,000.00

## Federal Bridge Program

<u>Bridge Project</u>	<u>Account #</u>	<u>BIN #</u>	<u>Re-establish</u>
Southside Drive	H2007.13	3335530	\$170,000.00
Tappan Rd.	H2007.14	3335280	\$ 50,000.00

## Capital Construction

DSS Stone Bldg.	H1620.20	use code 921	\$ 30,000.00
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And be it further

**RESOLVED:** That the corresponding funding sources shall also be re-established in the 2008 modified budget.

## Roll Call:

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO:** PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

**RESOLUTION NO. 130-08** *FUND SHERIFF'S GRANT - NYS  
WM 2007 LETPP GRANT*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Huttleston.

**WHEREAS:** The Sheriff's Office has been awarded a NYS Homeland Security Grant (Project #LE07-1003-EOO) in the amount of \$54,000; and

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

**RESOLVED:** That the NYS Homeland Security Grant (Project #LE07-1003-EOO) be appropriated as follows:

<b>From:</b>	<b>State Aid Sheriff LE07-1003-EOO A3397.00</b>	<b>\$54,000</b>
<b>To:</b>	<b>Sheriff LE07-1003-EOO Grant A3117.10-30</b>	<b>\$18,600</b>
	<b>Sheriff LE07-1003-EOO Grant A3117.20-130</b>	<b>\$35,400</b>

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 131-08**      ***APPROPRIATION OF STATE AID  
COUNTYWIDE TAX COLLECTION  
DATABASE STUDY GRANT***

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

**WHEREAS:** The County has received funding from New York State Office of Real Property for a Countywide Tax Collection Information Database Study Grant; and

**WHEREAS:** The funded activity is to study countywide tax collection information; therefore be it

**RESOLVED:** That the amount of \$25,000 be appropriated from State Aid-CPTAP County Tax Collection Grant Account A3042.10 to the following appropriation accounts:

<b>A1330.40-140 - Tax Collection Grant</b>	<b>\$ 25,000</b>
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**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 132-08**      *AMEND RESOLUTION NO. 67-08  
APPROPRIATION OF FUNDS FOR  
SENATOR LIBOUS FIRE SERVICE  
COMMUNITY PROJECTS APPROPRIATION*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Huttleston.

**WHEREAS:** Resolution No. 67-08 authorized acceptance of \$27,000 from New York State Community Projects Appropriation, Contract M041118; and

**WHEREAS:** Resolution No. 67-08 authorized the County Treasurer to transfer the sum of \$27,000 to a Fire Light Tower Grant account; and

**WHEREAS:** The \$27,000 should have been transferred into a capital equipment account and not a general fund account; and

**WHEREAS:** The sealed bid for the purchase of two new Emergency Generator / Light Tower Sets that Senator Libous provided a Grant to help procure exceeded the current funding, and

**WHEREAS:** One account in the Bureau of Fire Budget is projected to finish the year under spent, therefore be it

**RESOLVED:** That Resolution No. 67-08 be amended that \$27,000 be set up in Fire Light Tower Grant M041118 Account H3651.21; and be it further

**RESOLVED:** That the following funds be transferred as follows:

<b>From:</b>	<b>H3410.21-Fire Capital Equipment</b>	<b>\$ 2,000</b>
<b>To:</b>	<b>H3651.21-Fire Light Tower Grant M04118 Capital Equipment</b>	<b>\$ 2,000</b>

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE**

**RESOLUTION NO. 133-08      *CONTRACT AUTHORIZATION  
CITICORP LEASE – PURCHASE  
AGREEMENT***

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

**WHEREAS: The Sheriff’s Office has a need to purchase an inmate management software program which will interface with the Comnetics Live Scan Fingerprint system, and will electronically perform New York State Jail Management System reporting; and**

**WHEREAS: The purchase of this software would be acquired through a 5-year lease agreement with Citicorp Leasing, Inc., of Harrison, New York; and**

**WHEREAS: No funding is available in the Sheriff’s Office 2008 budget to pay for the 2008 lease installments; and**

**WHEREAS: The Director of Information Technology has approved the purchase of the software; and**

**WHEREAS: A Lease-Purchase Agreement with Citicorp Leasing, Inc. has been reviewed and approved by the County Attorney, and now requires Legislative approval; therefore be it**

**RESOLVED: That the Tioga County Legislature authorize the execution of this Lease-Purchase Agreement; and be it further**

**RESOLVED: That \$11,173.00 be transferred from the Contingency Fund Account A1990.40-715 to Sheriff’s Software Account A3110.40-620.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO:**

**PUBLIC WORKS**

**RESOLUTION NO. 134-08**

***AWARD BID FOR CONSTRUCTION  
EAST RIVER RD BRIDGES OVER  
SMITH CREEK & HUNTS CREEK***

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

**WHEREAS: The Tioga County Dept. of Public Works held a sealed bid opening for the rehabilitation of the East River Rd. Bridges (BIN#3335430) over Smith Creek and (BIN#3335420) over Hunts Creek, Town of Nichols, NY on 3/19/08; and**

**WHEREAS: Tioga County has received Tobacco Settlement funding in the amount of about \$4.9 million which must be expended within a three-year time frame on Capital Projects; and**

**WHEREAS: Funds were budgeted for the rehabilitation of the East River Rd. Bridges over Smith Creek & Hunts Creek Account H2007.06; and**

**WHEREAS: The bid results were as follows:**

<b>1. Procon Contracting, LLC</b>	<b>Vestal, NY</b>	<b>\$1,033,000.50</b>
<b>2. Fahs Construction</b>	<b>Binghamton, NY</b>	<b>\$ 937,000.00</b>
<b>3. R. DeVincentis Construction</b>	<b>Binghamton, NY</b>	<b>\$1,186,000.00</b>
<b>4. Vector Construction</b>	<b>Cicero, NY</b>	<b>\$ 949,657.00</b>
<b>5. Economy Paving</b>	<b>Cortland, NY</b>	<b>\$1,014,320.00</b>

**And**

**WHEREAS: Delta Engineers has reviewed the bid proposals and recommends awarding the project to the low bidder, Fahs Construction, Binghamton, NY, which satisfies the requirement for qualifications; therefore be it**

**RESOLVED: That the Tioga County Legislature award the construction contract to the low bidder Fahs Construction not to exceed \$937,000.00 and to be paid out of East River Rd. Bridges over Smith Creek and Hunts Creek account H2007.06.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES**

**RESOLUTION NO. 135-08 AUTHORIZATION TO MAKE  
APPLICATION FOR SECTION 5311  
CAPITAL ASSISTANCE  
SOCIAL SERVICES**

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

**WHEREAS: The County of Tioga has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for the purchase of light and medium duty buses, shelters and ADP hardware; and**

**WHEREAS: The County of Tioga and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the Federal and State shares for the Project; therefore be it**

**RESOLVED: That the Chair of the Legislature is authorized to sign:**

**Any and all Agreements between the County of Tioga and the State of New York for the above named Project;**

**Any and all Agreements between the County of Tioga and any third Party subcontractors necessary to complete the Project;**

**Any and all Agreements between the County of Tioga and any vendor for the purchase and/or installation of vehicles and/or equipment or facilities;**

**and be it further**

**RESOLVED: That the Chair of the Legislature certifies through this resolution that the estimated local share of 10 percent (10%) is committed to the Project from First Transit, Inc.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: PUBLIC WORKS/LEGAL**

**RESOLUTION NO. 136-08**      *AUTHORIZE TRANSFER OF PROPERTY TO  
NEW YORK STATE FOR CONSTRUCTION OF  
NEW BRIDGE OVER OWEGO CREEK AT  
ROUTE 96/ROUTE 38 JUNCTION*

Adoption moved by Legislator Roberts,  
seconded by Legislator McEwen.

**WHEREAS:** The County is the owner of a certain parcels of real property located at the junction of Route 38 and Route 96, described as follows:

P.I.N. 6047.09.221; Owego-Candor, Pt.1, SH 5420; Tioga County; Map(s) 63 R-1, Parcel (s) 81, 82, 83, 84

P.I.N. 6047.09.221; Owego-Candor, Pt.1, SH 927; Tioga County; Map(s) 91 R-1, Parcel (s) 152, 153, 154, 155, 156

Hereinafter described as The Property and

**WHEREAS:** New York State Department of Transportation is replacing and re-aligning the bridge at the junction of Routes 96 and 38, which bridge is commonly known as Turner's Bridge; and

**WHEREAS:** Prior to New York State taking over ownership and maintenance of Route 38 and 96, Tioga County owned the routes as well as lands adjacent to the routes, referenced herein as The Property, for maintenance purposes; and

**WHEREAS:** The Property is necessary for New York State Department of Transportation to replace and re-align Turner's Bridge at the Route 38/Route 96 juncture; and

**WHEREAS:** Tioga County Legislature is willing to transfer under the authorization set forth in General Municipal Law Section 72-h The Property for \$1.00 payment waived to the Commissioner of Transportation for the People of the State of New York; and

**WHEREAS:** New York State Department of Transportation has requested that the Chair of the Legislature be authorized by this Resolution to execute Agreements of Adjustment and Release of Owner; and

**WHEREAS:** The County Attorney and Commissioner of Public Works have reviewed and approved the Maps 63 and 91 describing The Property and the Agreements of Adjustment and Release of Owner; therefore be it

**RESOLVED:** That the Chair of the Tioga County Legislature is authorized to execute the Agreements of Adjustment and Release of Owner with regard to The Property.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PUBLIC WORKS, LEGAL**

**RESOLUTION NO. 137-08** *AUTHORIZE EXECUTION OF PIPELINE RIGHT-OF-WAY GRANT, LETTER AGREEMENT, RECEIPT AND RELEASE, AND RELATED DOCUMENTS WITH CNYOG*

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

**WHEREAS:** Resolution 74-07 authorized CNYOG to survey property owned by Tioga County on Carmichael Hill Road for a potential pipeline easement; and

**WHEREAS:** The survey has been completed and reviewed by the County Attorney, Commissioner of Public Works, Sheriff and Fire Coordinator; and

**WHEREAS:** No objection to the survey has been made by any department; and

**WHEREAS:** The construction of the pipeline and the granting of an easement will not affect the operation and maintenance of the tower located on the Carmichael Hill Road property; and

**WHEREAS:** CNYOG has presented a proposed Pipeline Right of Way Grant, Letter Agreement to Pipeline Right-of-Way Grant, Receipt and Release of Timber Damages and related recording documents; and

**WHEREAS:** The aforementioned documents have been approved by the County Attorney; now therefore be it

**RESOLVED:** That the Chair of the Tioga County Legislature is hereby authorized to execute and deliver Pipeline Right-of-Way Agreement, Letter Agreement to the Pipeline Right-of-Way Agreement, Receipt and Release of Timber Damages and related recording documents upon receipt of the damages and payments reflected therein.

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO: PUBLIC WORKS**

**RESOLUTION NO. 138-08**      ***HIRE DELTA ENGINEERS  
CONSTRUCTION MANAGER FOR  
NEW IT COMPUTER AREA & NEW  
2<sup>ND</sup> FLOOR AREA AT 56 MAIN ST.***

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

**WHEREAS: The Tioga County Legislature has authorized construction for the new IT Computer Area & new 2<sup>nd</sup> Floor area at 56 Main St.; and**

**WHEREAS: Sealed bids were opened on March 10, 2008 and awarded by Resolution 113-08; and**

**WHEREAS: With the complexity of the project and Public Works starting the construction season, the Commissioner of Public Works is requesting authorization to hire Delta Engineers as construction manager for this project; therefore be it**

**RESOLVED: That the Tioga County Legislature authorizes the Commissioner of Public Works to hire Delta Engineers as Construction Manager for the project to be paid out of 56 Main Street Account H2007.17 and not to exceed \$8,000.**

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO: ED&P COMMITTEE  
PUBLIC WORKS COMMITTEE**

**RESOLUTION NO. 139-08**      ***HOLD PUBLIC HEARING FOR 2007 MS4  
STORMWATER ANNUAL REPORT***

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

**WHEREAS:** The Tioga County Legislature, as per resolution 115-03, submitted a Notice of Intent (NOI) to NYS DEC pursuant to NYS Environmental Conservation Law Article 17, Titles 7 and 8 and Article 70 for and is now covered under Municipal Separate Stormwater Sewer Systems (MS4) SPDES Permit No. NYR20A047; and

**WHEREAS:** This MS4 NOI outlined a 5-year stormwater management plan with required and suggested activities; and

**WHEREAS:** The MS4 permit requires that an annual report be prepared detailing stormwater activities conducted during the year and that said report be presented at an open meeting to solicit comments from the public, and

**WHEREAS:** Tioga County has prepared such report detailing accomplishments during the year 5 of the stormwater management plan; therefore be it

**RESOLVED:** That the Tioga County Legislature will hold a public hearing to receive comments on Tioga County's 2007 MS4 Stormwater Annual Report May 8<sup>th</sup> at 1:30 PM in the Legislative Conference Room of the Tioga County Office Building, 56 Main Street, Owego, NY.

**CARRIED**

**REFERRED TO:** ED&P COMMITTEE

**RESOLUTION NO. 140-08** *APPOINT ALTERNATE MEMBER TO  
THE TIOGA COUNTY PLANNING BOARD*

Adoption moved by Legislator Quinlan,  
seconded by Legislator Sauerbrey.

**WHEREAS:** There exists a vacancy in one of the at-large alternate positions since Pat Gause resigned at the end of her term last year, and

**WHEREAS:** The Tioga County Planning Board has found a willing and able candidate in Dot Richter who has completed and submitted the required Candidate Form for Appointment, therefore be it

**RESOLVED:** That Dot Richter be appointed to the Tioga County Planning Board, as an alternate member for a three-year term from 1/1/08 to 12/31/10.

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 141-08**      ***ACCEPTANCE OF LOW BID FOR  
THE PURCHASE OF TWO EMERGENCY  
GENERATOR / LIGHT TOWERS***

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

**WHEREAS: The Bureau of Fire competitively bid the purchase of two new Emergency Generator / Light Tower Sets that Senator Libous provided a Grant to help procure, and**

**WHEREAS: There was one fully compliant bid received at the Bid Opening. That bid submitted by Federal Safety Equipment of Candor, NY, and**

**WHEREAS: The Bureau of Fire has the funding for such compressor allocated in the 2008 Tioga County Budget located in Fire Light Tower Grant Capital Account H3651.20, therefore be it**

**RESOLVED: That pending approval of the contract by the Tioga County Law Department, Tioga County enter into a contract to purchase the Generator / Light Tower Sets as described in the Federal Safety sealed bid.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 142 -08**      ***AUTHORIZE THE SUBMISSION OF  
A GRANT APPLICATION  
SHERIFF'S OFFICE***

**Adoption moved Legislator Sauerbrey,  
seconded Legislator Roberts.**

**WHEREAS: The Department of Criminal Justice Services (DCJS) has announced the FY '08 Operation Safe Child funding for Tioga County Law Enforcement in the amount of \$15,000; and**

**WHEREAS: An application for these monies must be received no later than April 18, 2008; and**

**WHEREAS:** County Policy #47 requires that a resolution be approved before any such grant application is submitted; therefore be it

**RESOLVED:** That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PERSONNEL COMMITTEE**

**RESOLUTION NO. 143-08      *AMEND COUNTY POLICY #34*  
*FAMILY AND MEDICAL LEAVE POLICY***

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

**WHEREAS:** President Bush signed into law on January 28, 2008 the National Defense Authorization Act; and

**WHEREAS:** This Act provides additional circumstances for which an employee may qualify for Family and Medical Leave; and

**WHEREAS:** Additional changes proposed by the U.S. Department of Labor are pending the end of a public comment period on April 11, 2008; therefore be it

**RESOLVED:** That Tioga County Policy #34 be amended to include the following reason to be added to Section II: Reasons for Leave:

**E.      because of any qualifying exigency (as the Secretary of Labor shall define by regulation) arising out of the fact that the spouse or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation; and be it further**

**RESOLVED:** That Tioga County Policy #34 be further amended to include an additional paragraph listing a qualifying reason allowing a 26-week time frame to be added in Section II: Reasons for Leave:

All employees who meet the applicable time-of-service requirements may be granted a total of 26 weeks of family leave during any calendar year for the following reason:

- A. for the spouse, son, daughter, parent or next of kin to provide care needed to a covered service member who is undergoing medical treatment, recuperation or therapy, is otherwise in out-patient status or is otherwise on the temporary disability retired list for a serious illness or injury. And be it further

**RESOLVED:** That all other requirements and benefits of FMLA covered leave shall apply to the leave described in E and A above, including intermittent and reduced leave; and be it further

**RESOLVED:** That all questions regarding leave for the above-mentioned reasons be directed to the Personnel Department; and be it further

**RESOLVED:** That Policy #34 will be further amended should pending changes be signed into law.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO: PERSONNEL; LEGAL**

**RESOLUTION NO. 144-08** *REVISE POLICY 53 TO INCLUDE ADMINISTRATIVE PROCEDURES FOR SEXUAL HARASSMENT COMPLAINTS*

Adoption moved by Legislator Oberbeck,  
seconded by Legislator McEwen.

**WHEREAS:** Policy 53 sets forth the procedures for reporting Workplace Violence, Sexual Harassment and Threats; and

**WHEREAS:** The Policy sets forth Administrative Procedures for Threats but does not address administrative procedures for sexual harassment complaints; and

**WHEREAS:** The Policy needs to be amended to add a section for administrative procedures for sexual harassment complaints; therefore be it

**RESOLVED:** That Policy 53 be amended to add a Section XII Administrative Procedures – Sexual Harassment and change the current Section XII Administrative Procedures to XIII Administrative Procedures – Threat, and Section XIII Threat Summary to Section XIV Threat Summary. The new Section XII Administrative Procedures – Sexual Harassment to read as follows:

- XII. Administrative Procedures – Sexual Harassment**
- A. Referral – Every supervisor, department head or officer who receives a complaint of sexual harassment shall refer the matter as soon as practical to the County Attorney for investigation. If the complaint is against the County Attorney, the referral should be made to the Personnel Officer. To the extent possible, the referral should include the name and contact information of the complainant[s], name and contact information of the offender[s], written description of the acts giving rise to the complaint, contact information of any witnesses, and any other information relevant to the complaint. The above information should be delivered personally rather than by interoffice mail, facsimile or email.**
- B. Investigation – Upon receipt of the complaint, the County Attorney or, as applicable, the Personnel Officer, shall investigate the complaint or refer the matter to an outside law firm to investigate the harassment claim.**

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

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

**RESOLUTION NO. 145–08      *DECLARE WORK DAY STATUS OF  
 COUNTY CORONERS FOR THE N.Y.S.  
 RETIREMENT SYSTEM***

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

**WHEREAS:** The Office of the State Comptroller has requested that the standard work day be established for the elected Coroners; and

**WHEREAS:** The Coroners were asked to track their time worked for a three-month period in order to establish the “work day” for reporting purposes to the N.Y.S. and Local Retirement System; and

**WHEREAS:** Three of the four Coroners submitted said time sheets; therefore be it

**RESOLVED:** That the work day for the elected Coroners as will be reported to the N.Y.S. and Local Retirement System shall be based upon their actual time worked pro-rated to equivalent number of six (6) hour days.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

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

**RESOLUTION NO. 146-08**      *CREATE AND FILL FULL TIME TEMPORARY  
POSITION OF SENIOR CASEWORKER TO  
COVER LEAVE OF ABSENCES  
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:** One Senior Caseworker (L. Murphy) from the Foster Care Unit has been authorized for Family Medical Leave and intends to remain on 12-month maternity leave; and

**WHEREAS:** One Caseworker (A. Kneller) from the Foster Care Unit intends to utilize eleven weeks of Family Medical Leave beginning in September 2008; and

**WHEREAS:** These combined long-term absences will create a significant backlog in the caseload responsibilities for Foster Care, Adoption and Home Finding; therefore be it

**RESOLVED:** That the Department of Social Services be authorized to create a full time temporary Senior Caseworker position, to be filled from the current Caseworker staff, effective April 16, 2008 and continue for the duration of Ms. Murphy's leave of absence at an annual salary increase of \$1,279.00 based upon the 2007 CSEA salary schedule; and be it further

**RESOLVED:** That the staff member whom accepts the temporary appointment as Senior Caseworker shall be granted a leave of absence from his/her permanent Caseworker position for the duration of said appointment in order to safeguard permanent status and benefits; and be it further

**RESOLVED:** That the Department of Social Services be authorized to backfill the resulting Caseworker vacancy on a contingent permanent basis effective April 16, 2008 and continue for the duration of Ms. Murphy's leave of absence at an annual salary of \$31,574.00 based upon the 2007 CSEA salary schedule; and be it further

**RESOLVED:** That upon Ms. Murphy's return from her leave of absence, the additional Senior Caseworker position shall be abolished, the incumbent shall be returned to their Caseworker position, and the Caseworker who was appointed contingent permanent will be terminated.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

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

**RESOLUTION NO. 147-08** *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:** The intent of the County is to offer these positions, when possible, to Tioga County students pursuing a two or four year college education in order to provide those individuals with some earning potential; and

**WHEREAS:** The hiring of up to six (6) Seasonal Clerks will offer substantial and cost-effective staffing relief and will aid in workload coverage during the summer and facilitate a new State-mandated imaging project; therefore be it

**RESOLVED:** That the Department of Social Services be hereby authorized to create and fill up to six (6) Seasonal Clerk positions at the rate of \$8.15 per hour (minimum wage, plus \$1) effective April 16, 2008 through August 31, 2008; 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 \$8.15 per hour, plus 20 cents per hour for each year of employment previously served with Tioga County.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:** **PERSONNEL COMMITTEE**  
**FINANCE/LEGAL COMMITTEE**

**RESOLUTION NO. 148-08** ***INCREASE HOURS***  
***TRANSFER FUNDS***  
***DISTRICT ATTORNEY'S OFFICE***

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

**WHEREAS:** One of the Non-Union part-time Typist positions for the District Attorney's Office became vacant on February 15, 2008; and

**WHEREAS:** The vacancy has given the District Attorney an opportunity to review the organizational structure of the office; and

**WHEREAS:** The District Attorney has determined that increasing the hours of the part-time Typist position will better meet the needs of the department; therefore be it

**RESOLVED:** That one part-time Typist position in the District Attorney's Office be increased to 17 hours per week effective April 16, 2008; and be it further

**RESOLVED:** That the hourly rate paid to this position will be \$10.072 (subject to increase upon ratification of a successor collective bargaining agreement); and be it further

**RESOLVED:** That \$6,800 be transferred from Contingency Account A1990.40-715 to the District Attorney's part-time payroll Account A1165.10-20 to cover the increase in hours for the remainder of 2008; and be it further

**RESOLVED:** That the District Attorney is authorized to backfill the vacancy effective April 16, 2008.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 149-08** *AUTHORIZE CREATION OF TEMPORARY,  
FULL TIME ACCOUNT CLERK TYPIST  
POSITION TREASURER'S OFFICE*

Adoption moved by Legislator McEwen,  
Seconded by Legislator Oberbeck.

**WHEREAS:** Legislative approval is required to create any new position; and

**WHEREAS:** Within the Treasurer's Office, an Account Clerk Typist (W.Grover), is currently performing work assignments of the vacant Tax Roll Supervisor position and receiving out of title pay as authorized per Resolution 89-08; and

**WHEREAS:** The Treasurer is currently recruiting to fill Tax Roll Supervisor position on a provisional basis, pending results of the civil service examination scheduled in November 2008; and

**WHEREAS:** The result of reassignment of duties is causing a backlog of work in the office which is otherwise performed by an Account Clerk Typist; therefore be it

**RESOLVED:** That a temporary, full time, Account Clerk Typist position be created retroactive, effective April 14, 2008 for a temporary duration not to exceed beyond July 15, 2008; and be it further

**RESOLVED:** That the rate of pay for this temporary position shall be \$10.622 per hour and shall remain consistent with the CSEA starting salary for an Account Clerk Typist should a new contract be ratified prior to the termination of this temporary appointment.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

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

**RESOLUTION NO. 150-08        *RECLASSIFY PUBLIC HEALTH TECHNICIAN  
  POSITION TO TITLE OF PUBLIC HEALTH  
  SANITARIAN IN THE PUBLIC HEALTH  
  DEPARTMENT***

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

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

**WHEREAS: In August 2007, the Personnel Department received a request for reclassification from the Public Health Department for a Public Health Sanitarian position currently held by Albert Knapp; and**

**WHEREAS: Upon review of the position questionnaire which has been completed by the incumbent, his immediate supervisor, and the Public Health Director, it has been determined that the current title of Public Health Technician is not an adequate reflection of the duties being assigned to and performed by Mr. Knapp; and**

**WHEREAS: The Personnel Department has determined that the Public Health Sanitarian job description more accurately reflects the work performed by Mr. Knapp and has recommended his position be reclassified to said title; therefore be it**

**RESOLVED: That the Tioga County Legislature authorize Albert Knapp's title of Public Health Technician (CSEA salary grade VII) upgraded to the title of Public Health Sanitarian (CSEA salary grade IX) reflective of an annual salary increase of \$3,029.00; and be it further**

**RESOLVED: That Mr. Knapp be provisionally appointed to the title of Public Health Sanitarian at an annual salary of \$29,477.00 retroactive to August 24, 2007.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PUBLIC SAFETY  
PERSONNEL**

**RESOLUTION NO. 151-08 BACKFILL FULL TIME  
DEPUTY SHERIFF POSITION**

**Adoption moved Legislator Sauerbrey,  
seconded Legislator Oberbeck.**

**WHEREAS: The Tioga County Sheriff's Office has a need to backfill a full-time Deputy Sheriff position due to the promotion of Deputy Sheriff Shawn Nalepa; and**

**WHEREAS: The Tioga County Sheriff's Office has found Daniel Gavin willing and eligible to accept appointment to such position; and**

**WHEREAS: The Sheriff has received approval from the TCLEU to hire him at the 2008 one-year contract rate, or \$41,250, due to his previous law enforcement experience; therefore be it**

**RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to backfill the position of full-time Deputy Sheriff with Daniel Gavin at an annual salary of \$41,250 per year, effective April 16, 2008.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

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

**RESOLUTION NO. 152-08 AUTHORIZE CONTRACT  
PUBLIC HEALTH**

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

**WHEREAS: New York State law requires Public Health to conduct programs that require Engineering services expertise; and**

**WHEREAS: Public Health currently has a vacancy and is recruiting for the position of Public Health Engineer Trainee, formerly held by Erica Gifford who resigned on March 14, 2008; and**

**WHEREAS:** Public Health has need for Engineering services expertise during this vacancy period to be compliant with NYS requirements; and

**WHEREAS:** The Public Health Director would like Ms. Gifford to provide the Engineering services and Ms. Gifford is willing; and

**WHEREAS:** The County Attorney has reviewed and approved the contract in form; now therefore be it

**RESOLVED:** That the Public Health Director is hereby authorized to enter into a contract with Erica Gifford to provide Engineering services at an hourly rate of \$50.00, not to exceed a total of \$9,500, for the period starting April 16, 2008 and ending on or before December 31, 2008.

**Roll Call:**  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

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

**REFERRED TO:** PUBLIC SAFETY COMMITTEE  
 FINANCE COMMITTEE

**RESOLUTION NO. 153-08** TRANSFER OF FUNDS  
 EMERGENCY MANAGEMENT OFFICE

Adoption moved by Legislator Sauerbrey,  
 seconded by Legislator Huttleston.

**WHEREAS:** The Emergency Management Office has \$30,000 budgeted for a 2008 vehicle, which is on New York State Contract; and

**WHEREAS:** An additional \$10,643.12 is needed for the purchase of said vehicle; and

**WHEREAS:** The Emergency Management Office has sufficient federal funds to cover this purchase; therefore be it

**RESOLVED:** That the following funds be transferred as follows:

<b>From:</b> EMO Account H4305	<b>\$10,643.12</b>
<b>To:</b> H3640.21 EMO Capital Equipment	<b>\$10,643.12</b>

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

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

**RESOLUTION NO. 154-08      *SCHEDULE PUBLIC HEARING*  
*PUBLIC TRANSPORTATION***

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

**RESOLVED: That a public hearing shall be held in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Monday, May 12, 2008 at 7:00 P.M. to seek comments regarding Tioga County Public Transportation, including the recently awarded 5311 Federal Capital monies and the upcoming procurement process for Public Transportation Services for Tioga County for the period January 1, 2009 through December 31, 2011 . All persons desiring to present written or oral comments may do so at said time.**

**CARRIED**

**Legislator Oberbeck made a motion to adjourn at 2:09 P.M., seconded by Legislator Roberts, and the motion to adjourn was carried.**