

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Carol Holden.

CARRIED UNANIMOUSLY

Legislator Huttleston spoke. “Isn’t it great to have employees that have been here 33 years. When I started reading where she started and kept moving up and moving up, I do not know if you stayed any longer Shawn your job is in jeopardy. We appreciate you.”

Gary Grant, Director of Administrative Services, spoke. “Unfortunately Carol’s Supervisor Teresa Ryder is on vacation out of Town and could not be here. I would just like to say congratulations on your retirement. I have only had the privilege of working with Carol for the last three years, but it has been a pleasure. She is a model employee and will certainly be missed.”

Shawn Yetter, Commissioner of Social Services, spoke. “I want to thank the Legislature for recognizing Carol for what has truly been 33 years of wonderful service. Carol exemplifies in my opinion what a public servant is. In an era where public servants get a pretty bad wrap in the press and from all sorts of variety of people she has for over 30 years provided the people of Tioga County with dedicated service.

“Mr. Huttleston often mentions how few complaints he gets about the Department of Social Services and the reason for that is what I would call the nuts and bolts of an organization, and Carol has been a part of the nuts and bolts of the Department of Social Services for 33 years. She and her colleagues are the kind of people who keep the mission flowing at the Department of Social Services in making sure that the tough missions that we have to meet in regards to meeting the public safety needs and the public welfare needs of our residents happen, and she has been an integral part of that.

“Carol is one of the few remaining people who was at DSS when I first walked through the doors in 1981 as a geeky college student and now I am a geeky adult. On a personal note she was one of the people who welcomed me and made me realize what a wonderful place it could be to work at the Department of Social Services, and it is her spirit and her determination to be what I call a good public servant that taught me more than I think she will recognize, but hopefully that I can pass on to her in the few words that I have said here today. On behalf of the Department Carol, on behalf of myself I thank you very much.”

Legislator Huttleston read and presented the following Proclamation on Child Support Enforcement Month to Darlene Weidman Coordinator of the Child Support Office.

PROCLAMATION

WHEREAS: New York's children need the emotional and financial support of both parents, as well as the support of their extended families and the community, in order to grow into healthy, productive adults; and

WHEREAS: New York State is committed to promoting the health and well-being of all of its children by ensuring that parents pay child support on a regular and timely basis; and

WHEREAS: Prior to 1975, child support enforcement was primarily accomplished in the private sector through civil actions by private attorneys; and

WHEREAS: The public sector of Child Support Enforcement was established in 1975 under Title IV-D of the Social Security Act, making child support enforcement a joint federal, state and local partnership in order to ensure that children are financially supported by both parents. In addition to the efforts made by the public sector, private attorneys still continue to play an active role in child support enforcement; and

WHEREAS: In 2007, New York State collected over \$1.6 billion dollars in child support; and

WHEREAS: In 2007, Tioga County collected over \$5.1 million dollars in child support; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim August 2008 to be

Child Support Enforcement Month

in Tioga County and salute those parents who support their children and honor the child support enforcement professionals in our community and throughout New York State.

Darlene Weidman spoke. “On behalf of the Department of Social Services and the Child Support Staff I would like to thank you for recognizing the importance of the Child Support Unit. The role that we take in the lives of custodial parents is one that assists them in collecting child support for their children and in many cases allowing them to be financially sufficient without temporary assistance..

“In 2007 Tioga County collected over 5.1 million dollars in child support and of that 4.7 million dollars was disbursed directly to the custodial parents for the benefit of the children in the County. Over half a million dollars of that was reimbursed back to the Department of Social Services to cover the benefits that were paid out to custodial parents. I want to thank the Child Support Staff for all their hard work and dedication to the program, and since most of them are here I hope somebody is back covering the office. I want to thank our Administration and our Legislature for your continued support, and I would also like to take just an opportunity to recognize all of the noncustodial parents who do pay their child support on a regular and timely basis and who continue to have an active and positive influence in their children’s lives. Thank you.”

Joe Albrecht spoke. “Just in somewhat of a review the purchase price of a pint of water is getting more expensive relative to gasoline and the cost of gasoline is going down. Relative to water there are concerns that it may be far more expensive because there are some energy activities that may require utilization of large quantities of water and may cause some contamination of the ground. I would like to generate a perspective on some of this. The fracking mixture may require a million gallons of water. One inch of water on forty acres is a million gallons. An acre inch of water is about twenty- five thousand gallons, therefore if the drilling unit prescribed by the State of New York were larger than forty acres and if the drilling company took the time and made the effort prior to the drilling activity, it seems there is a possibility that impoundment could be made containing surface water, which would alleviate a whole lot of activities in the ground. That is up to the drilling company, but the thought is there.

“Relative to that activity there are leases that are expressed in thousands of dollars per acre. Does that mean an automatic increase in land value will automatically increase tax revenues and we can expand sourceful programs, I doubt it. To the best of my knowledge leasing figures that are given currently are for either five or seven years. If you take a \$2,000 dollar lease right and you extend it over five years, that is \$400 an acre. I have had personal experience with the sale of property. There is one hundred and thirty two acre parcel of open land in the Town of Berkshire that is currently assessed for \$57,000. I think if you do the arithmetic it has a value now of \$400 an acre.

“What the governments and the assessors do with the presumed value of the leases in terms of tax revenue I think should be addressed very carefully because the leases are a one time deal. Tax revenues go on forever and if you establish a far higher value on the land for tax purposes there will be significant destruction of a whole lot of issues.

“My purpose is simply to possibly foster the idea that legislative bodies should take appropriate activities and time to educate the public on the whole situation rather than the idea that you might sell some land at a tax sale for \$665,000 which figures out to be about \$3,000 an acre and I thank the legislature for providing me with that information. Assessments tend to be done on comparative value and if you go through the list you can really get into an argument because I am sure there is open land that sold for far less than \$3,000 an acre. Point being, legislative bodies like to provide public services financed by public donations and rather than to get into a hassle I think it is appropriate to educate the public in the entire picture and I thank you for your opportunity to express that.

“I have a hang up with pilot programs and I think that you are well aware of them. It has become somewhat more significant. The number that I used in the past, one cent of share on 413 million shares provides 4.13 million dollars of available revenue, in two and a half years covers a 10 million dollar pilot program, but recently it has come to my attention that the 35 cent quarterly dividend was increased to 42 cents a share and over the space of the year that takes \$1.40 to \$1.68. That one really rubs me the wrong way because most of the income from this particular industry comes from the tax pool and I still do not think 1 cent a share from the shareholders would really cause them a whole lot of stress.

“One other point, there are two other points actually, one goes back to the drilling. The DEC for the Trenton Black River suggested 640 acres per drilling unit, that is a square mile. I think the shallow wells that we are looking at for the Marcellus formation probably are a much a smaller unit size. and I think if you go from Ovid to Geneva up 96A, I believe those are shallow gas wells that are there and they are white plastic tanks that I believe probably contain the mix that is used to break the soil. It may be appropriate to take a trip up there and look them over and talk to the people in that area about ground water quality, utilization of resources, etc.

“One more item on the agenda, there are places on this earth that are called sanctuary cities. I would like you to consider the possibility of making Tioga County a sovereignty county. I will leave it at that. Thank you very much. By the way there are both sides of the argument for compared purchase prices on here. You dug yourself a hole.”

Chris Bonner spoke. "Lets talk about some oil. Everybody is talking about it. If I was to ask you what is a barrel of oil? How many gallons are in a barrel of oil? How many in this room could give me the answer? Your absolutely right, 42. That is what it is. It is not like your buying a barrel of oil from Sears and Roebucks or any of these other places. Now what do you get for that barrel, you get 42 gallons and it is priced at so much. You have these speculators out there, they are boosting it up. Do you know how they boost it up? They do not pay anything. It is buy now and pay later and they do not even take possession of it. They get it on a piece of paper.

"Now if you go out there and run an auction like you auction off your properties and you run it on a piece of paper to pay sometime in the future, how many of you people here would sell property to that individual? Yet we are selling corn, hogs, gold, silver, and all this stuff is gone on the commodity market. That is why you are paying \$4.00 or \$5.00 dollars a gallon for gas, one of the reasons. The other one is the government you are getting a cut. The state, federal, and the county, they are all getting cuts. Their telling you that it is going for your roads and bridges. They do not have anymore money for roads and bridges, you know why, because they are spending it and it all goes into a pool. I am going to give you a breakdown what you get out of a 42 gallon barrel of oil. Gasoline you get 19.5, diesel and heating 9.2, jet fuel 4.1, residential fuel 2.3, still gas 1.9, liquid gas 1.9, then you get petroleum coke 1.8, you get asphalt 1.3. You all hear about the road superintendents, oh my god the price is going sky high. Sure it is, because it is the government doing it.

"Now you talk about going for oil, fossil fuels. Gore wrote a book, The Planets Burning Up. Everything is going to pot. What is going on? You know how far these guys are going down for oil or your gas. They are going down 35 hundred feet. You do your math and do you know what that is, 6.6 miles. Get in your car and drive 6.6 miles from one point to the other and see how far it is, and you mean to tell me that this came from dinosaur and forests. Who are they trying to kid. Ladies and gentleman you are being dooped by these people, it is about time you got smart instead of watching the Olympics and start studying.

“Now lets look at the American dollar. The American dollar is another reason why your spending more for your gas. They do not want your dollars. Belgian is buying Budweiser. Why, they want to dump your dollars. Somebody bought the Chrysler Building in the Middle East, one of your Arabs. They want to dump your dollars, they bought the Chrysler building. Today in the Binghamton Press the yen, it cost you if you go to Japan where the yen is in there monetary system. If you went out to buy a unit, for one yen you would pay \$110 for that product. If you go to a border town in Mexico and you went in there and went to lunch you would pay \$10 for a peso. The pound is 191, that is what you pay in your dollars. The Euro is \$149 for a pound. Canada, you see them all coming over to Canada, why they get \$1.06, you pay, \$1.06 in American dollars. Now how do you suppose you are going to compete and if you think this is all accidental, it is done by design.

“Read about your monetary system, you have people going broke. They are losing there homes. Do you know why? They cannot figure out interest so I am going to tell you how to figure it out. Your principal, which is the amount that you are paying for your product, times the time, which is the amount of time that you will have to pay this product, say 30 years times the rate, which may be 5% or 6% and you will get one months interest, 1/12 that is how you do it. You want by the year 1/365 days. You want it by the seconds you put it under seconds, you can do it by the minutes, you can do it by anyway, just using that formula. You do not have go to algebra and you find out that on a home that is costing you \$100,000, you are paying \$300,000. The bank gets \$200,000 and your paying \$100,000. Your buying three houses man. Smarten up, and check it all out and see if I am right. My phone number is in the book. Tell me I am wrong.”

Dale Weston spoke. “By the way Mr. Wahl I have some information for you, I know you are off from work, if you have time to stay until the end the meeting.”

George Wahl spoke. “I have some questions for you also.”

Dale Weston spoke. “We will not answer any questions, but I do have some information that I got from our department.”

George Wahl spoke. “Dale and I talked on the phone. Dale requested me to come here today. I have some complaints I want to make about a couple departments in this county. The first one is the Sheriff’s Department. My daughter got bit by a dog on Friday, August 1st, around noon. I contacted the Sheriff’s Department and they came up and investigated it. I gave them all the information. The deputy went to the dog owner’s house. I am not for sure if it was the dog owner or if it was where the dog was anyway, and said that that person could not even give him his name or date of birth. He made some phone calls. He said he was going to have C-line come up and check on him some more, and he was supposed to contact me back the next day to let me know if he found out any information on this dog. To this date the deputy still has not contacted me back. I called on Saturday and the Dispatcher told me he was on a special assignment, that as soon as he gets in I would hear from him. I did not hear from him. I know his shift is over at 3:00 o’clock. I called there at 3:00 o’clock he went home for the day. I left him a voicemail. I still have not heard from him.

“Sunday I contacted our local dog control officer because the deputy told me he would contact him and he would also contact the Environmental Health about this situation, and to my knowledge the deputy still has not done that because when I contacted the dog control officer on Sunday he said he did not know anything about it. He was sick. He went down Monday and checked on the dog. He went there, he checked on the dog. The owner could not tell him a thing. He went back home and he called Department of Social Services about the living conditions here at this residence. Department of Social Services told them that they could not do a thing because there is a criminal investigation going on. I took Monday off from work. I made several phone calls, made a call to the Sheriff’s Department to talk to Gary Howard. He was not available. They let me leave a voicemail for Lieutenant Gorman. This was around 10:00 or 11:00 o’clock in the morning and I did not hear anything back from him. In the meantime I still do not know what is going on with this dog, if it has had its rabies shots or not. I called back, I did get to talk with Gary Howard. I told Gary that I was not happy with him, that the deputy never called me back and I wanted to discuss some of this other problem that the deputy was not doing his job like the deputy told me he was going to. Gary said I will have someone call you back and he hung up the phone. I still had a complaint for Gary, but Gary did not want to talk to me, which I do not think is right.

“Later on I got a call from Sergeant Anderson. He said that they did find the owner of the dog who lives in Cortland County, said the dog had rabies shots, but he wanted proof of it, and that until there was proof they were still going on that the dog did not have any rabies shots. Lieutenant Gorman called me back. I told him the situation. He seemed to listen to me a little bit, but I still did not get any place with him I do not believe. I got a call the next morning, which would have been Tuesday morning, from Sergeant Kipling and said from what all the work that he has done with all the records in Tioga County and Cortland County, because this owner has been switching back and forth between both counties, there were no records of this dog ever being licensed or have any rabies shots at all. The dog is still there. I thought it was a law all dogs had to be licensed.

“Wednesday my pediatricians office called, wanted my daughter to go through rabies shots. Again I had to leave work because I have other kids home and my wife was home with them. I work less than five minutes from my house. In the meantime Dave Rolls called back and said no she could not go through the rabies shots because it was not approved by Dr. Nichols. I called Dr. Nichols office, talked to the secretary and told them the situation. Dr. Nichols office called me back around 5:00 o'clock and said that dog was supposed to be immediately quarantined and checked by a vet, and it still has not been done. Next day I called Mr. Rolls talked to him. He says that is not County policy, So he called Dr. Nichols, and then Dave Rolls called me back and he said no she cannot go through those shots. I want to know if Dave Rolls has any medical and also went Dave and his partner went up there finally on Monday to check on this dog they almost got bit by this dog and it is still is running around in the trailer park.

“Like I said I am not happy the way the county policy is. I mean if Dr. Nichols has got to approve these shots he ought to know the county policy. I would like to see a copy of the county policy and I think that the legislators ought to go over the county policy and make sure everybody who is involved into it knows the policy. Like I said I would like to see a copy of the policy if I can. My daughter did go back to the doctors and her pediatrician said it was not bad enough not to get the shot, but still this whole thing is that I do not know what the policy says, but after talking to Dave Rolls, talking to Keith Nichols, if Nichols is the one that has to approve it he ought to know what that policy says. My daughter has been going to this pediatrician for ten years and if my pediatrician said that she wanted the shots she was going to get them. I do not care what Dave Rolls or the county doctor said and the county was going to get the bill. I also told Dave Rolls that I do not think that he is doing his job because I am still under the understanding that all dogs that have bit are supposed to be quarantined. Now Dave said the dog was quarantined for ten days and it has not been quarantined for ten days, because he did not go visit that dog until Monday and he cleared the quarantine yesterday. From what I get from the Sheriff's Office and the local dog control that that the guy could not even give his name or address so how can he tell if that dog is acting different or not. My

feeling is that the dog should have still been taken out of there and put in quarantine someplace.”

Dale spoke. “This will be addressed by the legislature. I will bring it up in our next worksession and I do have a copy of the regulations of the State of New York and the regulations of Tioga County in my office, and I would be happy to give those to you so that you can read them over.”

George Wahl spoke. “I also contacted the State of New York in Albany last Thursday and he talked to Hans Peeters, and he says that Hans Peeters was going to get back with me and now it is Tuesday and I still have not heard from him.”

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		681.97
A1165	District Attorney	642.50	2,710.44
A1170	Public Defender		4,902.62
A1172	Assigned Council		19,822.11
A1185	Medical Examiners and Coroners		1,401.93
A1325	Treasurers		1,940.88
A1345	Purchasing		177.00
A1355	Assessments		2,460.28
A1410	County Clerk		2,622.50
A1411	Department of Motor Vehicles		5,989.79
A1420	Law		2,995.13
A1430	Personnel		4,337.84
A1450	Elections		7,049.71
A1460	Records Management		417.96
A1460.41	Records Management Grant Program		39,000.49
A1490	Public Works Administration		261.69
A1620	Buildings		119,184.44
A1680	Information Technology		12,997.87
A2960	Education of Handicap Children		194,975.56
A3020	Public Safety Communication	507.00	5,441.73
A3110	Sheriff	99.99	32,137.21
A3110.41	Sheriff Court Attendant		4,453.68
A3117	Sheriff LEO-7-1003-E00 Grant	596.99	
A3140	Probation		2,588.94
A3142	Alternatives to Incarceration		792.30
A3150	Jail		53,900.36
A3315	Special Traffic Programs		4,776.00

A3410	Fire	119.50	4,231.48
A3640	Emergency Management Office		800.01
A3641	EMO Grant Program	1,263.48	
A3650	EMO WMD Grant	580.00	
A4010	Public Health Nursing		77,152.81
A4011	Public Health Administration	589.97	11,443.69
A4012	Public Health Education	236.96	5,208.03
A4042	Rabies Control		1,184.77
A4044	Early Intervention	2,088.90	79,176.41
A4053	Preventive and Primary Health Services		607.91
A4054	Preventive Dental Services		3,684.84
A4062	Lead Poisoning Program		29.28
A4064	Dental Van	3,012.09	20,906.03
A4070	Disease Control		2,668.55
A4090	Environmental Health		9,228.02
A4210	Alcohol and Drug Services		5,594.62
A4211	Council on Alcoholism		28,226.92
A4309	Mental Hygiene		8,427.72
A4310	Mental Health Clinic		46,653.49
A4315	Mental Retardation		36,647.36
A4320	Crisis Intervention		3274.60
A4321	Intensive Case Management		4,021.50
A5630	Bus Operations		215,203.78
A6010	Social Services	407.00	185,350.54
A6422	Economic Development	169.00	794.00
A6510	Veterans' Services		177.86
A6610	Sealer of Weights and Measures		859.62
A7310.41	Youth Programs Refundable		2,961.49
A8020	Planning		467.31
A9060.80	Health Insurance		749.60
SOLID WASTE FUND			115,078.96
COUNTY ROAD FUND			79,761.98
SPECIAL GRANT FUND			2,379.20
CONSOLIDATED HEALTH FUND			656,505.09
CAPITAL FUND			1,430,402.74
LIABILITY INSURANCE FUND			2,188.95
WORKER'S COMP FUND			<u>2,962.34</u>
GRAND TOTAL		\$	3,583,345.31

Legislator Oberbeck made a motion to approve the minutes of July 15, 2008, seconded by Legislator McEwen, and carried.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

**RESOLUTION NO. 228-08 APPOINT MEMBERS YOUTH BOARD
YOUTH BUREAU**

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

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. 202-08 and vacancies still exist and terms have expired; now therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with her corresponding term of office consistent with the requirement of staggered rotation.

**Nicole O'Connell-Avery
(Replacing Jane Sindoni)**

TERM

08//01/08 - 12/31/2009

CARRIED

REFERRED TO: LEGISLATIVE WORKSESSION

**RESOLUTION NO. 229-08 *APPOINT MEMBER
BOARD OF ETHICS***

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

WHEREAS: Gwen Smith, Chair appointment on the Board of Ethics term has expired; and

WHEREAS: John Hitchings is willing to serve; therefore be it

RESOLVED: That John Hitchings, Chair appointment, is hereby appointed to the Board of Ethics for a term of August 12, 2008 through December 31, 2010.

CARRIED

REFERRED TO: PUBLIC SAFETY COMMITTEE

**RESOLUTION NO. 230-08 *ACCEPTANCE OF APPLICATION FOR
DOCTOR STEPHEN SOLOMON TO THE
TIOGA COUNTY HAZ-MAT TEAM***

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

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan, and

WHEREAS: This service is provided by local, highly trained volunteers , and

WHEREAS: Doctor Stephen Solomon has applied for membership to the County Haz-Mat Team, and

WHEREAS: Doctor Stephen Solomon is currently trained to the New York State Office of Fire Prevention and Control Hazardous Materials Technician level and has successfully completed Homeland Security classes in both Radiation and Bomb Debris Identification, and

WHEREAS: Doctor Solomon will be available for day time work with the Haz-Mat Team and this will be at no additional increase to the Bureau of Fire budget, therefore be it

RESOLVED: That Doctor Stephen Solomon be added to the Tioga County Haz-Mat Team roster.

CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 231-08 *APPROPRIATIONS OF FUNDS*
MENTAL HYGIENE

Adoption moved by Legislator Huttleston,
seconded by Legislator Burns.

WHEREAS: Additional funding has been awarded to Tioga County Mental Hygiene from New York State Office of Mental Health (OMH); and

WHEREAS: The funding is specifically earmarked for Penn York Opportunities for their OMH Ongoing Integrated Supportive Employment (OISE) program; and

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

RESOLVED: That funding be appropriated as follows:

From: A3490.30 State Aid- Mental Health CSS	\$ 7,620
To: A4320.40-595 Mental Health - Services Rendered	\$ 7,620

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE/ FINANCE COMMITTEE

RESOLUTION NO. 232-08 *TRANSFER OF FUNDS*
PUBLIC HEALTH

Adoption moved by Legislator Huttleston,
Seconded by Legislator Burns.

WHEREAS: The costs of the mandated Assisted Technologies provided to the children in the Early Intervention Program have increased; and

WHEREAS: Additional funding is needed to meet the Assisted Technology costs of the Early Intervention program for the balance of 2008; and

WHEREAS: Funds are available to meet these costs from within the Early Intervention budget; and

WHEREAS: The available funds require transfer into the appropriate equipment line items for compliance with procurement policy; and

WHEREAS: Transfer of funds requires Legislative approval, therefore be it

RESOLVED: That funds be transferred as follows:

**From: A4044.40-710 Early Intervention – Child Transportation
\$ 5,000**

**To: A4044.20-130 Early Intervention – Equipment
\$ 5,000**

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 233-08 *TRANSFER OF FUNDS TO LAW DEPARTMENT*

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

WHEREAS: The County Attorney is responsible for paying all legal expenses for outside attorneys, and

WHEREAS: The additional amount that will be needed to complete the 2008 year will be approximately \$7,500.00, therefore be it

RESOLVED: That the sum of \$7,500.00 be appropriated from Contingency Account A1990.40 (715) to Law Account A1420.40 (330).

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 234-08 ***REVISE POLICY 5***
FIXED ASSET INVENTORY

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

WHEREAS: Per Resolution #285-93, the Records Management and Fixed Assets programs will be under the Information Technology Department instead of the County Clerk's Office; and

WHEREAS: The day-to-day handling of the Fixed Assets Program shall be assigned to the Purchasing Coordinator;

WHEREAS: Policy 5, Fixed Asset Inventory, needs to be amended to reflect these changes; therefore be it

RESOLVED: That the day-to-day handling of the Fixed Assets Program shall be assigned to the Purchasing Coordinator; and be it further

RESOLVED: That Policy 5 be changed to read:

I. FIXED ASSET INVENTORY (RULES AND REGULATIONS FOR IMPLEMENTATION AND MAINTENANCE)

- A. The County Legislature gives the Purchasing Coordinator the responsibility not only to purchase, but also to inventory, dispose of and/or transfer supplies, materials and equipment.
- B. Each department head shall be responsible for designating one employee to be responsible for maintaining the fixed assets inventory for that department, (called Fixed Asset Steward), in accordance with rules and regulations as developed by the Purchasing Coordinator, under the direction of the Information Technology Director, approved by the County Legislature and including reporting the acquisition or disposal of all fixed

assets for the department. Necessary copies of acquisition or disposal forms as furnished by the Purchasing Coordinator shall be completed in detail, signed by the Fixed Asset Steward and returned to the Purchasing Coordinator for updating the official inventory.

- C. Minimum standards to be considered for inclusion in the fixed asset inventory are as follows:
1. Items costing two hundred fifty dollars (\$250.00) or more will be inventoried with the exception of computer equipment. All computer equipment purchased through Information Technology will be inventoried regardless of cost.
 2. All items under two hundred fifty dollars (\$250.00) cost shall be considered supplies and inventory control managed within the department.
 3. Estimated useful life of the item(s) shall be one (1) year or more.
 4. The physical characteristics of the assets shall not be appreciably affected by use or consumption.
- C. Each department has an assigned Fixed Asset Steward who is responsible for tagging all new assets. Tags are necessary to provide positive identification of an asset; it also provides a quick and accurate method of identifying assets during the annual physical inventory. Upon receipt of an asset valued over \$250.00 or computer or computer-related equipment, the Purchasing Coordinator will issue a numbered inventory tag that will be attached to the new asset. The department will receive a Tioga County Equipment Inventory Input Document form which must be completed and returned before receiving an inventory tag. If a tag is lost or damaged the department Fixed Asset Steward should contact the Purchasing Coordinator for a replacement tag.
- D. The only exception to this procedure will be for computer or computer-related equipment that will be maintained and tagged by the Information Technology and Communication Department. Information Technology will track all computer related items regardless of dollar value and maintain a database for all items including those awaiting assignment and disposal. Information Technology will record transfers of equipment and obsolete computer equipment shall be disposed of by the Information Technology Department.
- E. Each Department Head has the ultimate responsibility to conduct and maintain the individual inventory pertaining to that department. It is also the responsibility of the department head to evaluate on a continuing basis the suitability and need of materials, supplies and equipment. If they should become obsolete by reason of age, wear or technical advancement or should become surplus, unnecessary for the operation of his/her department, the department Fixed Asset Steward should complete a Tioga County Equipment Inventory Disposition Document and forward it to the Purchasing Coordinator.

- F. On an annual basis, each department shall be furnished with an updated electronic inventory records spreadsheet for comparison to departmental records. All computer or computer-related equipment and non-computer fixed assets with a value of \$250.00 or more will be inventoried. It is the responsibility of the employee designated as Fixed Asset Steward to compare this spreadsheet with the department records and report any discrepancies to the Purchasing Coordinator for adjustment.
- G. All forms and tags for maintaining the fixed asset inventory shall be supplied by the Purchasing Coordinator.
- I. The Purchasing Coordinator shall be responsible for generating the required State and local periodic reports.
- J. The Purchasing Coordinator, under the direction of the Director of Information Technology, has the authority to develop additional rules and regulations necessary for the maintenance of the fixed asset inventory as the need arises.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**INFORMATION TECHNOLOGY
PUBLIC WORKS**

RESOLUTION NO. 235-08

***REVISE POLICY 32
SURPLUS PROPERTY POLICY***

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

WHEREAS: Per Resolution #285-93, the Records Management and Fixed Assets programs will be under the Information Technology Department instead of the County Clerk's Office; and

WHEREAS: That the day-to-day handling of the Fixed Assets Program shall be assigned to the Purchasing Coordinator; and

WHEREAS: Policy 32, Surplus Property Policy, needs to be amended to reflect these changes; therefore be it

RESOLVED: That Policy 32, Surplus Property Policy, be amended as follows:

Changed # I

When a Department Head deems a piece of property no longer functional, it can be declared surplus by the Department Head if the value of property is under \$250, not computer or computer-related equipment and is 10 years of age or older.

Changed # II

If the property value is over \$250, not computer or computer-related equipment, and/or is under 10 years of age, the Department Head must have the approval of its Legislative Committee before declaring the property surplus.

Changed # III

(NOTE: Even equipment not on the fixed asset department inventory will be transferred in this manner by creating a fixed asset card and recording such with the Purchasing Coordinator and using the fixed assets transfer card.)

Changed # IV

The Commissioner of Public Works will verify the equipment described on the card and its receipt, the commissioner will sign the fixed assets transfer card and return the completed card to the Purchasing Coordinator.

Changed # VI

The respective Department head shall sign the card, acknowledging its receipt, and return the card to the Purchasing Coordinator. The Commissioner of Public Works will also send a copy of the transfer card to the Purchasing Coordinator.

Delete # X

The County Legislative Chairman will appoint and enter into an agreement with an auctioneer.

Changed # XI to X and also changed as follows

The Commissioner of Public Works shall provide a listing of all items sold at auction to the Purchasing Coordinator for update to the Fixed Assets database.

Changed # XII to XI and also changed as follows

Each property transfer card shall be marked "SOLD" at the time of the auction and be submitted to the Purchasing Coordinator, along with an itemized list of the sale and the revenues received.

Changed # XIII to XII

And be it further

RESOLVED: That the remainder of Policy 32 shall remain in full force and effect.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

ED&P COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 236-08

***APPROVE POLICY AND PROCEDURES
ADOPTED BY TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION
REGARDING HUD CDBG REVOLVING
LOAN PROGRAM***

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

WHEREAS: Tioga County and the Tioga County Local Development Corporation (TCLDC) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Agreement requires the TCLDC to develop loan policies and procedures; and

WHEREAS: The policies and procedures have been reviewed and approved by the Department of Economic Development, the County Attorney and the Treasurer's Office; and

WHEREAS: Tioga County Local Development Corporation (TCLDC) approved the policies and procedures at their August 1, 2007 board meeting; and

WHEREAS: The Legislature needs to approve the policies and to authorize the Treasurer to disburse funds from the settlement account to the TCLDC prior to each and every disbursing of loan proceeds; therefore be it

RESOLVED: That the Tioga County Legislature approves the policies and procedures for the CDBG Revolving Loan Program funded by the Settlement Agreement proceeds; and be it further

REFERRED TO: PERSONNEL COMMITTEE

**RESOLUTION NO. 239-08 *AUTHORIZE CONTRACT
WITH SANDRA SADDLEMIRE FOR
SERVICES WITH "OUR GANG"
NEWSLETTER***

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

WHEREAS: The Newsletter Committee (a sub-committee of the Employee Recognition Committee) is responsible for publishing a quarterly newsletter; and

WHEREAS: Loreen Maley, Tioga County Tourism employee and Newsletter Committee member, has performed this service for the County at a quarterly fee of \$200 since January of 2006 but can no longer devote the time to this service; and

WHEREAS: Sandra Saddlemire, County employee, has volunteered to perform these duties on her own time with software she currently possesses; and

WHEREAS: The Personnel Department has budgeted for these funds through the advertising budget line; now therefore be it

RESOLVED: That with the contract approval of the County Attorney that the Personnel Officer is authorized to enter into a contract with Sandra Saddlemire for her services in assistance with the publication of the Tioga County & Associates Newsletter at a rate of \$200 per quarter, effective the third quarter of 2008.

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

Legislator McEwen requested to abstain on the following resolution.

Legislator Sauerbrey made a motion to let Legislator McEwen abstain on the following resolution, seconded by Legislator Oberbeck, and the motion to abstain was carried.

REFERRED TO:

**FINANCE COMMITTEE
PERSONNEL COMMITTEE**

RESOLUTION NO. 240-08

***AUTHORIZE CONTRACT
TREASURER'S OFFICE***

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

WHEREAS: Ronald McEwen, former Deputy Treasurer and Chief Accountant, retired December 15, 2007 after 25 years of service; and

WHEREAS: For a significant time period Ronald McEwen was the budget officer and developed the technical expertise to provide a timely budget process; and

WHEREAS: The Tioga County Legislature would like Mr. McEwen to provide technical support to the budget process and Mr. McEwen is willing; and

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

RESOLVED: That the Tioga County Legislature hereby authorizes the Tioga County Treasurer to enter into a contract with Ronald McEwen to provide technical support to the budget process at an hourly rate of \$50.00, not to exceed a total of \$15,000, retroactive to July 31, 2008 through the complete budget process and to be paid out of Treasurer Account A1325.40-140.

Roll Call:

Ayes 08

Noes 00

Absent 00

Legislator McEwen abstained

CARRIED

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

**RESOLUTION NO. 241-08 APPROVE LEAVE OF ABSENCE
MENTAL HYGIENE**

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

WHEREAS: In accordance with Tioga County Policy 1, Section VII, Legislative approval is required for a leave of absence in excess of sixty (60) working days; and

WHEREAS: Linda Haacker, Sr. Community Mental Health Nurse, has been on medical leave since March 4, 2008; and

WHEREAS: Ms. Haacker's twelve (12) weeks of Family Medical Leave expired on May 26, 2008 and the department head's approved leave expires on August 15, 2008; and

WHEREAS: Ms. Haacker has submitted a doctor's note stating that she will not be able to return to work until August 27, 2008; and

WHEREAS: The Director of Community Services recommends that Ms. Haacker's leave be approved through August 26, 2008; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves Linda Haacker's leave through August 26, 2008.

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

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 242-08 *REINSTATE PUBLIC HEALTH ENGINEER /
TRAINEE
PUBLIC HEALTH DEPARTMENT*

Adoption moved by Legislator Huttleston,
Seconded by Legislator Burns.

WHEREAS: Legislative approval is required for all appointments or reinstatements to non-union positions; and

WHEREAS: The Director of Public Health has been actively recruiting since March for the vacant position of Public Health Engineer / Trainee due to the resignation of Erica Gifford, who accepted similar employment with Tompkins County; and

WHEREAS: There has been only one (1) application received for this vacancy from a candidate who did not meet the minimum qualifications of the position; and

WHEREAS: Due to the difficulty in recruitment and the amount of work resulting from the vacancy, the Director of Public Health has resorted to contracting out a portion of work assignments to Ms. Gifford; and

WHEREAS: Ms. Gifford has indicated that she would be receptive to returning to employment with Tioga County in her former position providing she be allowed to obtain her Professional Engineer's license without a designated time frame; therefore it be

RESOLVED: That the Tioga County Legislature authorize the reinstatement of Erica Gifford to the title of Public Health Engineer / Trainee at an annual salary of \$59,000.00 effective September 15, 2008.

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

RESOLVED: That the Director of Community Services be allowed to abolish the Certified Alcohol and Drug Counselor position (CSEA Grade XI - \$31,574) vacated by Sharon Williams-Como, and create and fill a Clinical Social Worker position (CSEA Grade XVI - \$41,268) from the current civil service eligible list effective August 13, 2008.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 244 -08 *ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS*

Adoption moved by Legislator McEwen,
seconded by Legislator Sauerbrey.

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Newark Valley, Nichols, Owego, Spencer and Tioga were offered for sale at Public Auction conducted August 7, 2008 by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible, therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Town of Barton:</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Prior Owner-Tax Map #</u>		
Koons, Richard J., 166.15-7-28	Kenneth Jacobson	\$23,000.00
Loco Holdings, LLC, 122.18-1-16	Kenneth Jacobson	9,000.00
Loco Holdings, LLC, 146.00-2-29	Robert Dickens	3,100.00
Woodruff, Donald, 166.20-2-35	Kenneth Jacobson	10,000.00
Yaple, Frank III, 157.07-1-17	Melinda S. Shipman	1,550.00
Zimmer, Arlene, 166.15-1-62	Thomas H. Arnold	19,000.00

<u>Town of Candor</u>		
<u>Prior Owner-Tax Map #</u>		
Baker, Charles & Sheila, 61.13-1-15.10	Margarite Cornwell	\$21,000.00
Roe, Thelma, 61.05-1-34	James A. Volz	16,000.00
Mott, Ruth, 61.13-1-8	Gerald R. Ahart	40,000.00

Town of Newark Valley		
<u>Prior Owner; Tax Map #</u>		
Loco Holdings, LLC, 64.15-3-32	Joseph A. Breitwieser	\$ 600.00
Martyak, John E., 43.00-1-31	Richard Mule	665,000.00
Schell, Mary Beth, 44.00-1-54	Angelo Mallas	156,000.00
Schell, Mary Beth, 44.00-1-57.10	Angelo G. Rigas	556,680.00

<u>Town of Nichols</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Prior Owner; Tax Map #</u>		
Rogers, Roy D., 160.00-1-14.11	Carl Kithcart	\$21,000.00

Town of Owego		
<u>Prior Owner; Tax Map #</u>		
Burrell, E. C., Attn.Verner & Irene Zimmer 117.20-2-6	Jacquelyn Dimock	\$ 1,200.00
Dyer, Gary Excavating & Tank Service, Inc. 118.19-1-1.5	Leo Cueto	700.00
Dyer, Gary Excavating & Tank Service, Inc. 118.19-1-1.6	Leo Cueto	750.00

Harris, Dwight, 154.10-1-7	Christopher Peltó	7,250.00
Haskell, Gary, 128.08-2-17	Kenneth Jacobson	4,000.00
Macaluso, Marianne V., 128.08-2-31	Kenneth Jacobson	3,500.00
Macaluso, Marianne V., 128.08-2-30	Nathan T. Kennedy	16,000.00
Tracy, Rose V/ Mary Louise, Attn. Tracy Benjamin, 131.00-1-34	Leo Cueto	2,500.00

Town of Spencer**Prior Owner; Tax Map #**

Eastman, Robert, 81.00-2-14	Carol I. Fenton	\$ 16,750.00
Washington, William K. & Diane, 81.00-2-13.20	Carol I. Fenton	
*Robert Eastman & William & Diane Washington properties bought as one parcel for above price of \$16,750.00, (adjacent lots)		
Spicer, Thomas E., 57.00-1-71	Douglas K. Makie	3,200.00

Town of Tioga**Prior Owner; Tax Map #**

Kelsey, Glen W., 105.00-1-14.20	Laurie L. Rummel	\$4,800.00
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Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED**REFERRED TO:****FINANCE/LEGAL COMMITTEE****RESOLUTION NO 245-08**

***RESCIND ACCEPTANCE OF SALE
AT AUCTION FOR ROSE TERENZI REAL
PROPERTY ACQUIRED FOR TAXES AND
AUTHORIZE RESALE***

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

WHEREAS: Property acquired by Tioga County for nonpayment of taxes in the Town of Berkshire was approved by the Legislature for sale at Public Auction to be conducted August 7, 2008; and

WHEREAS: This body is agreeable to rescinding its acceptance for sale at Public Auction as an offer has been made to purchase this property by Leonard Terenzi; be it therefore

RESOLVED: That the acceptance for Sale at Public Auction for the property hereinafter identified be and hereby is rescinded effective immediately:

Town of Berkshire
Tax Map #43.00-2-13
Assessed Owner: Rose Terenzi
Resolution Number -08

And be it further

RESOLVED: That the County Treasurer be and hereby is authorized to offer said property for resale.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 246-08

***AUTHORIZE SALE OF ROSE TERENZI
PROPERTY LOCATED IN THE TOWN
OF BERKSHIRE TO ROSE TERENZI
OR HER ASSIGNS***

Adoption moved by Legislator McEwen,
Seconded by Legislator Burns.

WHEREAS: Property located in the Town of Berkshire, assessed to Rose Terenzi, identified as Tax Map number 43.00-2-13, parcel number 120 owes 2006 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Leonard Terenzi, who has made an offer to purchase the property for \$2,400.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$2,400.00 and recording costs, a Quit Claim Deed conveying the property assessed to Rose Terenzi located in the Town of Berkshire, identified on the Town of Berkshire Tax Map as number 43.00-2-13, parcel number 120, to Rose Terenzi or her assigns.

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

Legislator Burns made a motion to adjourn at 2:18 P.M., seconded by Legislator McEwen, and the motion to adjourn was carried.