



RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Carol Luther for her over 28 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chris Korba, Director of Administrative Services for Mental Hygiene, spoke. "Someone else was supposed to have a speech prepared so this on the spot. I just want to recognize Carol as an outstanding employee. She is extremely dedicated, very very loyal. She goes above and beyond. We can ask her to do any job function and she does it without complaint. She works in the Records Department, but she is asked to cover the front desk, she will be asked to go to Waverly and help cover for sick employees. She just jumps right in and without complaint just picks up the workload and just goes. She is going to be greatly missed because all our employees do not have that same dedication that she does and she just goes above and beyond, something that will be sorely missed for our Department. She is a very valuable asset. Thank you Carol."

Legislator Standinger read and presented the following Proclamation on Healthy and Safe Fall Season in Tioga County to Lisa McCafferty, Public Health Director.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: The health and safety of our citizens is of primary concern for the County of Tioga; and

WHEREAS: Tioga County embodies all that the Fall season has to offer; and

WHEREAS: The Fall bounty of pumpkins, carrots, cabbage, apples and more boast healthy nutrients and are grown here and sold at local produce markets. Supporting sustainable family farms and local agriculture benefits the local economy; and

WHEREAS: The health of our citizens can be further enriched by the benefits of walking Tioga County walkways and trails to enjoy the Fall colors found surrounding the area; and

WHEREAS: Pedestrians, and especially hunters, are to wear bright orange vests during the shortening days and opening of hunting season to prevent injury; therefore be it resolved that

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of October, 2016 as the start of a

#### HEALTHY AND SAFE FALL SEASON IN TIOGA COUNTY

and encourages all residents to visit local produce markets for healthy Fall produce and to safely enjoy the Fall season on Tioga County walkways and trails.

Legislator Standinger spoke. "I will say this about Tioga County it is a beautiful place to live and we are very fortunate that we live here. It is so beautiful that this young lady here Lisa has moved to Tioga County from Florida. That is certainly an improvement for her. We should be aware of the beauty we have around us."

Lisa McCafferty, Public Health Director, spoke. "Thank you everyone. We appreciate this and I think the Proclamation sums it up, just enjoy the fall weather, enjoy the County and what it has to offer for everyone."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of September 13, 2016, seconded by Legislator Mullen, and carried.

Chair Sauerbrey made the following appointment to the MEGA Board:

Ellen Pratt – 10/12/16 to 11/12/17

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 189-16                      *SET PUBLIC HEARING*  
*2017 BUDGET*

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2017 be held at 6:00 P.M., Wednesday, November 16, 2016 in the Edward D. Hubbard Auditorium of the County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:                      ED&P COMMITTEE  
                                                 FINANCE COMMITTEE

RESOLUTION NO. 190-16 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF CHAIRS FOR THE ECONOMIC DEVELOPMENT & PLANNING CONFERENCE ROOM*

WHEREAS: The Economic Development & Planning Conference Room has limited chairs for guest seating; and

WHEREAS: The Economic Development and Planning expense account has been previously established for the purchase of chairs; therefore be it

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

From: ED&P Account A6422 - 540420 \$250.00

To: ED&P Account A6422 - 520070 \$250.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 191-16                      *TRANSFER OF FUNDS*  
*DISTRICT ATTORNEY*

WHEREAS: The District Attorney's Office has a need for a safe for trial evidence and confidential documents; and

WHEREAS: The District Attorney's budget does not have sufficient funds in their office equipment account; therefore be it

RESOLVED: That the District Attorney be authorized to purchase a safe for trial evidence and confidential documents at a cost not to exceed \$735.00 and that following sums be transferred from within the District Attorney's budget to cover the costs of the safe:

From: A1165 540140 Contracting Services                      \$734.95

To: A1165 520200 Office Equipment                      \$734.95

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 193-16 *AUTHORIZE DRAW-DOWN FOR FINANCIAL MANAGEMENT ACCOUNTING SYSTEM (FMAS)*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: Tioga County is incurring expenses from Tyler Technologies, Inc. for Support and Update Licensing Services, Unlimited Client access maintenance, and System Management Services Support; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer and Tioga County's Project Manager to transfer funds out of the Financial Management Accounting System (FMAS) Capital Reserve Account H387808 into the dedicated FMAS Capital Account H1325 520095 for 2016 in the amount of \$65,765.00 as a drawdown to fund the following:

Support and Update Licensing	\$50,936.63
Unlimited Client Access Maintenance	\$ 2,700.00
System Management Services Support	\$12,127.50
 2016 Drawdown	 \$65,765.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 194-16 *AUTHORIZE 2017 TAX MAP MAINTENANCE CONTRACT*

RESOLVED: That the Chair of the Tioga County Legislature hereby is authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2017 for an annual charge of \$32,000. Payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 195-16 *AWARD HHS STANDBY GENERATOR INSTALLATION TO DIEKOW ELECTRIC*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: The Commissioner of Public Works received sealed bids on August 30, 2016 and the bids came in as follows:

Diekow Electric	\$88,800.00
Nelcorp Electric	\$99,600.00
Blanding Electric	\$110,850.00

And



WHEREAS: The Deputy Commissioner of Public Works has completed the review of the bids and finds the low bidder Diekow Electric, Marathon, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes installation of the standby generator to the lowest bidder Diekow Electric, 375 US Highway 11, Suite 1, Marathon, NY 13803 not to exceed \$88,800.00 to be paid out of H1621 520923 HHS Standby Generator.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 196-16                      *TRANSFER FUNDS FOR THE HHS STANDBY  
GENERATOR  
INSTALLATION*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: The Commissioner of Public Works received sealed bids on August 30, 2016 for the installation of the generator which came in higher than anticipated; and

WHEREAS: The Carry Forward Capital Funds need to be transferred to the correct capital account and:

WHEREAS: The HHS Standby generator is a critical project; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds:

FROM: Road Machinery 1 Ton Truck H5130 521909 \$30,000.00  
TO: HHS Standby Generator H1621 520923 \$30,000.00  
FROM: Standby Generator H1620 520923 \$150,000.00  
TO: HHS Standby Generator H1621 520923 \$150,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 197-16                      *AWARD CONTRACT TO LABELLA  
ASSOCIATES FOR INSPECTION SERVICES OF  
THE HHS GENERATOR INSTALLATION*

WHEREAS: Tioga County has budgeted for a standby generator for the HHS building; and

WHEREAS: Labella Associates did the design phase for this project; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspection services for the HHS standby generator project; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to Labella Associates, Rochester, NY 14614 in the amount of \$13,975 to be paid out of the HHS Contracting Services line item A1621.540140.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 198-16

*APPROVE CHANGE ORDER FOR  
CODDINGTON ROAD BRIDGE*

WHEREAS: The construction of Coddington Road Bridge was awarded on resolution 194-15 to Economy Paving; and

WHEREAS: A change order was submitted due to additional work that was unforeseen during design; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds be appropriated for this change order not to exceed \$62,000 to be paid out of the Coddington Road Bridge Account H5110.540002.H1408.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 199-16 AWARD CONTRACT FOR SUBSTANCE ABUSE  
PREVENTION PROGRAM TIOGA COUNTY

WHEREAS: Proposals have been received for the provision a of substance abuse prevention program in Tioga County; and

WHEREAS: The proposals were received by September 16, 2016 and reviewed by the Award/Review Committee, and the proposals were received as follows:

Council on Alcohol and Substance Abuse of Livingston County, d.b.a.  
Trinity  
Family Counseling Services of Cortland County, Inc.  
Our Lady of Lourdes Memorial Hospital, Inc.

and

WHEREAS: Trinity has been determined to be the agency that will best meet the needs and interests of Tioga County and whose proposal complied with all requirements; and

WHEREAS: The Director of Community Services is in agreement with this determination for the provision of substance abuse prevention services to Tioga County's youth; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Mental Hygiene to enter into a contract with Council on Alcohol and Substance Abuse of Livingston County, d.b.a., Trinity for the provision of Substance Abuse Prevention services.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 200-16                      *AUTHORIZE EXECUTION OF  
EASEMENT BETWEEN TIOGA  
COUNTY AND NICHOLAS CALDERONE*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary to obtain an easement for access to the site across properties owned by Nicholas Calderone in the Town of Candor, Tioga County; and

WHEREAS: Nicholas Calderone has agreed to provide said easement to Tioga County for the sum of \$1.00 consideration; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from Nicholas Calderone an easement for access to the Candor Tower site across his property located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 201-16                      *AUTHORIZE EXECUTION OF  
EASEMENT BETWEEN TIOGA  
COUNTY AND RICHARD AND  
HOPE VANSKOY*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary to obtain an easement for access to the site across properties owned by Richard and Hope VanScoy in the Town of Candor, Tioga County; and

WHEREAS: Richard and Hope VanScoy have agreed to provide said easement to Tioga County for the sum of \$1.00 consideration; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from Richard and Hope VanScoy an easement for access to the Candor Tower site across their property located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY

RESOLUTION NO. -16

AUTHORIZE EXECUTION OF  
AGREEMENT WITH RENSSELAER  
COUNTY TO PIGGYBACK OFF  
RENSSELAER COUNTY BID

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00; and

WHEREAS: Certain purchases of equipment are necessary to upgrade the communications towers; and

WHEREAS: Rensselaer County has competitively bid much of the same equipment that Tioga County requires, and it appears to be both cost and time effective to purchase certain equipment off the Rensselaer County bid; and

WHEREAS: Such piggybacking is permitted under General Municipal Law 103 upon agreement by both counties; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute an agreement with Rensselaer County, subject to approval as to form by the County Attorney, to authorize Tioga County Fire Bureau to purchase the following items of equipment from the Rensselaer County bid:

1. Emergency Power Generators for Communications: Rensselaer County RFB #15-37
2. Shelters for Communications Sites: Rensselaer County RFB #15-40
3. Communications Towers: Rensselaer County RFB #15-41

Legislator Monell made a motion to withdraw the above resolution, seconded by Legislator Sullivan.

ROLL CALL VOTE TO WITHDRAW

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

No – None.

Absent – None.

RESOLUTION TO WITHDRAW APPROVED.

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

REFERRED TO:

PUBLIC SAFETY

RESOLUTION NO. 202-16

*AUTHORIZE ACQUISITION OF PROPERTY  
FOR CANDOR COMMUNICATIONS  
TOWER SITE*

WHEREAS: The Tioga County Fire Bureau has received a Statewide Interoperable Communications Grant, Project No. S112-1024-D00 to improve the Communications Towers throughout Tioga County; and

WHEREAS: As part of the improvement to the Candor Communications Tower Site it is necessary, appropriate and for a lawful County purpose to acquire from the Candor Fire Company, Inc. a/k/a The Candor Fire Company, title in fee to the site upon which the Candor Communications Tower Facility will be located in the Town of Candor, Tioga County, together with the right of way for access to the Tower Site; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized and directed to execute any and all documents, approved as to form by the County Attorney, to acquire from The Candor Fire Company title in fee to the Candor Communications Tower site, together with the right of way for access, located in the Town of Candor, Tioga County, for \$1.00 consideration.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 203-16 APPOINT MEMBER TO YOUTH BOARD  
YOUTH BUREAU

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 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. 133-16 and vacancies exist; now therefore be it



RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation and to complete the unexpired term of the incumbent being replaced.

	<u>TERM</u>
Tiffani Ruffle (Replacing Barbara Crannell)	10/01/16-12/31/17

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 204-16 AMEND COUNTY POLICY 44:  
NON-UNION BENEFITS

WHEREAS: New Fair Labor Standards Act (FLSA) regulations take effect December 1, 2016 which will pertain to salaried non-union employees; and

WHEREAS: The new regulations establish a salary threshold of \$47,476 for determining overtime/comp time eligibility for hours worked over 40 in any work week; and

WHEREAS: The County has decided non-union employees earning less than \$47,476 shall only be eligible to earn comp time (as allowed for by the FLSA) and not be paid for hours in excess of 40 per week; and

WHEREAS: County Policy 44 currently indicates that all non-union staff are “ineligible for overtime and comp time”; therefore be it

RESOLVED: That County Policy 44, Section 1, first paragraph be amended to read as follows:

“In accordance with the Fair Labor Standards Act (FLSA), non-union employees earning less than the minimum salary threshold shall be eligible for comp time at a rate of time and a half for any hours worked over 40 in a given work week (Saturday–Friday); these employees are considered Non-Exempt. Non-Exempt non-union employees are not eligible to be compensated for comp time. Exempt non-union employees are salaried and ineligible for overtime or comp time; the expectation is Exempt employees will work the number of hours necessary to get their jobs done.”

and be it further

RESOLVED: That a new paragraph two shall be added and read as follows:

“Salary ranges are reviewed annually to determine if adjustment is necessary. Individual salaries will be reviewed as needed.”

and be it further

RESOLVED: That the remainder of Policy 44 shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 205-16 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy and employers' liability insurance policy expire December 31, 2016; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to purchase specific excess insurance and employers' liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2017 through December 31, 2017 to be paid for out of the 2017 Tioga County Self-Insurance budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 206-16      *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS,  
INC. TO ADMINISTER FLEXIBLE SPENDING AND  
HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The administration cost will be \$4.45 per participant per month for any employees enrolled in the flexible spending and \$4.45 per participant per month for any employees enrolled in the health reimbursement account; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2017 through December 31, 2017; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 207-16      *AUTHORIZE CONTRACT WITH POMCO  
FOR WORKERS'  
COMPENSATION ADMINISTRATION*

WHEREAS: The Tioga County Self-Insurance Plan has been using the services of POMCO, a third-party administrator for our workers' compensation program, since January 1, 2003; and

WHEREAS: POMCO representatives have a dedicated in-house team of supervisors, claims adjusters, case managers, and medical bill auditors that work together to provide effective proactive management on all workers' compensation claims; and

WHEREAS: POMCO communicates with all representatives of the Tioga County Self-Insurance Plan to ensure that cases are handled as desired by the self-insured employer; and

WHEREAS: POMCO actively works to recoup any medical savings or recover any funds under New York State Workers' Compensation Law on our workers' compensation cases; and

WHEREAS: POMCO has submitted a five year contract, 2017 through 2021, keeping their service fees flat for the five year period with an optional two one-year renewals; and

WHEREAS: The Council of Governments approved at their September 2016 meeting to continue the workers' compensation third-party administrator services with POMCO; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a five year contract with POMCO, subject to review by the County Attorney, to be our third party administrator for the Tioga County Self Insurance Plan, for the period of January 1, 2017 through December 31, 2021 at a flat per year plan administration, claim handling, and reporting cost of \$19,775.00 for 2017 through 2021.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

HEALTH & HUMAN SERVICES  
COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 208-16

*ABOLISH ONE (1) FULL-TIME  
SENIOR DATA ENTRY MACHINE  
OPERATOR POSITION AND CREATE  
ONE (1) FULL-TIME SENIOR ACCOUNT  
CLERK-TYPIST POSITION  
DEPARTMENT OF SOCIAL SERVICES*

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

WHEREAS: A Senior Data Entry Machine Operator position, CSEA salary grade V (\$26,713-\$27,413) has been vacant within the Department of Social Services since June 24, 2016; and

WHEREAS: Upon review of departmental needs, it has been determined that said vacancy would be better utilized if it was abolished and a Senior Account Clerk-Typist position, CSEA salary grade V (\$26,713-\$27,413) was created; therefore be it

RESOLVED: That the vacant full-time Senior Data Entry Machine Operator position shall be abolished and a full-time Senior Account Clerk-Typist position shall be created effective October 12, 2016; and be it further

RESOLVED: That the Senior Account Clerk-Typist position shall be filled according to County Policy regarding new hires.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 209-16	<i>AUTHORIZE APPOINTMENT OF DIRECTOR OF VETERANS SERVICE AGENCY VETERANS SERVICES</i>

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

WHEREAS: On August 31, 2016, the Director of Veterans Service Agency resigned and since that time the county has been actively recruiting to backfill said vacancy; and

WHEREAS: A qualified candidate has been identified and is able to accept appointment; therefore be it

RESOLVED: That John Holton, Sr. is appointed to the title of Director of Veterans Service Agency on a part-time basis at an annual, non-union salary of \$14,316.00 effective October 17, 2016; and be it further

RESOLVED: In accordance with Policy 44, Mr. Holton shall not receive a salary increase on January 1, 2017, and instead will be evaluated within six (6) months in order to determine a salary increase at that time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 210-16 AMEND RESOLUTION 163-16  
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Legislative approval has been given per Resolution # 163-16 to create and fill Seasonal HEAP positions; and

WHEREAS: Said resolution authorized two full-time Social Welfare Examiners and one full-time Typist (Seasonal) positions will be authorized from October 17, 2016 through January 31, 2017; and

WHEREAS: Upon review of the departmental needs associated with the HEAP Program, Social Services is requesting a change in the positions as follows for the time period of October 17, 2016 through January 31, 2017:

One, full-time, Social Welfare Examiner for the period October 17, 2016 through January 31, 2017, at the starting salary of \$14.09 per hour, and

Two, full-time, Typists (Seasonal) for the period, October 17, 2016 through January 31, 2017, at the starting salary of \$11.69 per hour; therefore be it

RESOLVED: That Resolution 163-16 is amended to reflect that one, full-time Social Welfare Examiner and two, full-time Typists (Seasonal) shall be authorized for employment from October 17, 2016 through January 31, 2017 and that the remainder of Resolution 163-16 shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.



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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 211-16 *AUTHORIZE RECLASSIFICATION OF ONE (1) FULL-TIME VACANCY TO THREE (3) PART-TIME POSITIONS  
MENTAL HYGIENE*

WHEREAS: Legislative approval is required to reclassify positions within Tioga County; and

WHEREAS: Due to an announced retirement, a full-time Records Management Clerk position (CSEA SG VI \$28,826-\$29,526) will become vacant within the Mental Hygiene Department effective October 29, 2016; and

WHEREAS: To better meet the needs of the department, the Director of Community Services has determined that said vacancy would provide greater efficiencies if it was restructured into three (3) part-time positions, all of which were classified as Account Clerk-Typists (\$12.37/hour); and

WHEREAS: The net savings of such a reclassification would be \$37,903 based on salary and fringe of the employee vacating the position; therefore be it

RESOLVED: That the one (1) vacant position of Records Management Clerk in the Mental Hygiene Department shall be reclassified into three (3), part-time Account Clerk-Typist (PT) positions at an hourly rate of \$12.37, effective October 31, 2016; and be it further

RESOLVED: That the 2016 headcount figures for Mental Hygiene shall change from 31 to 30 for full-time and from 0 to 3 for part-time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 212-16

*CREATE AND FILL TEMPORARY, FULL-TIME  
MAINTENANCE MECHANIC I  
POSITION  
PUBLIC WORKS*

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

WHEREAS: Due to an employee's extended leave of absence, the Commissioner of Public Works is in need of a temporary Maintenance Mechanic I to ensure the needs of the county's facilities are efficiently maintained; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary, full-time Maintenance Mechanic I position effective October 17, 2016 at an hourly rate of \$14.02; and be it further

RESOLVED: That said temporary position shall terminate once the employee's leave of absence has concluded, but shall not continue beyond October 16, 2017.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.