

Sixth Regular Meeting
June 13, 2017

The Sixth Regular Meeting of 2017 was held on June 13, 2017 and was called to order by the Chair at 6:01 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked for prayer. "We thank you Lord for the blessings of freedom in our Nation. We ask for peace in our Nation, in our States and our Counties, and our Towns and Villages, and we ask for guidance as leadership."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 15 people in attendance.

Chair Sauerbrey noted that we have two recognition resolutions this month.

Chair Sauerbrey read the following recognition resolution for former Legislator Charlene Caldwell posthumously.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 128-17 *RECOGNITION RESOLUTION
RECOGNIZING CHARLENE CALDWELL
POSTHUMOUSLY*

WHEREAS: Charlene B. Caldwell passed away in May 2017; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Ms. Caldwell for her years of dedicated service as a Tioga County Legislator; and

WHEREAS: Charley as she was affectionately known served as Mayor of the Village of Owego from 1994 to December of 1995 and was elected to the position of Tioga County Legislator on January 1, 1996 and served for 6 years until leaving office on December 31, 2001; and

WHEREAS: Charley served as Chair of Personnel, Legislative Support and Elections, and the Public Safety Committee. She also served on the Social Services, County Clerk & Records Management, Economic Development & Planning/Tourism/Legal/Information Systems/Job Training, Safety/Right to Know, and Public Safety and Probation Committees; and

WHEREAS: One of Charley's most significant projects was her leadership role on the Project Advisory Committee for the Court Street bridge located in Owego, New York. The former bridge had been deemed unsafe and New York State DOT required the demolition and reconstruction of a new bridge. Charley along with other members of the Project Advisory Committee worked with DOT to ensure the new bridge would reflect the local history and tradition of the community while keeping with the natural surroundings of our historic community. There were many challenges during the process, however because of her dedication and tenacity, the project moved forward. Our beautiful Court Street bridge stands today as a reminder of strong leadership and community will; and

WHEREAS: Charley is survived by her three children, daughter Ann Milaski and two sons, Clay Caldwell and John Caldwell; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Charlene B. Caldwell posthumously for her years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Charlene B. Caldwell.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Susan Bogart of the Mental Hygiene Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 129-17

*RECOGNITION OF
SUSAN E. BOGART'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Susan E. Bogart was appointed to the position of Records Management Clerk on May 5, 1997 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Susan E. Bogart has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Bogart will retire on June 30, 2017; therefore be it

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 Susan E. Bogart for her 20 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, Susan E. Bogart.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Lori Morgan, Community Services Director, spoke. "I am not her boss, she is my boss. I would just like to take this opportunity to acknowledge Sue Bogart for her 20 years of service. Sue has been an integral part of our day to day operations within the Records Department and that has served us very well. She

will be truly missed and people wanted to share a little bit about Sue Bogart, so this comes from many people in our Department.

"Sue always comes to work with a smile on her face and is a joy to be around. She has a wealth of knowledge about many things, is always ready and willing to lend a helping hand. Sue is a great multitasker, often answering phones and e-mails as she attends to other tasks. Sue has exceeded expectations of a Records Clerk. She is a counselor, a secretary, and a conflict resolutionist. She is a shoulder to lean on for her colleagues and an advocate for patients. She is a data collector, a reporter, and all of the aforementioned rolled into one. She changes hats she wears on a daily basis with great ease. I am still trying to figure out how we are going to get along without her. Sue thank you for choosing to come to work with us every day, for helping us with the changes that have taken place over the past 20 years, and being easy and enjoyable to work with. Thank you for your time, energy and years of service. You will truly be missed by everyone."

Sue Bogart spoke. "Thank you and I am going to miss everybody."

Legislator Standinger read and presented the following Proclamation to Kylie Gates of the Public Health Department.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: June is nationally recognized as Safety Month; and

WHEREAS: 44% of deaths in Tioga County are related to unintentional injuries and is the leading cause of deaths nation-wide; and

WHEREAS: Deaths related to distracted and impaired driving, workplace hazards, poisonings, falls and choking are completely preventable; and

WHEREAS: Safety at home consists of securing chemicals including prescription medications, preventing falls, caution around water, working fire alarms and reducing choking hazards; and

WHEREAS: Employers that support safe work environments see improved morale, increased productivity, lower costs and fewer injuries; and

WHEREAS: Steps to decrease distracted and impaired driving increases the safety of roads for all drivers, pedestrians and cyclists; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of June 2017 as:

NATIONAL SAFETY MONTH

and urges all the citizens of our County to add safety into their daily work and home lives.

Legislator Standinger spoke. "That being said, Lisa McCafferty will now have something else to hang on the wall up there. A son of one of my friend's was just involved in a motorcycle accident unfortunately and he is still sitting in the hospital because someone was not paying attention and pulled out in front of him. We can all talk about people we know that have been involved in accidents of one variety or another, and the whole key is that we pay attention to what the heck we are doing and if we do that we will be a lot safer."

Kylie Gates of the Public Health Department spoke. "I am a Public Health Educator with Tioga County Public Health. Tioga County Public Health will continue to focus on summer safety. We will be at Strawberry Festival this weekend both at the 5K and we will be in the parade. We will be sending home summer safety tips to all of our students from preschool to second grade throughout the County. We also continue to have free tick removal kits at Tioga County Public Health, Tioga County Department of Aging, and at all of our Rabies Clinics. We will also be holding at least two more car seat check events between now and September, and we will continue to update our Facebook page and website with summer safety tips all summer long. Thank you."

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of May 9 and 18, 2017, seconded by Legislator Sullivan, and carried.

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 130-17 *ADOPT EMPLOYEE HANDBOOK
REPLACING POLICY HANDBOOK*

WHEREAS: A Tioga County Policy Handbook was adopted by the Tioga County Legislature on December 12, 1988; and

WHEREAS: Over the years policies have been added and are fragmented throughout the policy handbook so searching mechanisms are limited; and

WHEREAS: Policies adopted included forms that were made a part of the Policy Handbook; and

WHEREAS: Policy 33 History Books "Seasons of Change" is no longer needed; and

WHEREAS: It is the intent of the Legislature to have an Employee Handbook that is easy to discern, user friendly, and searching capabilities located to specific content, and all forms removed and kept in a separate folder on the County's Intranet; therefore be it

RESOLVED: That the current Policy Handbook shall be replaced by a new Employee Handbook, with the removal of History Books "Seasons of Change" Policy, which will be located out on Tioga County's Intranet and available to all employees of Tioga County along with any and all forms pertaining to any sections of the Employee Handbook.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO.131-17

*APPROVE ALTERNATIVES TO
INCARCERATION 2017-2018
SERVICE PLAN AND APPLICATION FOR
FUNDING*

WHEREAS: The Alternatives to Incarceration Service Plan for 2017-2018 was presented to members of the Alternatives to Incarceration Board via email distribution on May 10, 2017 and approved; and

WHEREAS: The Alternatives to Incarceration Programs in Tioga County for PreTrial Release and Community Service have a long standing tradition of being an effective tool to reduce the amount of inmates in the Tioga County Jail; therefore, as the ATI Board approves the proposed plan, the Tioga County Legislature will also support it; therefore be it

RESOLVED: That the Tioga County Legislature approves the Alternatives to Incarceration Service Plan for the time period of 7/1/2017 to 6/30/2018 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized Alcohol/Drug Treatment.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 132-17 ACCEPTANCE OF HOMELAND SECURITY
GRANT AND APPROPRIATION OF FUNDS -
BUREAU OF FIRE

WHEREAS: The Office of Homeland Security announced in 2016 a Statewide Interoperable Communications Formula-Based Grant to the Tioga County Office Bureau of Fire. The grant was to be used as continuation of 2012 Interoperability Grant, to purchase subscriber equipment and maintenance of tower sites; and

WHEREAS: The Tioga County Bureau of Fire/EMS Office was authorized to apply for said grant by Resolution #224-16 (11/15/16); and

WHEREAS: The Tioga County Bureau of Fire/EMS Office has been awarded continuation of said grant in the amount of \$442,981 and said funds need to be appropriated; therefore be it

RESOLVED: That the grant funds be appropriated as follows:

From: A3415 433063 IO2016- State Aid Interoperable Communication Grant	\$442,981.00
To: A3415 520230 IO2016 Radio & Equipment	\$330,000.00
A3415 540140 IO2016 Contracted Services	\$112,981.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 133-17 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #659 in the Town of Barton assessed to Chaffee, Bradley J on the 2017 tax roll of the Town of Barton is erroneous in that due to a SCAR decision, the total assessment was reduced to \$58,000 for the 2016 tax roll and the 2017 tax roll was not updated accordingly; be it therefore

RESOLVED: That a new bill be issued to Chaffee, Bradley J by the Town of Barton Tax Collector as follows:

	<u>Original Bill #</u>	<u>Corrected Bill #</u>
County	644.22	441.31
Recycle	29.76	20.39
Town Wide	137.30	94.05
Barton Fire	<u>76.10</u>	<u>54.42</u>
	\$ 887.38	\$ 610.17

And be it further

RESOLVED: That the erroneous town tax of \$43.25 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$9.37 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$202.91 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$21.68 be charged back to the Barton Fire.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 134-17 *APPOINT DIRECTOR
SOIL & WATER CONSERVATION
DISTRICT*

WHEREAS: Mark Kwiatkowski, Pomona Grange Representative to the Tioga County Soil and Water Conservation District has agreed to serve another term; and

WHEREAS: The Pomona Grange has recommended Mark Kwiatkowski, farm operator in Owego to fill said new term; therefore be it

RESOLVED: That Mark Kwiatkowski is hereby appointed the Pomona Grange Representative to the Tioga County Soil and Water Conservation District retroactive to January 1, 2017 and ending March 31, 2020.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 135-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Christopher Curry, expired on March 31, 2017; and

WHEREAS: Christopher Curry has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Christopher Curry for another three-year term of 4/1/17 – 3/31/20.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 136-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Lisa Engelbert, expired on March 31, 2017; and

WHEREAS: Lisa Engelbert has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Lisa Engelbert for another three-year term of 4/1/17 – 3/31/20.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 137-17 *RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Dr. Keith Nichols' appointment to the Community Services Board expired on March 31, 2017; and

WHEREAS: The Community Services Board has recommended Dr. Keith Nichols reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Dr. Keith Nichols be reappointed to the Community Services Board, for term starting April 1, 2017 and ending March 31, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 138-17 TRANSFER OF FUNDS MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

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

RESOLVED: That funds be transferred as follows:

From: A4310 540140	Mental Hygiene-Contracting Services	\$8,611.05
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$8,611.05

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 139-17 APPROPRIATION OF FUNDS
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has received a gift donation; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

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

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

RESOLVED: That funding be appropriated as follows:

From: A4322 427051	Gifts and Donations	\$ 2,000
To: A4322 540010	Advertising	\$ 200
A4322 540130	Contracting Services	\$ 100
A4322 540360	Meals/Food	\$ 100
A4322 540420	Office Supplies	\$ 400
A4322 540485	Printing	\$ 400
A4322 540640	Supplies Not Office	\$ 400
A4322 540733	Training	\$ 400

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 140-17 *APPROPRIATION OF FUNDS MENTAL HYGIENE*

WHEREAS: New York State Office of Alcoholism and Substance Abuse (OASAS) funding has been awarded to HealthLinkNY; and

WHEREAS: OASAS has identified Tioga County Mental Hygiene to be the administrator of these funds and pass-through to HealthLinkNY; and

WHEREAS: This funding is designated for specific program deliverables; and

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

RESOLVED: That funding be appropriated as follows:

From: A4212 434862	State Aid Health Link NY	\$67,416.00
To: A4212 540590	Services Rendered	\$67,416.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 141-17 *APPROVE FUNDING*
2017 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2017 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2017 be approved by the Tioga County Legislature in the amounts indicated:

Spencer Van Etten Schools PAVE	\$ 7,050
Cooperative Extension Family Resource Centers	\$ 7,080
Tioga Central School District Summer Recreation	\$ 5,785
Big Brothers Big Sisters	\$ 5,000
Village of Waverly Summer Recreation	\$ 5,112
Kali's Klub House	\$ 4,785
Town of Owego Summer Camp	\$ 3,785
Newark Valley Joint Summer Recreation	\$ 1,700
TOTAL	\$40,297

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 142-17

*APPROVE FUNDING
2017 SUMMER YOUTH EMPLOYMENT
PROGRAM FUNDING*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$96,973
To: A6010.540140 Contractual	\$86,973
A6010.540487 Program Expense	\$10,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL

RESOLUTION NO. 143-17 *AUTHORIZE PURCHASE/CONTRACT OF TIME & ACTIVITY SOFTWARE TO MCGUINNESS & ASSOCIATES, APPROPRIATE SOFTWARE RESERVE FUNDS & TRANSFER TO PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has an identified need to obtain a software system for Time & Activity Capture; and

WHEREAS: TCPH has developed, released and received responses to a Request for Proposal (RFP) for the Time & Activity Capture; and

WHEREAS: An RFP review committee determined the response from McGuinness & Associates in the amount of \$49,000 to be the winning bid; and

WHEREAS: Partial reimbursement of expenditures will be available to TCPH from NYS Department of Health State Aid; and

WHEREAS: Funds need to be transferred from the Capital Software Reserve Fund to the Public Health Capital Fund to be eligible for reimbursement; and

WHEREAS: Fund transfers and RFP awards require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature awards and authorizes a contract for Time & Activity Capture RFP to McGuinness & Associates in the amount of \$49,000; and be it further

RESOLVED: That the Funds be appropriated from Capital Software account and transferred as follows:

FROM:	H387804 Software Reserve Fund	\$31,360
FROM:	H4011-434010 Public Health State Aid	\$17,640
TO:	H4011-520620 Public Health Capital Account	\$49,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 144-17 *SCHEDULE PUBLIC HEARING FOR NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION*

WHEREAS: Current mobile dental trailer has been identified as aging and requiring replacement; and

WHEREAS: New York State Community Development Block Grant Program funds projects for public facilities up to the amount of \$300,000; and

WHEREAS: Tioga County has identified the New York State Community Development Block Grant Program as an opportunity to partially fund replacement of current mobile dental trailer; and

WHEREAS: Tioga County seeks to request \$300,000 toward the cost of replacing the mobile dental trailer; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regard to the proposed grant request in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, June 22, 2017 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan introduced Local Law Introductory No. B of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date.

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

SECTION 1: That Section 2 of Local Law No. 6 of the year 2015 be amended as follows:

SECTION 2: Notwithstanding the repeal of such Local Law No. 1 of 1968 by this Local Law, all provisions of such Local Law No. 1 of 1968, in respect to the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of taxes imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such taxes, the secrecy of returns, the disposition of revenues, and the civil and criminal penalties applicable to the violation of the provisions of such Local Law, shall continue in full force and effect

with respect to all such taxes accrued up to December 1, 2015; all actions and proceedings, civil or criminal, commenced or authorized to be commenced under or by virtue of any provision of such Local Law No. 1 so repealed, and pending or able to be commenced immediately prior to the taking effect of such repeal, may be commenced, prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed; and the provisions of the resolution effective December 1, 2015 as amended from time to time, recodifying and reimposing the taxes imposed by such Local Law No. 1, shall be construed as a continuation of the provisions of Local Law No. 1, modified or amended according to the language employed, and not as an enactment of new taxes, other than the additional one percent rate of such taxes imposed for the period commencing December 1, 2015.

SECTION 2: This enactment shall take effect upon filing with the Secretary of State.

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 145-17

*SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. B OF 2017*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2017 A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, July 6, 2017 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 146-17

*ABANDON N. ELLISTOWN ROAD,
BROAD STREET EXTENSION AND WAVERLY
HILL ROAD TO TOWN OF BARTON*

WHEREAS: Tioga County has determined that there are three shorter County Roads that the abandonment of would increase efficiencies in the Tioga County Department of Public Works snow removal operations; and

WHEREAS: The Town of Barton has submitted resolution 04-2017 accepting ownership of the N. Ellistown Road, Broad Street Extension and Waverly Hill Road; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes abandonment of N. Ellistown Road, Broad Street Extension and Waverly Hill Road effective June 14, 2017 to the Town of Barton.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 147-17

*APPROVE SUPPLEMENTAL
AGREEMENT FOR DIAMOND VALLEY
ROAD BRIDGES – CONSTRUCTION
SUPPORT SERVICES*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Diamond Valley Rd. Bridges BIN: 3335540 and BIN: 2219010 are a couple of bridges in the bridge bond program; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 19-17 and Resolution 18-17; and

WHEREAS: The Tioga County Legislature authorized the Department of Public Works to hire two (2) temporary construction inspectors to save the County money; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the projects; and

WHEREAS: Delta Engineers of Endwell, NY has submitted a proposal of \$3,650.00 for BIN 2219010 and \$11,330.00 for BIN 3335540; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support Services not to exceed \$14,980 to be paid out of the following accounts:

H5110.540002.H1704 – Diamond Valley Road Bridge – BIN 3335540	\$11,330.00
H5110.540002.H1707 – Diamond Valley Road Bridge – BIN 2219010	\$ 3,650.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 148-17

AWARD CONSTRUCTION
DIAMOND VALLEY RD. BRIDGES
BIN: 3335540 & BIN: 2219010

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the construction of the Diamond Valley Rd. Bridges BIN: 3335540 & BIN 2219010; and

WHEREAS: The Commissioner of Public Works received sealed bids on May 30, 2017 and the bids came in as follows:

Economy Paving Company, Inc.	\$799,070.99
R. DeVincentis Construction, Inc.	\$896,000.00
Vector Construction Corp.	\$834,259.55

And

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Economy Paving, Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Economy Paving, Cortland, NY not to exceed \$799,070.99 to be paid out of the following accounts:

H5110.540002.H1704 – Diamond Valley Road Bridge – BIN 3335540	\$715,674.98
H5110.540002.H1707 – Diamond Valley Road Bridge – BIN 2219010	\$ 83,396.01

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 149-17 *AWARD BID FOR DAY HOLLOW
PAVEMENT REHABILITATION*

WHEREAS: The Commissioner of Public Works appropriated funds in the 2017 budget for this project; and

WHEREAS: On May 16, 2017 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$777,470.00
Bothar Construction, Binghamton NY	\$799,799.00
Barrett Paving, Inc., Vestal NY	\$690,424.00
Suit-Kote Corp., Cortland NY	\$694,940.00
Dalrymple Gravel and Contracting, Pine City NY	\$730,000.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Barrett Paving Inc., Vestal NY not to exceed \$690,424.00 to be paid out of Day Hollow Paving Account H5110.540001.H1701

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 150-17 *AWARD BID FOR SINGLE SOURCE PROCUREMENT;
MOVEMENT OF RADIO EQUIPMENT (CANDOR-
CARMICHAEL-POPPLER)*

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: These improvements require the county to employ a contractor to move some existing public safety radio equipment from their current structures to newly placed shelters; and

WHEREAS: The County has an existing agreement with Tri-County Communications to maintain and repair the public safety radio equipment including the equipment which currently needs to be moved. Tri-County Communications will be responsible for the equipment before and after it is relocated and will be the entity required to work through any issues created by the equipment's move. As such, Tri-County Communications is the single source for maintaining the radio equipment; and

WHEREAS: Tri-County Communications is performing other tasks funded by the Interoperable Grant and is well experienced with the County's public safety communications infrastructure as they have been working on Tioga County communications infrastructure since 1980 and have knowledge of the County's equipment and component installation requirements including the equipment at issue; and

WHEREAS: Tri-County Communications is presently the single entity with the experience and knowledge to relocate the equipment, resolve issues associated with the move and to complete the work within the project timeline and is willing to move the equipment at an additional cost as such work is not covered by their current agreement; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby recognize Tri-County Communications as the single source for relocating existing public safety radio equipment to its new location and hereby awards the work, upon approval by the County Attorney, to Tri County Communications of Oneonta for an amount not to exceed Thirty Nine Thousand Dollars (\$39,000.00).

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 151-17 *RETITLE AND AMEND CLASSIFICATIONS WITHIN
DISPATCHER SERIES, AUTHORIZE SALARY
REALLOCATION
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for the reclassification and or reallocation of positions within salary grades; and

WHEREAS: Following the receipt of twelve position description questionnaires, the Personnel Department conducted a desk audit within the Communications Division within the Sheriff's Office, of the Dispatcher classification where the rate of turnover is approximately two (2) staff per year and includes the following titles: E911 Dispatcher Trainee (CSEA SG VI), E911 Dispatcher (CSEA SG VII), and Chief E911 Dispatcher (CSEA SG XI); and

WHEREAS: The Personnel Officer has determined that in light of the technological changes and developments within this classification series, it is appropriate to revise and modernize the classification and, in addition, to reallocate the salary grade assignment since the current assignment does not represent the nature of work performed; and

WHEREAS: The following recommendations are made following said desk audit:

<u>CURRENT</u>			<u>PROPOSED</u>		
E-911 DISPATCHER TRAINEE	SG VI	\$29,547	PUBLIC SAFETY DISPATCHER TRAINEE	SG VII	\$33,514
E-911 DISPATCHER CHIEF E-911 DISPATCHER	SG VII SG XI	\$33,514 \$40,790	PUBLIC SAFETY DISPATCHER CHIEF PUBLIC SAFETY DISPATCHER	SG X SG XII	\$39,122 \$42,443

and

WHEREAS: Incumbents within the current classifications shall have a continuation of status under civil service laws and rules within the proposed classifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the abolishment of the following full-time titles: E911 Dispatcher Trainee, E911 Dispatcher, and Chief

E911 Dispatcher and authorizes the creation of the following full-time titles within the following CSEA Salary Grades: Public Safety Dispatcher Trainee (SG VII), Public Safety Dispatcher (SG X), and Chief Public Safety Dispatcher (SG XII) effective retroactive to March 20, 2017; and be it further

RESOLVED: That said classification changes will result in an annual salary increase to each current incumbent as follows: Public Safety Dispatcher Trainee - \$3,967, Public Safety Dispatcher - \$5,608, and Chief Public Safety Dispatcher - \$1,653 effective retroactive to March 20, 2017.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 152-17 *ABOLISH ONE (1) VACANT FULL-TIME SENIOR PROBATION OFFICER POSITION; AND CREATE ONE (1) FULL-TIME PROBATION OFFICER POSITION PROBATION DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any position within Tioga County; and

WHEREAS: A Senior Probation Officer position (CSEA SG XII, \$42,443–\$45,290) will become vacant effective at the close of business on June 13, 2017; and

WHEREAS: The Probation Director has determined that said vacancy would be better utilized within the agency if classified as a Probation Officer; therefore be it

RESOLVED: That one (1) vacant full-time Senior Probation Officer position shall be abolished and one (1) full-time Probation Officer position (CSEA SG XI,

\$40,790-\$41,490) shall be created effective June 14, 2017.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 153-17 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
PERSONNEL OFFICE*

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

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer has appropriately budgeted for said position according to resolution 280-16; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2017 established rate of \$11.39/hour; and be it further

RESOLVED: That Nancy Leonard shall be hired to fill said position retroactive to May 31, through September 1, 2017.

RESOLVED: That the Mental Hygiene Department's 2017 authorized full-time headcount shall increase from 30 to 31; and be it further

RESOLVED: That funding be appropriated as follows for the remainder of 2017:

From: A4310 416200	Mental Health Fees	\$34,021.07
To: A4310 510010	Full Time Salary	\$23,224.96
A4310 581088	State Retirement Fringe	\$ 2,270.83
A4310 583088	Social Security Fringe	\$ 1,647.08
A4310 584088	Workers Compensation Fringe	\$ 700.83
A4310 585588	Disability Insurance Fringe	\$ 53.75
A4310 586088	Health Insurance Fringe	\$ 6,116.53
A4310 588988	Eap Fringe	\$ 7.09

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 155-17 *CREATE AND FILL PERMANENT, FULL-TIME
MEDICAL DIRECTOR – MENTAL HYGIENE
POSITION
MENTAL HYGIENE*

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

WHEREAS: The Mental Hygiene Department is in need of a licensed Psychiatrist to function as a director of clinical services provided by the department; and

WHEREAS: The Director of Community Services has submitted a new position duties statement to the Personnel Department; and

WHEREAS: Funding for the position partially exists in the Mental Health Budget; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create one (1) permanent, full-time position of Medical Director – Mental Hygiene (non-union) effective June 14, 2017; and be it further

RESOLVED: That the Director of Community Services is authorized to appoint John Bezirgianian, M.D. to said position at an annual, non-union salary of \$175,000.00, effective July 10, 2017; and be it further

RESOLVED: That the Mental Hygiene Department's 2017 authorized full-time headcount shall increase from 31 to 32; and be it further

RESOLVED: That funding shall be transferred as follows for the remainder of 2017:

From: A4310 540140 Mental Health Contracting Services	\$72,328.80
To: A4310 510010 Mental Health Full Time	\$72,328.80

And be it further

RESOLVED: That a budget modification shall be as follows:

From: A4310 416200 Mental Health Fees	\$12,054.80
To: A4310 510010 Mental Health Full Time	\$12,054.80

And be it further

RESOLVED: That a budget modification from fund balance is as follows:

To: A4310 581088 State Retirement Fringe	\$ 3,130.36
A4310 583088 Social Security Fringe	\$ 6,008.11
A4310 584088 Workers' Compensation Fringe	\$ 810.91
A4310 585588 Disability Insurance Fringe	\$ 62.43
A4310 586088 Health Insurance Fringe	\$10,039.13
A4310 588988 EAP Fringe	\$ 8.41

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

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

REFERRED TO:

INFORMATION TECHNOLOGY

RESOLUTION NO. 156-17

*AUTHORIZE PAYMENT FOR FIBER-OPTIC
HARDWARE FROM CAPITAL
HARDWARE RESERVE ACCOUNT*

WHEREAS: The County Information Technology and Communication Services department is managing a project to create a redundant communications network between County buildings to enhance emergency preparedness; and

WHEREAS: The ITCS department has worked with the Emergency Management Office and Sheriff's Department to secure grant funding for a majority of the project; and

WHEREAS: The ITCS department has identified a potential gap in the funding provided by grants and the total cost of the project of \$52,000; and

WHEREAS: The ITCS department, after consultation with the Budget Officer, believes these funds should be supplied from the Hardware Reserve Account; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the allocation of \$52,000 from the Capital Hardware Reserve Account; and be it further

RESOLVED: That the funds be transferred from Capital Hardware Reserve Account to Information Technology Capital Account as follows:

From: H387805 Capital Hardware Reserve Account \$52,000

To: H1680 520989 Fiber Optic Lines \$52,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 157-17 *AUTHORIZE UNACCREDITED INTERNSHIP
(PUBLIC WORKS)*

WHEREAS: The Solid Waste division of the Public Works Department has identified a project for which an internship would be suitable for Summer 2017; and

WHEREAS: The selected student is enrolled at SUNY ESF in the Sustainable Energy Management program but will not earn college credits for this internship; and

WHEREAS: Policy 56, Section 1 allows for unaccredited internships if authorized by the Legislature; therefore be it

RESOLVED: That the Public Works Department is hereby authorized to have an unaccredited intern in the Solid Waste division; and be it further

RESOLVED: That Public Works is to follow the protocols in the rest of Policy 56.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:25 P.M.