

*Fourth Regular Meeting
April 10, 2018*

The Fourth Regular Meeting of 2018 was held on April 10, 2018 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we thank you for this opportunity to serve the citizens of Tioga County and we ask today and all days that you help us and guide us in doing what is best for our neighbors."

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

There were 22 people in attendance.

Legislator Standinger read and presented the following recognition resolution to Kimberly Clark of the Department of Social Services.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 81-18 *RECOGNIZE KIMBERLY A. CLARK'S
33 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Kimberly A. Clark began her career with the Tioga County Department of Social Services as a Community Services Worker in January 1985. In October 1987, Kim was promoted to Social Welfare Examiner, in August 1990 met the qualifications to transition to the position of Employment Specialist, Kim was promoted to Principal Social Welfare Examiner in December 1997 where she currently leads the HEAP and Energy programs within the Employment and Transitional Supports Unit; and

WHEREAS: Kimberly A. Clark has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Kimberly A. Clark has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Kimberly A. Clark will retire on April 28, 2018; now 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 Kimberly A. Clark for her thirty-three years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Kimberly A. Clark.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standingier spoke. “With that being said I know Shawn is probably going to try and recruit you for the seasonal HEAP employment, so I hope you are receptive to that because it would certainly make his life easier.”

Shawn Yetter, Commissioner of Social Services spoke. “Thank you Legislator Standingier. It is always a bitter sweet moment when you wish someone well in their retirement, especially after so many years of dedicated service that Kim has had. Kim actually began her career in 1984 with the Department as a temporary Clerk-Typist, so I thought well 1984 that is an interesting year because in 1949 when George Orwell wrote 1984 that seemed like a long long way away. Now 1984 it seems a long time ago and it should fill you with a sense of some emotion that a lot of our employees were not even born yet, but that is okay, with age comes wisdom.

“Early on in her career it was evident that Kim was an employee that was held in high esteem. I will give you just a couple of blasts from the past Kim. In 1987 Eleanor Monroe wrote in one of Kim’s evaluations, “Kim is meticulous in many areas. Her personal qualifications reflect Kim as a valuable resource.” In 1992 Mary Ellen Middleton wrote, “Kim’s work performance can be ranked as extremely excellent” and in 2000 Natalie Thompson wrote, “Deals with many who are not satisfied with the answers they get” and I think that pretty much sums up your career, whether it be finance or employees.

“On a bit of a personal note, when I first returned as Commissioner in 2003 Kim was being challenged by a situation at work and it was a challenge for me to try to help bring that situation to a successful resolution, which happened, but it had very little to do with me. It happened because of Kim’s resolve and her willingness to keep looking forward. The resolution detailed Kim’s history with our department with her promotion to her current title of Principal Social Welfare Examiner coming in December of 1997.

“Kim spent the first 15 years or so of her career honing her skills and learning how to deal with those folks who often are not satisfied and for the past 20+ years Kim has been a Supervisor of the highest caliber at the department. It is because of both of those two phases of experience for Kim that she is such a valued asset and why she will be such a loss. It is because of the skills, competence, and compassion that public servants like Kim Clark possess that we can maintain a high level of respect in the community for both the people we serve and with our partners throughout the County who work with us. Kim has successfully supervised our HEAP Energy Unit for many years and it may sound simplistic, but she lives and breathes our mantra that no one in Tioga County will ever suffer for the lack of heat under our watch. Thank you Kim for your many years of dedication to the people of Tioga County and we all join in wishing you a long healthy happy retirement.”

Kim Clark spoke. “Thank you. Working at Social Services is not for sissies that is for sure. I appreciate the work of my fellow workers and supervisors that are going to carry on the torch. Thank you very much.”

Legislator Standinger read and presented the following Proclamation on Earth Awareness Week to Lisa McCafferty, Public Health Director and Ellen Pratt, Sustainability Manager.

Legislator Standinger spoke. “Regarding this I know there was a little dissension about it and I will kind of address that a little bit. This is a pretty conservative County and I know that Earth Day has a different connotation than places like Ithaca. Saying that, this proclamation is basically the result of Earth Day and the fact that we do live on a planet that we need to care for so further generations will have the opportunity to enjoy it and Tioga County is an awful doggone nice place to live.”

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: Educating residents about the benefits of reducing waste, reusing and recycling efforts are essential elements in attaining sustainable community; and

WHEREAS: Educating on improper disposal of household wastes, such as chemicals, and how it increases the risk of water resources being polluted; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors and practices by learning how we can reduce waste, reuse and recycle; and

WHEREAS: Earth Day is a worldwide event that provides an opportunity for our county to learn about waste reduction, reuse and recycling opportunities and success stories that are vital to economically and environmentally healthy communities; and

WHEREAS: Both the Tioga County Sustainability Manager and Tioga County Public Health support these initiatives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 15-22, 2018 as

EARTH AWARENESS WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of reduction, reuse and recycling in the environmental and economic health of our community.

Legislator Standinger spoke. "I just want to say this young lady (Ellen Pratt) to my right has been very good at providing a recycling program in Tioga County and I appreciate your efforts on that behalf. Thank you."

Ellen Pratt, Sustainability Manager spoke. "I want to thank the Legislature for this Earth Day awareness week. It is both important environmentally and economically, especially since Tioga County does not have a landfill. Everything we throw away we have to pay and that money leaves the County, so it is really important that we reduce our waste and recycle and reuse where we can. Thank you."

Chair Sauerbrey noted the following Proclamation on Public Health Week.

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of deadly diseases; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga County without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious diseases, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of

**April 2-8 2018, as
PUBLIC HEALTH WEEK**

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

Chair Sauerbrey read and presented the following Proclamation on Military Appreciation Month to John Holton, Veterans' Service Director.

PROCLAMATION
MAY 2018 AS MILITARY APPRECIATION MONTH IN TIOGA COUNTY

WHEREAS: May is National Military Appreciation Month; and

WHEREAS: Tioga County has 4,623 veterans living here who contribute significantly to the economy of said County in that they receive \$17,919,000 in Veterans Administration benefits annually; and

WHEREAS: We currently have many young men and women from Tioga County serving in the Reserves and National Guard and on active duty in the Armed Forces of the United States in addition to the veterans living here; and

WHEREAS: To recognize their service and sacrifice by the wearing of red on Fridays in the month of May which stands for "**R**emember **E**veryone **D**eployed"; therefore

THAT THE TIOGA COUNTY LEGISLATURE does proclaim

May 2018 as Military Appreciation Month in Tioga County

and further proclaim that

Fridays in May as "Wear RED Fridays"

and that County employees be encouraged to wear Red as our way to honor and thank all Veterans, Active Duty, Reservists and Guardsmen for their service to their Country.

John Holton, Veterans' Director spoke. "Very briefly ladies and gentleman, as of this morning the Department of Defense reported that we currently have over 1.3 million active duty personnel doing our work at home and overseas, and in addition to that there are over 800,000 reservists ready to stand in the stead for us. In addition to that there are currently over 48,000 New York State people on active duty. It is humbling to think of those numbers standing in our stead. Thank you very much."

Chair Sauerbrey noted the following Proclamation on Child Abuse Prevention Month.

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,154 reports of alleged abuse/neglect involving 2,396 children in 2017; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT, Catholic Charities, Hillside's Regional Permanency Center, and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2018 as

CHILD ABUSE PREVENTION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to ensure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of March 8 and 13, 2018, seconded by Legislator Monell, 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 Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 82-18

AUTHORIZATION TO SUBMIT APPLICATION TO NEW YORK HOMES AND COMMUNITY RENEWAL FOR FUNDING AND TO ADMINISTER A 2018 NEW YORK MAIN STREET PROGRAM FOR THE 2018 OWEGO – NORTH AVENUE REVITALIZATION PROGRAM

WHEREAS: Per Resolution 94-14, Tioga County Economic Development and Planning desires to apply for up to \$500,000.00 in financial assistance through the 2018 Consolidated Funding Application under the 2018 New York Main Street Program; and

WHEREAS: The application proposes funding to assist property owners to complete interior and exterior building renovations to targeted, contiguous downtown “main street” buildings including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; and

WHEREAS: The proposed funding will contribute to the ongoing community revitalization efforts; and

WHEREAS: The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality making application and in which the project will be located; and

WHEREAS: The Village of Owego is in support of this application to the 2018 New York Main Street program for revitalization of commercial and residential properties that make up the “Main Street” including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; therefore be it

RESOLVED: That the Tioga County Legislature approves and endorses the 2018 New York Main Street Program grant application for assistance prepared and to be submitted by the Tioga County Economic Development and Planning Office.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 85-18 *AUTHORIZE LEASE FOR PLEXICOMM*

WHEREAS: The Tioga County Legislature recognizes the importance of quality Internet services for businesses and residents within the county borders; and

WHEREAS: The ITCS department has helped facilitate that development through work with Southern Tier Network, providing a "POP" (Point of Presence) location in the County data center that can be utilized by providers to connect to the Southern Tier Network middle-mile fiber optic network; and

WHEREAS: The provider Plexicomm has approached the County to lease space to place a data rack and establish a connection to Southern Tier Network at a rate of \$200 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: Plexicomm has also approached the County to lease one pair of fiber optic cable strands owned by the County between the 56 Main Street building at Ballou Road communications tower, where Plexicomm has existing equipment in place, at a rate of \$100 per month for a lease term of 15 years in accordance with Local Law 4 of 2001; and

WHEREAS: A contract has been submitted, reviewed and approved by ITCS and the County Attorney for the above service; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to sign the associated lease agreement with Plexicomm at a rate of \$300 per month for a lease term of 15 years in accordance with Local Law 4 of 2001.

ROLL CALL VOTE

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

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. 86-18

*AUTHORIZE CHAIR OF LEGISLATURE TO SIGN
MEMORANDUM OF UNDERSTANDING
"RAISE THE AGE" COMPLIANCE COALITION
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: On April 10, 2017, Governor Cuomo signed into law "Raise the Age" legislation that was included as part of the State Budget; and

WHEREAS: The vast majority of cases of 16 and 17-year-olds charged with criminal offenses will ultimately be heard in the Family Court, either originating there or being transferred there from a new Youth Part of the adult criminal court/superior court; and

WHEREAS: These "Raise the Age" detention provisions will create challenges for the counties of New York State, in attempting to comply with the edicts of same; and

WHEREAS: The municipalities share a common interest in developing "Raise the Age" Compliance resources, procedures and protocols; and

WHEREAS: The Municipalities are acting in accordance with section 119-o of the New York State General Municipal Law, to cooperatively create a "Raise the Age" Compliance Coalition for fulfilling their respective public purposes, needs, objectives and programs; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of Tioga County to sign the Memorandum of Understanding with the intention of working collaboratively on the following project of mutual benefit: Retention of expert professional consulting services and identification of proposed contract deliverables, fees and expenses for the municipalities related to compliance with the detention mandates created by the "Raise the Age" legislation; and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the "Raise the Age" legislation, subject to the approval of the County Attorney.

Legislator Standinger spoke. "Unfortunately in New York State the individuals in Albany have decided that they are changing the way that juveniles are prosecuted in New York State and as a result of that there is an undue burden placed on the counties. This resolution is for us to try and deal with that unfunded mandate from Albany."

ROLL CALL VOTE

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

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

RESOLUTION NO. 87-18 *APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION*

WHEREAS: Eva Mae Musgrave's term on the Tioga County Local Development Corporation expires as of March 31, 2018; and

WHEREAS: Eva Mae Musgrave has expressed her desire to resign from the Tioga County Local Development Corporation as of March 31, 2018; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found David Astorina willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints David Astorina to fill said vacancy and serve a 3 year term of 04/01/18 - 03/31/21.

ROLL CALL VOTE

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

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. 88-18 *RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Christine Schweitzer's appointment to the Community Services Board will expire on March 31, 2018; and

WHEREAS: The Community Services Board has recommended Christine's 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 Christine Schweitzer be reappointed to the Community Services Board, for term starting April 1, 2018 and ending March 31, 2022.

ROLL CALL VOTE

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

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. 89-18 RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD

WHEREAS: Denise Brown's appointment to the Community Services Board will expire on March 31, 2018; and

WHEREAS: The Community Services Board has recommended Denise's 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 Denise Brown be reappointed to the Community Services Board, for term starting April 1, 2018 and ending March 31, 2022.

ROLL CALL VOTE

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

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

RESOLUTION NO. 90-18 AWARD DESIGN SERVICES TO
MCFARLAND JOHNSON FOR
PHASE 4 OF BRIDGE PREVENTATIVE
MAINTENANCE PROJECT PIN 9754.28

WHEREAS: The Preventative Maintenance Bridge Program has been placed on the FHWA Program and will have several phases; and

WHEREAS: McFarland Johnson, Binghamton NY did the design for Phase I, Phase 2, and Phase 3 for this project; and

WHEREAS: The Commissioner of Public Works received a Phase 4 proposal for design services for this project from McFarland Johnson, Binghamton NY; and

WHEREAS: The proposal for this bridge came in at \$29,372; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract for Phase 4 of the Preventative Maintenance Project to McFarland Johnson, Binghamton NY not to exceed \$29,372 to be paid out of the Bridge Projects Account D5110.540050.

ROLL CALL VOTE

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

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

RESOLUTION NO. 91-18 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 4 - (2018), PIN 9754.28 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design work;

NOW THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$40,000 is hereby appropriated from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 93-18 *AUTHORIZE THE SUBMISSION OF
TECHNICAL RESCUE GRANT
EMERGENCY SERVICES*

WHEREAS: The Department of Homeland Security has issued a Technical Rescue Grant; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; and

WHEREAS: The Technical Rescue Grant application needs to be submitted by April 17th; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 94-18 *AUTHORIZE THE SUBMISSION OF CRITICAL
INFRASTRUCTURE GRANT PROGRAM
APPLICATION (CIGP)
EMERGENCY SERVICES*

WHEREAS: The Department of Homeland Security has issued a grant of \$50,000 to mitigate risk and enhance protection of critical infrastructure sites; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; and

WHEREAS: The Critical Infrastructure Grant application needs to be submitted by April 18th; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY
FINANCE

RESOLUTION NO. 95-18 *RE-ESTABLISH PRIOR YEAR
SHSP 17 GRANT AND AMEND 2018
BUDGET*

WHEREAS: Prior Year Grants need to be re-established for the remaining unspent balance as of year-end 2017 for purchase or completion in 2018; and

WHEREAS: The 25% portion of the SHSP 17 Grant Funds were not re-established or budgeted in the 2018 fiscal year and \$17,495.00 of unspent grant funds are available; and

WHEREAS: The funds for the SHSP 17 need to be expended and are 100% reimbursable; therefore be it

RESOLVED: That the following accounts and amounts be re-established and the 2018 Budget be amended:

SHSP 17	RESO 260-17	Amt to Establish
A3361 433567 SHS17 State Aid Home Land Security		\$ 17,495.00
A3361 520230 SHS17 Radio & Equipment		\$ 17,495.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2018 modified budget.

ROLL CALL VOTE

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

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
FINANCE COMMITTEE

RESOLUTION NO. 96-18 APPROPRIATE FUNDS AND 2018 BUDGET
AMENDMENT YOUTH PROGRAMS

WHEREAS: Additional funding has been awarded to Tioga County Youth Programs from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

WHEREAS: Appropriation of funds and budget amendments require Legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2018 Budget be amended as follows:

From: A7310.438200 State Aid-Youth Programs	\$ 30,000
To: A7310.540010 Advertising	\$ 5,000
A7310.540140 Contracting Service	\$ 14,000
A7310.540420 Office Supplies	\$ 750
A7310.540485 Printing/Paper	\$ 1,000
A7310.540487 Program Expense	\$ 3,250
A7310.540733 Training	\$ 6,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 97-18 *BUDGET MODIFICATION*
VETERANS' SERVICE AGENCY

WHEREAS: Tioga County Department of Mental Hygiene(TCDMH) has reallocated 2018 state aid to be passed through to Tioga County Veterans' Service Agency(TCVSA); and

WHEREAS: The funding is specifically designated for Outreach program deliverables; and

WHEREAS: TCDMH has already allocated this funding in its 2018 budget; yet this will require a 2018 budget modification and transfer of funds within TCVSA; and

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

RESOLVED: That the 2018 Veterans' budget be modified and funding be appropriated as follows:

To:	A6510 540010 Advertising	\$1,000.00
	A6510 540220 Automobile Fuel	\$1,000.00
	A6510 540360 Meals/Food	\$1,000.00
	A6510 540420 Office Supplies	\$ 500.00
	A6510 540485 Printing/Paper	\$ 500.00
	A6510 540640 Supplies (Not Office)	\$1,250.00
	A6510 540733 Training/All Other	\$ 750.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 98-18 *AUTHORIZE PURCHASE OF ANNUITY, TRANSFER FUNDS FROM CONTINGENCY AND AMEND 2018 BUDGET*

WHEREAS: Daryl Williams was employed by the Tioga County Sheriff's Department before retiring in 2009; and

WHEREAS: Daryl Williams made a claim that he was underpaid for past due employee benefits through no fault of his own; and

WHEREAS: Tioga County has examined the claim and wishes to resolve the matter by reimbursing Daryl Williams for underpaid benefits; and

WHEREAS: A payment to Daryl Williams for past benefits was authorized by resolution number 79-18; and

WHEREAS: The Tioga County Legislature wishes to arrange for future payments through a 40 year annuity as set forth in a Settlement Agreement; and

WHEREAS: Transfer of Funds from Contingency Account and Budget amendments requires Legislative Approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the County Attorney to resolve the Daryl Williams claim and reimburse Daryl Williams for past and future underpaid benefits; and be it further

RESOLVED: That the Tioga County Legislature authorizes the purchase of an annuity for Daryl Williams' benefit to resolve future payments and that payment be made to MetLife Assignment Company, Inc. in the amount of \$242,759.41 for the purchase of said annuity; and be it further

RESOLVED: That the following transfers be made from contingency to the Interfund Reserve and from the Interfund Reserve to Judgment and Claims to make said payment and to replenish funds depleted from the liability account:

From: A1990 540715 Contingency Account	\$272,759.41
To: A9901 590715 Interfund Expense	\$272,759.41
From: C11910 450310 Interfund Revenue	\$272,759.41
To: C11930 540270 Judgments and Claims	\$272,759.41

Legislator Mullen spoke. "I just want to say thank you to Peter Dewind our County Attorney and Bethany O'Rourke our Personnel Director, and all my fellow Legislators for their diligent concern in this error and in getting this situation resolved for one of our sheriff deputies who is a personal friend of mine, but also tragically had to retire early from the job back in 2009 when he had a massive heart attack at a domestic where he was engaging with a violent defendant. Mr. Daryl Williams ultimately ended up having to have a heart transplant. Through no fault of his own it came to light that Daryl was inadvertently put in the wrong retirement system upon his retirement and the people in this room took it upon themselves and put in an arduous effort to correct this wrong for Daryl and his family for the rest of his life and his wife's life, and we did that. That is what good government is all about. It is not always about the money, sometimes it is about just doing the right thing for somebody that was inadvertently wronged by the government and this is where we did something

for not just Daryl and his family, but for all of the employees of Tioga County. We do care.

"I can tell you Daryl is a good friend of mine and I went to many complaints with him in our time together. From 1995 to 2009 I worked with Daryl on the road as a State Trooper and I am very proud of the people in this room today and I mean that from the bottom of my heart. Thank you and thank you all for taking care of this, and thank you for taking care of my good friend Daryl Williams and his family."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 99-18

*CREATE TWO (2), FULL-TIME
TEMPORARY CONSTRUCTION
INSPECTOR POSITIONS PUBLIC WORKS*

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2018 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2018; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective May 1, 2018 at an hourly range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 100-18 *CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2018; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective April 28, 2018 through October 12, 2018 at an hourly rate of \$10.40, however no more than 960 hours may be worked April 28, 2018 – October 12, 2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 101-18 AMEND EMPLOYEE HANDBOOK:
NON-UNION BENEFITS

WHEREAS: The Non-Union Benefits policy stipulates eligibility criteria for non-union staff, as well as employee contribution rates in Section 5; and

WHEREAS: The Public Health Department requested health insurance be offered to part-time Dentists, similar to part-time Attorneys; and

WHEREAS: The Legislature agreed to add part-time Dentists to the policy but at a higher contribution rate than Attorneys; therefore be it

RESOLVED: That Section IV Personnel Rules k. Non-Union Benefits (formerly policy 44) be amended effective May 1, 2018 as follows:

Section 5 Health & Dental Insurance:

“Eligibility: All full-time employees, Elected Officials, part-time Attorneys (except those in the Treasurer’s Office) and part-time Dentists are eligible to participate in the Health/Dental/Vision programs.”

Employee Contributions:

	Contributions (% of Premium)	
	2017	2018
Legislators	15%	15%
Full-time	15%	15%
4 day/week Attorneys	15%	15%
Part-time Attorneys	20%	20%
Part-time Dentists	n/a	25%

And be it further

RESOLVED: That the remainder of the Non-Union Benefits policy is unchanged.

ROLL CALL VOTE

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

No – Legislators Sullivan, Weston, and Huttleston.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:29 P.M.