

Agenda



TIOGA COUNTY LEGISLATURE

9/11/2018

6:00 PM

EDWARD D. HUBBARD AUDITORIUM

RONALD E. DOUGHERTY COUNTY OFFICE BUILDING

56 Main Street

Owego NY 13827

Meeting called by:

Chair Martha Sauerbrey

Type of meeting:

9th Regular

Attendees:

Legislator Hollenbeck
 Legislator Huttleston
 Legislator Monell
 Legislator Mullen
 Legislator Roberts
 Chair/Legislator Sauerbrey
 Legislator Standinger
 Legislator Sullivan
 Legislator Weston

Agenda topics

Invocation

Legislator Mullen

Pledge of Allegiance

Legislator Mullen

Recognition Resolutions

Robert Blasch, Sheriff's Office
 Dennis Spangenburg, Sheriff's Office

Proclamations (2)

Child Passenger Safety Week
 National Alcohol & Drug Addiction Recovery

Privilege of the Floor

Approval of Minutes

August 14 & 17, 2018

<p>Petitions, Communications & Notices Appointments/Reappointments Reports Standing Committees 2018 Shared Services Plan Notice</p>		
<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Amend Budget & Appropriate Funds Public Health 2. Modify 2018 Budget and Transfer Funds 2016 State Interoperable Grant Office of Emergency Services 3. Appropriate Contingency Transfer and Modify 2018 Budget to Household Hazardous Waste Account 4. Authorize Contract between Twin Tier Pathology Associates, PC and Tioga County 5. Approve 2019 Stop DWI Plan 6. Award Roof Restoration Contract 7. Inter-Municipal Agreement Hazardous Waste 8. Authorization for the Chair of Legislature to sign Memorandums of Understanding regarding the maintenance of property held by Tioga County for transference to the Tioga County Property Development Group (Land Bank) 9. Authorizing Legislative Chair Signature on Solar Energy Systems payment in lieu of tax agreement 10. Establish Equalization Rates 11. Erroneous Assessment Town of Owego 12. Erroneous Assessment Town of Owego 13. Authorize Purchase of Specific Excess and Employers' Liability Insurance for Workers' Compensation Program 14. Contract with Lifetime Benefit Solutions, Inc. to administer flexible spending and health reimbursement account programs 15. Contract with Employee Network, Inc. (ENI) for Employee Assistance Program 16. Authorize Continuance of Full-Time Temporary Clerk (Seasonal) Position Treasurer's Office 	

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18

RESOLUTION RECOGNIZING
ROBERT BLAASCH'S
26 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: Robert Blasch was appointed as Corrections Officer on 9/19/92; promoted to Deputy Sheriff on 12/2/96; and promoted to Road Patrol Sergeant on 1/21/06; and

WHEREAS: Robert Blasch has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Blasch will retire from the Tioga County Sheriff's Office on September 29, 2018; 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 Rob Blasch for his 26 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, Robert Blasch.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18

RESOLUTION RECOGNIZING
DENNIS SPANGENBURG'S
25 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: Dennis Spangenburg was appointed as Part-Time Corrections Officer on 6/7/93; appointed to Full-Time Corrections Officer on 8/31/93; and promoted to Corrections Sergeant on 8/1/04; and

WHEREAS: Dennis Spangenburg has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Dennis Spangenburg will retire from the Tioga County Sheriff's Office on September 29, 2018; 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 Dennis Spangenburg for his 25 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, Dennis Spangenburg.

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: Every day in America, millions of parents and caregivers travel to work, school, and after-school activities with their children, and while many of those children are riding in correctly installed car seats for their ages and sizes, over 80% are not; and

WHEREAS: In 2016 over 700 children died in automobile crashes and over 130,000 were injured and 1 in 3 children under the age of 12 who were killed in a car crash in 2016 were not in a car seat, booster seat or seatbelt; and

WHEREAS: Using the correct car seat can greatly reduce a child's risk of injury or death in an automobile crash; and

WHEREAS: 90% of car seats that are checked in Tioga County are not installed correctly; and

WHEREAS: Injury can be prevented if parents and caregivers make sure their children are in the correct car seat for their ages and sizes, and that their seats are installed correctly; and

WHEREAS: That is why Tioga County Public Health is committed to educating parents and caregivers about the best ways to keep kids safe while traveling in cars, no matter how short or long the trip; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of September 23 – 29, 2018 as:

CHILD PASSENGER SAFETY WEEK

and urges the citizens of our county to help reduce injuries and the tragic loss of life by buckling up their children and themselves correctly—every trip, every time.

DATED: September 11, 2018

MARTHA SAUERBREY, CHAIR
TIOGA COUNTY LEGISLATURE

2018 PROCLAMATION
National Alcohol and Drug Addiction Recovery Month

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 7.7 million adults have a co-occurring mental health and substance use disorder, and

WHEREAS: Of the 20.3 million adults in the United States with a substance use disorder, 37.9% also have a co-occurring mental health disorder; and

WHEREAS: Substance abuse negatively affects children, families and loved ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 29th anniversary of National Alcohol and Drug Addiction Recovery Month; therefore be it

RESOLVED: That the Tioga County Legislature hereby asks all residents of our county to join in declaring September 2018 as National Alcohol Substance Abuse Recovery Month in Tioga County.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -18 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Public Health has been awarded funding from Delta Dental Community Care Foundation to be used specifically toward Dental Services; and

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

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Dental Services: Grants	\$ 5,000
To: A4064 540640	Dental Services: Supplies	\$ 5,000

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -18

MODIFY 2018 BUDGET AND
TRANSFER FUNDS
2016 STATE INTEROPERABLE GRANT
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution # 132-17 awarded the Office of Emergency Services a 2016 State Interoperable Communications Formula-Based Grant in the amount of \$442,981; and

WHEREAS: The grant budget has been amended to reflect the costs associated with implementation of Impact software; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:

A3415 520230 IO16 State Interoperable Grant 2016 (Radio & Equipment)	\$24,525
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TO:

A3415 540140 IO16 State Interoperable Grant 2016 (Contracting Services)	\$24,525
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REFERRED TO:

PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -18

APPROPRIATE CONTINGENCY
TRANSFER AND MODIFY 2018
BUDGET TO HOUSEHOLD
HAZARDOUS WASTE ACCOUNT

WHEREAS: There is a significant increase in the amount of electronic waste being brought by Tioga County residents; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2018 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and modify the budget as follows:

From: B1990 540715 Contingency Account \$ 5,000

To: B8160 542261 Household Hazardous Waste \$ 5,000

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18 AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY
ASSOCIATES, PC, AND TIOGA COUNTY

WHEREAS: Beginning January 1, 2019 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$900.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/19 through 12/31/19.

REFERRED TO

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -18

APPROVE 2019 STOP DWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2019 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2019 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$31,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$14,000
Administration	<u>\$ 5,450</u>
	\$95,877

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -18

AWARD ROOF RESTORATION
CONTRACT

WHEREAS: Tioga County Public Works solicited proposals for the heavy equipment garage roof restoration project; and

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: The Commissioner of Public Works received one sealed proposal on August 23, 2018 and the proposal came in as follows:

Charles F. Evans Co., Elmira NY

\$34,162.00

WHEREAS: Tioga County DPW completed the review of the proposal and finds Charles F. Evans Co., Elmira, NY meets all of the qualifications of the specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Charles F. Evans Co., Elmira, NY not to exceed \$34,162.00 to be paid out of the following account:

H1620.520907 – Buildings / Grounds Facility

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -18

INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last eighteen years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the years 2019-2020; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2019-2020 upon approval by the County Attorney.

REFERRED TO:

ED&P COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. -18

AUTHORIZATION FOR THE
CHAIR OF LEGISLATURE TO
SIGN MEMORANDUMS OF
UNDERSTANDING REGARDING
THE MAINTENANCE OF
PROPERTY HELD BY TIOGA
COUNTY FOR TRANSFERENCE
TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT
GROUP (LAND BANK)

WHEREAS: The County has retained certain parcels from the foreclosure auction for the purpose of transferring said parcels to the Tioga County Property Development Group (Land Bank); and

WHEREAS: Routine maintenance of these parcels is needed until such time as they are transferred to the Tioga County Property Development Group; and

WHEREAS: Memorandums of Understanding are needed between Tioga County and the municipalities in which these properties are located to set forth the responsibilities of the parties; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to sign Memorandums of Understanding between Tioga County and the municipalities in which these properties are located concerning maintenance, notification and disposition.

REFERRED TO: ECONOMIC DEVELOPMENT AND PLANNING
COMMITTEE

RESOLUTION NO. -18 AUTHORIZING LEGISLATIVE CHAIR
SIGNATURE ON SOLAR ENERGY SYSTEMS
PAYMENT IN LIEU OF TAX AGREEMENT

WHEREAS: Solar Energy Systems has submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately ten (10) Megawatts AC; and

WHEREAS: The project location is 237 State Route 96, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Owego Apalachin Central School District and The County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes (PILOT) Agreement with Solar Energy Systems; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Solar Energy Services has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by Solar Energy Systems following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$3,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 31st of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the remaining balance of said payments shall be disbursed to the Town of Tioga, Owego Apalachin Central School District and County of Tioga in equal portions upon netting out of existing real property tax owed to each entity; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between Solar Energy Systems, Town of Tioga, Owego Apalachin Central School District and Tioga County.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -18 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2019 County taxes

among the several Towns are hereby established as follows:

Town of Barton	84.00
Town of Berkshire	100.00
Town of Candor	96.00
Town of Newark Valley	68.00
Town of Nichols	24.50
Town of Owego	74.90
Town of Richford	98.00
Town of Spencer	95.00
Town of Tioga	6.60

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -18

ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel # 11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2017 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. is erroneous in that on August 2, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$310,000; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #6535	Corrected Bill #6535
County	5,156.37	3,509.28
Recycle	238.20	76.09
Town Wide	484.80	154.86
Part Town	1,303.96	416.52
Owego Fire	1,108.32	354.03
Total	8,291.65	4,510.78

And be it further

RESOLVED: That the erroneous county tax of \$1,647.09 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$162.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$1,217.38 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$754.29 be charged back to the Owego Fire Department.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -18

ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel # 11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2018 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. is erroneous in that on August 2, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$310,000; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #6518	Corrected Bill #6518
County	5,174.30	3,521.48
Recycle	278.97	189.86
Town Wide	483.81	329.27
Part Town	1,332.20	906.66
Owego Fire	1,217.72	828.75
Total	8,487.00	5,776.02

And be it further

RESOLVED: That the erroneous county tax of \$1,652.82 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$89.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$580.08 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$388.97 be charged back to the Owego Fire Department.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -18 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, 2018; 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 purchase of 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, 2019 through December 31, 2019 to be paid for out of the 2019 Tioga County Self-Insurance budget.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -18 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 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, 2019 through December 31, 2019; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2019 through December 31, 2019.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -18 CONTRACT WITH EMPLOYEE NETWORK, INC.
(ENI) FOR EMPLOYEE ASSISTANCE
PROGRAM

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to continue providing Tioga County's EAP for a two year term, January 1, 2019 through December 31, 2020 at a rate of \$1.22/per covered employee per month; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.22/per covered employee per month effective January 1, 2019 through December 31, 2020.

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -18

AUTHORIZE CONTINUANCE OF
FULL-TIME, TEMPORARY CLERK
(SEASONAL) POSITION
TREASURER'S OFFICE

WHEREAS: Resolution 124-18 authorized the creation and filling of a full-time, temporary Clerk (Seasonal) position in the Tioga County Treasurer's Office from May 29, 2018 through August 31, 2018; and

WHEREAS: Due to an authorized leave of absence of another staff person, the County Treasurer would like to extend the duration of said temporary position in order to adequately cover the front office; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Marissa Potter's employment as full-time, temporary Clerk (Seasonal) shall continue beyond August 31, 2018 and end no later than December 31, 2018.