

Fourth Regular Meeting
April 9, 2013

The Fourth Regular Meeting of 2013 was held on April 9, 2013 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Weston asked Legislator Case to have a moment of prayer. Legislator Case asked for a moment of silence.

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

Chad Post presented Employee of the first quarter 2013 to Amy Poff, Benefits Manager. "I would first like to thank the Legislature on behalf of the Employee Recognition Committee for their continued support of the ERC program. Today we are here to recognize Tioga County Benefits Manager Amy Poff as Employee of the first quarter of 2013. Joining Amy at the Podium today is her Supervisor and Director of Personnel, Bethany O'Rourke.

"Amy has worked for the Tioga County Personnel Department since December of 1997 when she started as a Personnel Clerk. She then moved to the Benefits Manager position in early 1998. As Benefits Manager, Amy not only offers assistance to the employees and retirees of Tioga County, but also provides assistance to the Towns and Villages in the County as she administers the Self-Insured Workers' Compensation Plan as well as the Tioga County Consolidated Municipal Health Insurance Plan.

"In addition, from 2010 to 2012 Amy served as President of the New York State Association of Self-Insured Counties and coordinated two statewide conferences each year. Although her term as President has ended, Amy continues to serve on the Executive Board. Amy was previously honored as Employee of the quarter in 2000 and is well deserving of further recognition for her dedication to the County and for her exceptional service which she provides. For the past year, Amy has played an integral role in implementing a new health insurance plan for over 300 County employees. This involved educating employees, answering volumes of questions, and resolving problems for employees and retirees alike, which stem from the changes to the Excellus Blue Cross and Blue Shield computer systems.

"In her spare time, Amy enjoys spending time with her family. Amy, your name will be added to the winner's plaque outside the entry of this Auditorium. In addition, we would be pleased to present this plaque with a certificate to you for all your hard work and dedication."

Amy Poff spoke. "I just want to say thank you everybody for taking time out of their busy lives to say nice things about me."

Legislator Tracy Monell spoke. "Amy asked me that I not say anything, but I cannot do that. I think Amy is one of the unsung heroes of our County. The only time people call her for the most part is when they are irritated or mad, or upset about something, and she handles it with ease. She diffuses the situation, takes care of the issue, and then goes above and beyond what normally would occur for most people. We really appreciate you and thank you very much."

Chair Weston noted that we have four Proclamations that we are just going to note.

Child Abuse Prevention Month Proclamation

WHEREAS: The Tioga County Department of Social Services received 1,043 reports of alleged abuse/neglect involving 2,266 children in 2012; 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 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: The Family Resource Centers of Tioga County will host open houses in the month of April to increase awareness of Child Abuse Prevention Month.

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 2013 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 insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Giving babies the recommended immunizations by age two is the best way to protect them from 14 serious childhood diseases; and

WHEREAS: Currently, the United States has the safest, most effective vaccine supply in its history; and

WHEREAS: Vaccine-preventable diseases still circulate in the United States and around the world, so continued vaccination is necessary to protect everyone from potential outbreaks. Even when diseases are rare in the U.S., they can be brought into the country, putting unvaccinated children at risk; and

WHEREAS: Most parents vaccinate their children, resulting in high vaccine coverage rates in the U.S.; and

WHEREAS: It is important to vaccinate children on time, according to the childhood immunization schedule, to provide the best protection early in life, when babies are vulnerable and before they are likely to be exposed to diseases; and

WHEREAS: For 18 years, National Infant Immunization Week (NIIW) has encouraged parents, caregivers, and health care professionals to participate in educational, recognition, and media events to increase the awareness of the importance of immunizing children before their second birthday; and

WHEREAS: This year, National Infant Immunization Week will be celebrated as part of the first World Immunization Week, an initiative of the World Health Organization (WHO) where all six WHO regions, including more than 180 Member States, territories, and areas will simultaneously promote immunization, advance equity in the use of vaccines and universal access to vaccination services, and enable cooperation on cross-border immunization activities in April, 2013; and

WHEREAS: The week of April 20 – April 27, 2013, has been declared National Infant Immunization Week to help ensure that children should be protected against 14 vaccine-preventable diseases by the age of two; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 20 – April 27, 2013 as:

INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY

and encourages parents to make vaccinating their children a priority and to talk to family and friends about protecting their children with vaccines. We encourage businesses, government agencies, national organizations, community-based organizations, and service groups to spread the immunization message throughout their communities.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, killing over 134,000 people nationwide and more than 30 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 24.9% between 2010 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 238% from \$28.3 billion in 2010 to \$95.6 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and;

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of May 2013 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The nurses who live and who work in Tioga County while serving in many roles are all members of one profession, and as such have shown strength, commitment, professional skill and compassion directed at improving the health of the residents of Tioga County; and

WHEREAS: The nursing profession is rapidly changing, requiring nurses to expand their role through critical thinking, and holistic analysis of patient care, to meet the new challenges; and

WHEREAS: Tioga County nurses serve in many capacities within Tioga County; e.g., immunization clinics, control of communicable disease, homecare, mental health, well child clinics, Department of Social Services, doctor's offices, prenatal care programs, nursing homes, and more; and

WHEREAS: The week of May 6 through 12, 2013 is "NATIONAL NURSES WEEK" and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 6 - 12, 2013 as:

NATIONAL NURSES WEEK IN TIOGA COUNTY

and encourage businesses, government agencies, community-based organizations, service groups and our fellow citizens to recognize the many nurses who work and live in Tioga County as being nurses with strength, commitment and compassion.

Chris Bonner had privilege of the floor. He spoke regarding the Safe Act and government issues.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		194.17
A1165	District Attorney		6,437.28
A1170	Public Defender		174.30
A1172	Assigned Counsel		17,171.09
A1185	Medical Examiners/Coroners		200.00
A1325	Treasurer		2,366.18
A1355	Assessments		2,095.00
A1362	Tax Advertising/Expense		7,464.12
A1410	County Clerk		293.84
A1420	Law		3,533.00
A1430	Personnel		4,018.77
A1450	Elections		77.22
A1490	Public Works Administration	160.00	17.99
A1620	Buildings	37.48	48,015.80
A1621	Buildings		17,855.60
A1680	Information Technology		14,856.97
A2490	Community College Tuition		39,539.68
A2960	Education Handicapped Children		174,854.64
A3020	Public Safety Comm E911 System		3,687.73

A3110	Sheriff		22,325.50
A3140	Probation		829.28
A3146	Sex Offender Program		9,240.00
A3150	Jail		67,366.08
A3315	Special Traffic Programs		674.70
A3357	FY11 NYS Homeland Security		1,994.13
A3410	Fire		4,722.45
A3640	Emergency Mgmt Office		454.80
A4010	Public Health Nursing		31,773.45
A4011	Public Health Administration		2,609.41
A4012	Public Health Education		88.78
A4042	Rabies Control		3,220.15
A4044	Early Intervention	186.00	25,905.15
A4053	Preventive/Primary Health Svcs		160.00
A4054	Preventive Dental Services		6,030.20
A4064	Managed Care-Dental Services	245.00	26,080.95
A4070	Disease Control		4,055.89
A4090	Environmental Health		935.91
A4210	Alcohol and Drug Services		17,227.40
A4211	Council on Alcoholism		10,999.34
A4309	Mental Hygiene Co Admin		10,731.12
A4310	Mental Health Clinic		124,780.87
A4311	Rehabilitation Support Services		1,854.00
A4320	Crisis Intervention Services		49,139.13
A4321	Intensive Case Management		754.96
A4333	Psycho Social Club		25,000.00
A5630	Bus Operations		67,077.48
A6010	Social Services Administration		67,781.98
A6422	Economic Development		1,303.43
A6510	Veterans' Service		166.95
A6610	Sealer Weights/Measures		214.31
A7180	Snowmobile Grant Program		25,312.00
A8020	Planning		75.92
A9060	Health Insurance		2,739.30
SOLID WASTE FUND			91,740.21
SPECIAL GRANT FUND			4,974.61
COUNTY ROAD FUND			69,335.25
CAPITAL FUND			83,211.02
CONSOLIDATED HEALTH INSURANCE			343,022.13
SELF-INSURANCE FUND			<u>10,974.00</u>
GRAND TOTAL			\$ 1,560,364.10

Legislator Monell made a motion to approve the minutes of March 12 and 21, 2013, seconded by Legislator Roberts, and carried.

Chair Weston made the following appointment to Economic Development & Planning Director Search Committee

Legislator Case
Legislator Roberts
Legislator Sauerbrey
Chair Weston
Personnel Officer Bethany O'Rourke
Economic Development & Planning Director Douglas Barton
IDA Chairman Aaron Gowan

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

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 84-13 *HOME RULE REQUEST IN SUPPORT OF S3665/
A5902: EXTENDING THE CURRENT AND
IMPOSING ADDITIONAL SALES AND
COMPENSATING USE TAXES BY THE COUNTY
OF TIOGA*

WHEREAS: The continuation of previously authorized additional sources of revenue is required to enable counties, such as Tioga County to meet the ever-increasing costs of delivering essential governmental services to their citizens without undue reliance on local property taxes; and

WHEREAS: State Legislative authority is needed to extend the current sales and compensating use taxes for the County of Tioga at the same level and upon the same terms and conditions as now currently exist; now therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate bill number S3665 and Assembly bill number A5902 entitled "An Act to Amend the Tax Law in relation to extending the authorization of the County of Tioga to impose an additional one percent of sales and compensating use taxes".

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, Standingger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 85-13 *OPPOSING PROPOSED AMENDMENTS
TO THE ELECTION LAW*

WHEREAS: A series of proposed amendments to New York State Election Law have been introduced in the Senate and Assembly of the State of New York; and

WHEREAS: As proposed, said bills will have an even more harmful financial effect on County Boards of Elections budgets, and will certainly significantly increase the cost of elections; and

WHEREAS: Bills #A.689/#S.1461, propose to enact a new Title VI to the Election Law entitled "Early Voting"; and

WHEREAS: The proposed Early Voting amendment would require voting be allowed fourteen (14) days before a General Election and seven (7) days before a Primary Election, at a minimum of five (5) polling places in each County from 8:00 AM until 7:00 PM each day, including weekends; and

WHEREAS: Boards of Elections would be required to hire Bi-Partisan Election Inspectors to staff the polling sites; and

WHEREAS: In addition to the fourteen or seven day Early Voting term prescribed, the amendment also states: "Local Boards of Elections may purchase additional direct recording electronic machines to be used solely for early voting..."; and

WHEREAS: Bills #A.172/#S.609, as well as #A.2099/#S.1549 propose nearly identical amendments to Election Law; to provide for same-day registration of voters, at the polling place, during the hours that the polling place is open for voting; and

WHEREAS: While the procedure to register said prospective voter is unspecified, it is not unreasonable to infer some type of internet connection would be required; and

WHEREAS: Internet access for the conduct of an election or voter registration is not available at Polling Sites in Tioga County; and

WHEREAS: There already exists a provision for filing an absentee ballot, which affords an opportunity for an individual to vote when such voter is not able to appear in person on Election day to cast their ballot; and

WHEREAS: While the Early Voting amendment does concede to additional costs incident to its implementation, the same-day registration proposal contends no fiscal impact, which is a questionable assertion; and

WHEREAS: None of the proposed amendments to Election Law stipulate any financial assistance to implement their programs; and

WHEREAS: Compliments of the Federal Help America Vote Act of 2002 (HAVA), the cost of elections in Tioga County has increased over 180% since 2002; and

WHEREAS: These proposed amendments to State Election Law are again a case study of unfunded mandates imposed upon local governments; and

WHEREAS: Given the current climate within which local governments must operate, it is truly unfortunate and deceitful that the Legislature of the State of New York would continue to consider unfunded mandates; and

WHEREAS: The Legislature of Tioga County must voice its strong opposition to the proposed amendments to Election Law; now therefore, be it

RESOLVED: That the Legislature of Tioga County be and hereby voices its strong opposition to the proposed amendments to Election Law, to wit:

#A.689/#S.1461 – An Act to amend the Election Law, in relation to early voting

#A.172/#S.609 – An Act to amend the Election Law, in relation to allowing for polling place voter registration for any qualified person who is not registered to voter

#A.2099/#S.1549 – An Act to amend the Election Law, in relation to allowing for polling place voter registration for any qualified person who is not registered to vote; and be it further

RESOLVED: That the Clerk of the Legislature of Tioga County shall forward certified copies of this Resolution to Governor Andrew M. Cuomo, Assemblyman Sheldon Silver, Assemblyman Brian Kavanagh, Senator Thomas W. Libous, Assemblyman Christopher S. Friend, Congressman Richard L. Hanna, and Congressman Thomas W. Reed, other New York Counties, the League of Women Voters and the New York State Association of Counties (NYSAC).

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 86-13 *AUTHORIZE LEASE EXTENSION WITH NYSEG FOR THE TOWER ON BALLOU ROAD*

WHEREAS: Tioga County has a need to maintain the telecommunications tower located in the Town of Tioga on Ballou Road and identified as tax map number 117.00-1-10; and

WHEREAS: The property that the tower is located on belongs to NYSEG and NYSEG has agreed to a 10 year lease extension from 4/1/2013 to 3/31/2023; and

WHEREAS: The Tioga County Attorney has reviewed the lease extension and has approved to its form; therefore be it

RESOLVED: That Tioga County enter into the 10 year lease extension at \$1500/year plus 25% of annual revenue received from renting antenna space to Plexicomm LLC on the Ballou Road tower; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign this lease extension.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 87-13

*AWARD CONSTRUCTION CONTRACT
TO R.DEVINCENTIS CONSTRUCTION
FOR LILLIE HILL RD BRIDGE PROJECT
BIN: 3335510*

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 Lillie Hill Rd Bridge (BIN: 3335510) as part of the Bond Issue; and

WHEREAS: The Commissioner of Public Works received sealed bids on March 26, 2013 and the bids were as follows:

R. DeVincentis
Binghamton, NY \$1,258,000.00

Economy Paving
Cortland, NY \$1,306,651.01

Silverline Construction
Burdett, NY \$1,310,287.00

And

WHEREAS: LaBella Associates, Rochester, NY have completed the review of the bids and finds the low bidder R. DeVincentis Construction, Binghamton, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to R. DeVincentis Construction ,Binghamton, NY not to exceed \$1,258,000.00 to be paid out of Lillie Hill Rd. Bridge (BIN: 3335510) Account H2010.07.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 88-13 APPROVE CHANGE ORDER
FOR ELEVATOR PROJECT

WHEREAS: The elevators at the County Office Building & Court Annex were damaged in the flooding that took place after Tropical Storm Lee in September 2011; and

WHEREAS: The contract for repairs for the elevators was awarded to Elmira Structures, Inc. on July 19, 2012; and

WHEREAS: Due to inspection failure by the Fire Inspector the following change orders were submitted:

- 1290-08 Update Fire Safety System and patch holes in the hoist-way at the County Office Building Elevator. \$6,317.00
- 1290-09 Update Fire Safety System and replace the door hardware at the Mechanical Room at the Court Annex. \$18,971.00
- 1290-10 Provide new smoke detector, transformer and PAM relay at the top of the elevator shaft to operate smoke hatch at the County Office Building Elevator. \$1,866.00; and

WHEREAS: This project will be reimbursed by FEMA and/or insurance; therefore be it

RESOLVED: That the Tioga County Legislature authorize the change orders listed above for the elevators not to exceed \$27,154.00 to be paid out of H1624-20-121 Tropical Storm Lee Disaster-Capital.

ROLL CALL VOTE

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

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. 89-13

*APPROVE CHANGE ORDER
FOR ELEVATOR PROJECT
FOR COURT HOUSE*

WHEREAS: The elevator at the Tioga County Court House was damaged in the flooding that took place after Tropical Storm Lee in September 2011; and

WHEREAS: The contract for repairs for the elevator was awarded to Elmira Structures, Inc. on June 12, 2012; and

WHEREAS: Due to inspection failure by the Fire Inspector the following change order was submitted:

- 1283-10 Replace malfunctioning elevator pump and oil safety switch. \$3,280.00; and

WHEREAS: This project will be reimbursed by FEMA; therefore be it

RESOLVED: That the Tioga County Legislature authorize the change order listed above for the elevator not to exceed \$3,280.00 to be paid out of H1624-20-121 Tropical Storm Lee Disaster-Capital.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 90-13 APPOINT MEMBER TO YOUTH BOARD
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 245-12 and vacancies exist and terms have expired; now therefore be it

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

	<u>TERM</u>
Christina Ward (Replacing Angela Klopff)	04/01/13-12/31/16

ROLL CALL VOTE

Yes - Legislators Case, Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, Standing, and Sullivan.

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 91-13 *AMEND TIOGA EMPLOYMENT
CENTER BUDGET*

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is completely funded under the Federal Workforce Investment Act; and

WHEREAS: The Tioga Employment Center has been allocated additional funds under Dislocated Worker Supplemental funds by New York State Department of Labor; and

WHEREAS: The funding allocation is \$5,504.25 for Dislocated Worker Supplemental services, and must be fully expended by June 30, 2012; therefore be it

RESOLVED: That the Tioga Employment Center budget be amended as follows:

From: CD4791 – Federal Aid-Federal Employment Program	\$ 5,504.25
To: CD6293.10-10- Full Time Personnel	\$ 2454.00
CD6293.40-130- Contracts	\$ 3050.25

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 92–13 APPROPRIATION OF CAPITAL FUNDS
SOCIAL SERVICES

WHEREAS: The County of Tioga has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for the repair of two 2009 Ford buses; and

WHEREAS: The County of Tioga and the State of New York have an Agreement (C003791) which authorizes the undertaking of the Project and payment of the Federal and State shares for the Project; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: H 1750.00 Bus Company Contribution	\$ 2,055
H 3090.10 State Aid-Bus Companies- Capital	\$ 2,055
H 4090.10 Federal Aid-Bus Companies- Capital	\$16,440

To: H 5630.21 Bus Operations- Capital \$20,550

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 93–13 *AMEND POLICY 23*
PROCUREMENT POLICY

WHEREAS: Policy 23 Procurement Policy needs to amend Section I Procurement Procedures last paragraph; therefore be it

RESOLVED: That Policy 23 Section I Procurement Procedures last paragraph be amended as follows:

“Pursuant to General Municipal Law 104-b (2) (f), Drew Griffin, Acting Information Technology and Communication Services Director, is the responsible person for overseeing the administrative details of Tioga County’s purchasing program”

And be it further

RESOLVED: That the remainder of Policy 23 Procurement Policy shall remain in full force and effect.

Add Title of Director of Information Technology & Communication Systems
Add Title of Deputy Legislative Clerk
Remove Mental Health, Deputy Director for Administration
Remove Mental Health, Director of
Add Title of Director of Patient Services
Add Title of Assistant Public Defenders
Add Title of Deputy Commissioner of Public Works
Remove Social Services, Executive Assistant
Remove Solid Waste Commissioner Members (all)
Add Title of Stop DWI Coordinator
Add Title of Director of Veterans' Service Agency
Add Title of Youth Bureau Director

And be it further

RESOLVED: That the remainder of Policy 26 Tioga County Ethics Law shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, Standingger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 95-13

*AMEND POLICY 53
TIOGA COUNTY WORK PLACE
VIOLENCE PREVENTION/SEXUAL
HARASSMENT POLICY*

WHEREAS: Policy 53 Tioga County Work Place Violence Prevention/Sexual Harassment needs to amend Section V-Risk Factors and remove reference to "Solid Waste"; therefore be it

RESOLVED: That Policy 53 Section V-Risk Factors be amended to remove any reference to "Solid Waste"; and be it further

RESOLVED: That the remainder of Policy 53 Tioga County Work Place Violence Prevention/Sexual Harassment shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck introduced Local Law Introductory No. A of 2013 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2014 and continuing through and including December 31, 2017.

County of Tioga

Local Law No. of the Year 2013.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2014 and continuing through and including December 31, 2017.

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

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2014 and continuing through and including December 31, 2017.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2014 and continuing through and including December 31, 2017 is hereby established as follows:

1. County Treasurer	\$63,000.00
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SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2014.

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

REFERRED TO:	FINANCE COMMITTEE
	PERSONNEL COMMITTEE

RESOLUTION NO. 96-13	<i>SCHEDULE PUBLIC HEARING</i>
	<i>LOCAL LAW INTRODUCTORY</i>
	<i>NO. A OF 2013</i>

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2013 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2014 and continuing through and including December 31, 2017 in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 9, 2013 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 Case, Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, and Standingier.

No – Legislative Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 97-13 *AUTHORIZE CONTRACT FOR
TEMPORARY PERSONNEL SERVICES
(BUDGET OFFICE)*

WHEREAS: The Treasurer's Office is in need of assistance with the processing of documents related to the County's FEMA claims resulting from the 2011 flood; and

WHEREAS: This project is expected to last no more than six months and is anticipated to require one full-time person if devoted solely to this project; and

WHEREAS: The cost of paying a person for this project will be 100% reimbursed by FEMA; therefore be it

RESOLVED: That the Budget Officer is hereby authorized to contract with a temporary employment agency to provide a person to work on site processing FEMA related documents; and be it further

RESOLVED: That the duration of this contract will be April 10, 2013 through October 11, 2013; and be it further

RESOLVED: That the hourly rate paid under the contract shall not exceed \$16.50 per hour, or a maximum of \$15,000 for the six month contract and shall be paid out of Tropical Storm Lee Disaster Account H1625.20-95.

RESOLVED: That effective April 10, 2013, three part-time Dentist positions shall be created that combined will not work more hours than a full-time employee; and be it further

RESOLVED: That the hourly rate for the Dentist positions be \$75.00; with the exception of Dr. Sarnicola due to his experience with and longstanding commitment to the Mobile Dental Services program since 2003, where his hourly rate will be \$80.00; and be it further

RESOLVED: That the Public Health Director is granted a waiver of the 90-day delay for filling all three part-time Dentist positions, allowing them to be filled as of April 10, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 99-13 *REQUEST WAIVER OF 90-DAY HOLD; AUTHORIZE
BACKFILL OF VACANT FULL-TIME, SUPERVISING
COMMUNITY HEALTH NURSE POSITION-
PUBLIC HEALTH*

WHEREAS: The Public Health Department is continuing to work of divesting itself of the Certified Home Health Care Agency; and

WHEREAS: The Supervising Community Health Nurse in the CHHA has submitted a resignation, effective April 17, 2013; and

WHEREAS: The Public Health Department is down to 40% of its staff without a decrease in workload; and

WHEREAS: The Public Health Director wishes to ensure supervision of nursing services are carried out both effectively and efficiently; therefore be it

RESOLVED: That the Public Health Director is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one (1) full-time, Supervising Community Health Nurse vacancy at an annual salary of \$52,014 (CSEA Salary Grade XVII) effective April 18, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 100-13 REQUEST WAIVER OF 90-DAY HOLD
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Resolution 275-12 extended the 90-day hiring delay through December 31, 2013; and

WHEREAS: Effective April 1, 2013, Christy Olmstead resigned as Social Welfare Examiner in the Employment and Transitional Supports division; and

WHEREAS: Said vacancy impacts the SNAP and Medicaid units, which experienced a 16% staff reduction in 2012, while also continuing to experience a high volume of caseloads; and

WHEREAS: Teresa Sedlacek is on the preferred Social Welfare Examiner list and has knowledge and experience and is willing and able to return to that position; now therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the Social Welfare Examiner position at an annual salary of \$27,572 (2013 CSEA Salary Grade VI), effective on or after April 10, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

Legislator Case moved for the adoption of the following resolution, seconded by Legislator Sauerbrey.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 101-13 *HIRE E-VOLVE LLC TO PROVIDE
CONSULTING SERVICES FOR TIOGA
COUNTY CLERK ELECTRONIC RECORDS
MANAGEMENT SYSTEM RFP PROJECT*

WHEREAS: The Tioga County Clerk is seeking to purchase an Electronic Records Management System software package; and

WHEREAS: The Tioga County Clerk will require technical assistance in the preparation of a Request for Proposal for the software package and in the evaluation of the responses; and

WHEREAS: e-Volve Information Technology Services, LLC has submitted a proposal to provide consulting services for a fee based on an hourly rate of \$100.00, with the total of said fees not to exceed \$2,000.00; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign a contract with e-Volve Information Technology Services, LLC to provide the services outlined in the proposal and contract for total fees not to exceed \$2,000.00 and to be paid for out of Information Technology Account A1680.40-140.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 102-13 *AUTHORIZE SERVICE AGREEMENT BETWEEN TIOGA COUNTY AND PYRAMID BUSINESS SYSTEMS INC FOR EMERGENCY REPAIRS*

WHEREAS: Tioga County has a need for emergency assistance to diagnose and repair IT systems and Pyramid Business Systems Inc has the skills and expertise to provide this assistance in a timely and professional manner; and

WHEREAS: Pyramid Business Systems Inc has proposed to provide the emergency assistance at an hourly rate of \$85.00, not to exceed \$5,000.00, pursuant to a services agreement; and

WHEREAS: The Tioga County Attorney has reviewed the service agreement and has approved it as to its form; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign this Agreement and that the funds will be taken out of Information Technology Account A1680.40-140, not to exceed \$5,000.00.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 103-13 *AUTHORIZE TIOGA COUNTY SOLID WASTE
MANAGER TO APPLY FOR THE DPS/KAB PUBLIC
PARK RECYCLING GRANT FOR INTERESTED
MUNICIPALITIES*

WHEREAS: Keep America Beautiful (KAB) and Dr Pepper Snapple Group (DPS) announced a partnership agreement focusing on increasing recycling in city, regional and state public parks across the country; and

WHEREAS: As part of the one-year collaboration, DPS is donating \$300,000 to KAB primarily to fund the placement of recycling bins to provide citizens visiting public parks greater access to recycling systems; and

WHEREAS: Tioga County has the expertise to administer such a grant; and

WHEREAS: The grant does not require any matching funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Solid Waste Manager to apply and administer the said grant for interested municipalities and that the Solid Waste Manager's time would not exceed 35 hours; and be it further

RESOLVED: Interested municipalities would be responsible for placement and emptying of recycling bin, and reporting tonnages to Solid Waste Manager.

ROLL CALL VOTE

Yes – Legislators Case, Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, Standingger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:23 P.M.