

Eighth Regular Meeting
August 14, 2012

The Eighth Regular Meeting of 2012 was held on August 14, 2012 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present.

Chair Weston asked Legislator Hollenbeck to have a moment of prayer. "I would like to have a moment of silence for the families and the victims that were massacred in Aurora, Colorado and Oak Creek, Wisconsin. Thank you."

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

There were 26 people in attendance.

Chair Weston announced that we have four recognition resolutions.

Legislator Huttleston read and presented the following recognition resolution to Judy Lord 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

RESOLUTION NO. 181-12 *RECOGNITION OF JUDY LORD'S
YEARS OF SERVICE
SOCIAL SERVICES*

WHEREAS: Judy Lord began her career as a temporary Data Entry Operator in the Systems Unit on October 3, 1988; was provisionally hired on August 17, 1989; was hired permanently and reclassified to Data Base Clerk on December 11, 1995; and was promoted to Senior Data Entry Machine Operator on September 2, 1996, the title she currently holds; and

WHEREAS: Ms. Lord has seen many changes within the Social Services Department in her nearly 24 years with them and has grown with these changes; and

WHEREAS: Ms. Lord will retire on August 31, 2012; 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 and recognize Judy Lord for her nearly 24 years of service to 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, Judy Lord.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Gary Grant, Director of Administrative Services for the Department of Social Services, spoke. “Thank you for the opportunity to come here today to recognize Judy Lord. She deserves it and she has truly earned it. For 24 years Judy has been a loyal, dependable, humorous, hard working employee. We meet thousands of people in our lives, some of whom we remember and some we do not. If you have met Judy, chances are you will remember her and for all the right reasons.

“She would be the first in line to help another employee, take on extra work, or work late. At five minutes of 5:00 every night instead of starting to wrap things up for the day, Judy is grabbing another case to get entered. I have told this story before as an example of why I love Judy and I will never forget her. The Unit that she works in is a close knit group of four or five and they are located on the second floor of the Health & Human Services Building, and a lot of the work they do is for the staff that resides downstairs. Shortly after I came to the County and to the Department, in consultation with her Supervisor we saw a chance for some efficiencies if we physically located one person from her Department downstairs. Knowing what a tight knit group they were I was warned by Teresa that it probably would not go over well as the idea. I called the group together and gave them my plan that we are going to move one person downstairs to create some efficiencies and explained to them why, and why it was a good idea, but at the time we really had not decided who we were going to move downstairs. The reception that I got to my plan was lukewarm to say the least. There was dead silence in the room until all of a sudden Judy pipes up, “I will go downstairs Gary”. That is what she did, she went downstairs and she worked there and did a great job. I will always remember her for stepping up during that meeting and doing that.

“Judy loves to share a good joke and everyone recognizes her great laugh. She loves to share stories of her grandson Jacob. Everybody who knows her has heard a Jacob story at one time or another so I am sure she will enjoy the extra time she will get to spend with Jacob in retirement. Judy is truly a good person who has given Tioga County 24 years of hard work and dedication, and she will be missed. Judy, we wish you all the best and we thank you for your service.”

Judy Lord spoke. “It has gone too fast. I have enjoyed every day, well maybe not every day, but I looked forward to my work and I enjoyed all the people that contribute. I have many friends who are hard workers too. No matter what they say about Government workers, they ought to spend a day in our shoes. Thank you very much for this recognition.”

Legislator Sauerbrey read and presented the following recognition resolution to Maria Genovese of the Probation Department.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 182-12	<i>RESOLUTION RECOGNIZING MARIA T. GENOVESE'S 13 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Maria T. Genovese began her career as a county employee when she was appointed to the position of part-time Account Clerk Typist on November 14, 1997 at the Tioga County Probation Department. On February 11, 1999, she was appointed to full-time Account Clerk Typist; on September 19, 2001 she was promoted to the position of Principal Account Clerk. She has continuously served in the capacity of Principal Account Clerk for the past 11 years; and

WHEREAS: Maria T. Genovese has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 13 years. She has earned the respect of her Director, co-workers, colleagues in other county agencies, and those citizens she professionally interacts with throughout Tioga County; and

WHEREAS: Maria T. Genovese will retire on August 27, 2012; 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 Maria T. Genovese for her 13 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, Maria T. Genovese

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Joy Bennett, Probation Director, spoke. “It is an honor to let all of you share in our honoring of Maria right now. She is a blessing to have as an employee. She is dedicated, she is knowledgeable, she teaches herself if something needs to be learned, and then she teaches me, which is even better. She has given me an opportunity over the last several years to explain finances to me so that I could come and present at budget meetings and not look as ignorant as I am about that topic.

“The other thing that Maria has done for us is kind of the oil on the boiling water at Probation. She is a calming influence. A couple of Probation Officers have referred to her as the rock. She is the one consistent person in the Department that does not ever seem to get ruffled, is always kind, and has a small encouraging word for everyone she sees, and that is a true blessing. We are going to miss her very much.”

Maria Genovese spoke. “I am really looking forward to retirement, but I have to say in some ways it is bitter sweet because I have really deeply enjoyed working for the Probation Department. Yes we do have our lumps and bumps. We are not perfect, but we are like a family and I am going to miss that. I have deeply enjoyed working for the Department for those that have been past employees as well as those that are present in our Department. It has just been a blessing. The teamwork that is involved, I have never worked in a place where we had that kind of teamwork, and everybody working together for the good of the Department, each one helping out no matter what your title is or your position, no matter what is going on, everybody working together. There is nothing like that. It is my desire that every place could be a place like that. I

thank you for honoring me in this way. I do feel humbled by it, but I do so appreciate this acknowledging of my time here and I pray that the person that takes my place will be able to step in, I know she will, and she will do a very excellent job in taking my place. Thank you so much."

The following recognition resolution for Patricia Ann Zorn was duly noted.

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

REFERRED TO: COUNTY CLERK'S COMMITTEE

RESOLUTION NO. 183-12

*RESOLUTION RECOGNIZING
PATRICIA ANN ZORN'S 32 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Patricia Ann Zorn began her career in early 1980 as a county employee when she was appointed to the position of part-time Secretary in the Tioga County Legislature Department. On April 24, 1980, she was hired full-time as a keypunch operator for data processing and eventually transferring to the Department of Social Services as a data entry operator. Several years later, she returned to the Legislature Department working as Deputy Clerk for Legislative Chair Edward Hubbard and later for Legislative Chair General Lyons. In 1986, she transferred to the Department of Motor Vehicle where she has continuously served as an Account Clerk Typist for the past 26 years; and

WHEREAS: Patricia Ann Zorn has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 32 years. She has earned the respect of her Director, co-workers, colleagues in other county agencies, and those citizens she professionally interacts with throughout Tioga County; and

WHEREAS: Patricia Ann Zorn will retire on August 31, 2012; 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 Patricia Ann Zorn for her 32 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, Patricia Ann Zorn.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

The following resolution recognizing Theodore Shatara was duly noted.

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

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 184-12 *RESOLUTION RECOGNIZING
THEODORE J. SHATARA'S
11 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Theodore J. Shatara was appointed as a part-time Deputy Sheriff on 2/10/01; and

WHEREAS: Theodore J. Shatara has been dedicated and loyal in the performance of his duties and responsibilities during the past 11 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Theodore J. Shatara will retire from the Tioga County Sheriff's Office on August 14, 2012; 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 Theodore J. Shatara for his more than 11 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, Theodore J. Shatara.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Weston noted the following Proclamation on Child Support Enforcement Month.

Child support enforcement Month Proclamation

WHEREAS: New York's children need the emotional and financial support of both parents, as well as the support of their extended families and the community, in order to grow into healthy, productive adults; and

WHEREAS: New York State is committed to promoting the health and well-being of all of its children by ensuring that parents pay child support on a regular and timely basis; and

WHEREAS: Prior to 1975, child support enforcement was primarily accomplished in the private sector through civil actions by private attorneys; and

WHEREAS: The public sector of Child Support Enforcement was established in 1975 under Title IV-D of the Social Security Act, making child support enforcement a joint federal, state and local partnership in order to ensure that children are financially supported by both parents. In addition to the efforts made by the public sector, private attorneys still continue to play an active role in child support enforcement; and

WHEREAS: In 2011, the New York State child support program collected more than \$1.8 billion dollars in child support for custodial parents and their children; and

WHEREAS: In 2011, Tioga County collected over \$5.5 million dollars in child support; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim August 2012, to be

Child Support Enforcement Month

in Tioga County and salute those parents who support their children and honor the child support enforcement professionals in our community and throughout New York State.

There was no privilege of the floor.

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		47.21
A1165	District Attorney		1,747.59
A1170	Public Defender		2,186.99
A1172	Assigned Counsel		20,294.98
A1185	Medical Examiners/Coroners		7,562.78
A1325	Treasurer		40,037.88
A1355	Assessments		2,908.80
A1364	Expense of County Owned Property		4,509.50
A1410	County Clerk		871.41
A1420	Law		3,349.00
A1430	Personnel		1,797.80
A1450	Elections	591.80	3,852.24
A1460.41	Records Management		42,754.80
A1620	Buildings		40,833.69
A1621	Buildings		20,207.37
A1680	Information Technology		11,657.19
A2490	Community College Tuition		46,138.33
A2960	Education of Handicapped Children		233,627.37
A3020	Public Safety Comm E911 System		4,309.94
A3110	Sheriff		23,562.27
A3140	Probation		596.76
A3150	Jail		47,225.83
A3315	Special Traffic Programs		537.70
A3410	Fire	294.75	2,747.26
A3640	Emergency Mgmt Office		512.99
A3957	Hazard Mitigation Plan		7,560.00
A4010	Public Health Nursing		24,057.51
A4011	Public Health Administration		22,141.31
A4012	Public Health Education		39.43
A4042	Rabies Control		7,176.42
A4044	Early Intervention		37,845.59
A4053	Preventive/Primary Health Svcs		137.59
A4054	Preventive Dental Services		1,463.93
A4064	Managed Care-Dental Services		140.00
A4070	Disease Control		3,766.80
A4090	Environmental Health		1,096.84
A4210	Alcohol and Drug Services		1,916.87
A4211	Council on Alcoholism		10,990.34
A4309	Mental Hygiene Co Administration		11,406.45

A4310	Mental Health Clinic	7,059.94
A4315	Mental Retardation	3,382.90
A4320	Crisis Intervention Services	17,144.54
A4321	Intensive Case Management	1,209.83
A6010	Social Services Administration	126,670.44
A6141	Energy Crisis Assistance Programs	8,672.76
A6422	Economic Development	36.67
A6510	Veterans' Service	38.00
A6610	Sealer of Weights/Measures	189.16
A7510	Historian	55.00
A8020	Planning	12.57
A9060	Health Insurance	1,309.80
SOLID WASTE FUND		92,087.19
SPECIAL GRANT FUND		15,076.88
COUNTY ROAD FUND		29,989.04
CAPITAL FUND		673,730.73
CONSOLIDATED HEALTH INSURANCE		1,266.72
SELF-INSURANCE FUND		<u>1,300.00</u>
GRAND TOTAL		\$ 1,673,735.48

Legislator Sauerbrey made a motion to approve the minutes of July 10, and 19, 2012, seconded by Legislator Monell, and carried.

Chair Weston made the following appointments to Legislative Vacancy Ad Hoc Committee effective July 25, 2012:

Chair Weston
 Legislator Roberts
 Legislator Sullivan
 Legislator Hollenbeck
 Legislator Sauerbrey

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

Legislator Monell introduced Local Law Introductory No. A of 2012:

County of Tioga

Local Law No. of the Year 2012.

A Local Law to authorize a non-county resident to hold a non-elective appointed Tioga County Public Office

BE IT ENACTED by the Legislature of the County of Tioga as follows:

SECTION 1. PURPOSE.

Public Officers Law Section 3 requires that a local public officer be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised. The purpose of this local law is to authorize a person who is a non-resident of Tioga County to hold any non-elective appointed Tioga County public office, provided such person resides in the State of New York.

SECTION 2. AUTHORITY.

Under Municipal Home Rule Law Section 10, the County of Tioga has the authority to authorize a non-county resident to hold a non-elective appointed Tioga County public office, so long as such person resides in the State of New York.

SECTION 3. RESIDENCY.

With respect to non-elective public officers employed by Tioga County, the provisions of Public Officers Law Section 3 requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised shall not prevent a person from holding any non-elective appointed Tioga County public office, provided that such person resides in the State of New York.

SECTION 4. EFFECTIVE DATE.

This local law shall take effect upon filing in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.

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

REFERRED TO:

LEGAL/FINANCE

RESOLUTION NO. 185-12

*SCHEDULE PUBLIC HEARING
LOCAL LAW INTRO NO. A OF 2012
A LOCAL LAW TO AUTHORIZE
A NON-COUNTY RESIDENT TO
HOLD A NON-ELECTIVE APPOINTED
TIOGA COUNTY PUBLIC OFFICE*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2012 A Local Law to authorize a non-county resident to hold a non-elective appointed Tioga County Public Office in the Edward D. Hubbard Auditorium of

the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, September 6, 2012 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 Hollenbeck, Huttleston, Monell, Weston, Roberts, Sauerbrey, Standing, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 186-12 *APPOINT MEMBER TO THE TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION
(TCLDC)*

WHEREAS: Annette Schweiger has resigned from the Tioga County Local Development Corporation; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Eric Krenner to fill said vacancy and serve the remainder of Annette Schweiger's unexpired term of 8/14/12 – 3/31/14.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 187-12 *APPOINTMENTS TO TECHNICAL RESCUE
BRANCH OF THE TIOGA COUNTY
SEARCH AND RESCUE TEAM*

WHEREAS: There is a need for a trained Technical Rescue Team residing within the Fire Service of Tioga County; and

WHEREAS: This Technical Rescue task would be best provided as a Branch of the Tioga County Search and Rescue Team which operates as a Special Team reporting to the Tioga County Bureau of Fire under Section 209bb of the General Municipal Law and Section 3.3 of the Volunteer Firefighters' Benefit Law; therefore be it

RESOLVED: That the following persons be appointed to the Tioga County Search and Rescue Team to serve in the Technical Rescue Branch:

Robert Blaasch	Tioga County Sheriff's Department
James Boland	Owego Fire Department
Medard Korbar	Owego Fire Department
Carl Laposky	Campville Fire Department
Thomas Mundt	Owego Fire Department
John Schaffer	Newark Valley Fire Department
Kenneth Schneider	Campville Fire Department
Joseph Snoden	Newark Valley Fire Department
Stephen Solomon	Owego Fire Department
Bryan Ward	Owego Fire Department
Daniel Woody Jr.	Owego Fire Department

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P AND AG COMMITTEES

RESOLUTION NO. 188-12 *RESOLUTION TO HOLD A PUBLIC
HEARING FOR THE
SPENCER EIGHT-YEAR
AGRICULTURAL DISTRICT REVIEW*

WHEREAS: The Tioga County Legislature is reviewing a proposed plan for revision of the Spencer Agricultural District; and

WHEREAS: This review is being conducted pursuant to Article 25-AA of the New York State Agricultural & Markets Law; and 6NYCRR Part 617 State Environmental Quality Review Act; and

WHEREAS: The proposed plan and map, as recommended by the Tioga County Agriculture & Farmland Protection Board and the Tioga County Planning Board, is available for public inspection at the Clerk of Legislature's Office at 56 Main St. in Owego and the Tioga County Legislative Clerk; therefore be it

RESOLVED: That a public hearing will be held on Thursday, September 13, 2012 at the Town of Tioga Town Hall, 1:00 PM. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 189-12 *SEQRA CONSIDERATION FOR NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION 2012-2013 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved and a Type II action as defined by 6 NYCRR 617.5(c)(26) and is not subject to review; and

WHEREAS: The trail change to S23 as presented to NYSOPRHP by Dryden-Caroline Snowmobile Club is an Unlisted Action requiring Tioga County to consider the environmental significance of this change; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 190-12 TRANSFER OF FUNDS
(PROBATION DEPARTMENT)

WHEREAS: The Tioga County Probation Department has four personal computers that are on loan from the IT Department and the purchase of replacement computers is going to be necessary in the 2013 budget year; and

WHEREAS: Tioga County Probation has \$12,000 in Alternatives to Incarceration account number 3142.40-140 ear marked for Electronic Monitoring services. To date in 2012, no Court in Tioga County has ordered any defendant to wear an electronic monitoring device; and

WHEREAS: Probation Director would like to move \$8,000 from Alternatives to Incarceration account number 3142.40-140 to Probation account 3140.20-90 to pay for purchase of replacement computers in late fall 2012, under the approval of IT Director; therefore be it

RESOLVED: That the following transfer of funds occur effective September 1, 2012:

FROM: Alternatives to Incarceration Acct	A3142.40 -140	\$8,000
TO: Probation Acct-Computer	A3140.20-90	\$8,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 191-12 *TRANSFER OF FUNDS*
CORONER

WHEREAS: There has been an increase in the number of autopsy-related cases for the Coroner's Office and this has affected the Coroner's budget and there will be not be sufficient funds in said budget for the remainder of 2012; therefore be it

RESOLVED: That the sum of \$20,000.00 be transferred from Contingency Account A1990-40-715 to Coroner Account A1185.40-370-Medical Expenses.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 192-12 *FUND HURRICANE IRENE-*
TROPICAL STORM LEE FLOOD
MITIGATION GRANT

WHEREAS: Tioga County has been awarded a Hurricane Irene-Tropical Storm Lee Flood Mitigation Grant for designing and implementing flood mitigation and flood control projects in creeks, streams, and brooks in the amount of \$797,291; and

WHEREAS: This Grant calls for up front funding of the 14 projects designated in said Grant; and

WHEREAS: The 14 projects are as follows:

1. Courtright Hill Streambank Stabilization – A 125 ft. long section of a tributary along Courtright Hill Road will be stabilized using rip rap to protect a private residence and Courtright Hill Road. Total Project Cost = \$97,652.51; Total Grant Award - \$28,883.13. Project Sponsor – Town of Newark Valley.
2. Zimmer Road Streambank Stabilization – A 250 ft. long section of rip rap will be installed to stabilize a streambank and protect several structures along the stream. A heavy stone plunge pool will also be constructed to protect a culvert from future erosion. Total Project Cost = \$107,681.31; Total Grant Award = \$31,390.33. Project Sponsor – Town of Newark Valley
3. Sackett Creek Streambank Stabilization – A 630 ft. long section of Sackett Creek will be restored to pre-flood conditions by installing rip rap and in stream structures to prevent future erosion. The project will also repair stabilization measures constructed after the flood. Total Project Cost = \$151,710; Total Grant Award = \$42,397.50. Project Sponsor – Town of Nichols.
4. Foster Road Streambank Stabilization – The project will stabilize a 60 ft. high streambank along Foster Road with stacked heavy stone rip rap to ensure the road is not lost in subsequent flood events. Total Project Cost = \$566,968; Total Grant Award - \$143,242. Project Sponsor – Town of Barton
5. Huntington Creek Dam Removal and Streambank Rehabilitation – The project will remove an existing dam structure and gravel deposit stabilize sections of eroding streambank. Total Project \$225,933.33; Total Grant Award = \$57,983.33. Project Sponsor – Tioga County IDA
6. Gaskill Road Bridge Protection – The project will stabilize about 95 ft. of streambank along Little Nanticoke Creek on the upstream of the Gaskill Road Bridge. The stabilization will protect the exposed section of bridge abutment from further erosion. Total Project Cost = \$56,304.35; Total Grant Award = \$15,576.09. Project Sponsor – Tioga County.
7. Park Settlement Road Culvert Protection – The project will protect a culvert by stabilizing streambanks with rip rap on the downstream side of the culvert and headwall. An engineered plunge pool will also be constructed to prevent further scouring of the streambed. Total Project

Cost = \$40,325.35; Total Grant Award = \$14,551.34. Project Sponsor – Town of Candor.

8. Frost Hollow Streambank Stabilization – The project will stabilize approximately 100 ft. of streambank on a tributary parallel to Frost Hollow Road with stack and pinned rock rip rap. Total Project Cost = \$74,576; Total Grant = \$23,114. Project Sponsor – Town of Tioga.
9. Gaylord Road Culvert Protection – The project will include the installation of heavy stone rip rap on both upstream and downstream of the new culvert providing inlet and outlet protection. Total Project Cost = \$87,100.59; Total Grant Award = \$26,245.15. Project Sponsor – Town of Owego.
10. Halsey Valley Road Culvert Protection – The project will stabilize streambanks both upstream and downstream of Halsey Valley Road to prevent erosion and scour from future flood events. Total Project Cost = \$92,424.51; Total Grant Award = \$27,576.13. Project Sponsor – Tioga County.
11. Mount Pleasant Road Culvert (DSR-T-TN-01) –Project Sponsor- Town of Nichols – Total Project Cost = \$53,374; Total Grant Award = \$13,343.
12. Mount Pleasant Road/Washed Out Road Bank (DSR-T-TN-02) – Project Sponsor - Town of Nichols – Total Project Cost = \$120,855; Total Grant Award = \$30,214.
13. Barton Road (DSR-T-TB-01) – Project Sponsor- Town of Barton – Total Project Cost = \$1,022,720; Total Grant Award = \$255,680.
14. Apalachin Creek (DSR-T-TO-01) – Project Sponsor - Town of Owego – Total Project Cost = \$348,380; Total Grant Award = \$87,095.

Therefore be it

RESOLVED: That the Hurricane Irene-Tropical Storm Lee Flood Mitigation Grant be appropriated as follows:

From: Revenue Account A3960.01 New York State Stream Grant	\$797,291
To: Account A8745.40-140- Flood & Erosion Grant	\$797,291

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 193-12 *RESOLUTION TO AUTHORIZE
CONSULTANT CONTRACT FOR
HAZARD MITIGATION PLAN
COORDINATOR*

WHEREAS: The Tioga County Hazard Mitigation Plan Steering Committee has worked over the past 7 months to create an updated Multi-Jurisdictional Hazard Mitigation Plan for 2012-2017 in compliance with FEMA regulations; and

WHEREAS: FEMA has requirements that said plan be reviewed and updated in the interim 5 years, which entails many activities that need to be accomplished both at the county and municipal level; and

WHEREAS: While these Hazard Mitigation Plan Coordinator duties typically reside within a county's Planning Department, the Tioga County Planning Department with one staff person currently cannot absorb this amount of additional work; and

WHEREAS: Tioga County Soil & Water Conservation District has presented to the County Legislature a proposal to perform said duties on an annual contract basis with Tioga County for a lump sum of \$25,000 and not to exceed 400 hours of work during the contract period; and

WHEREAS: This resolution will cover the contract for the entire year period, but the funding for only September 1 – December 31, 2012, with the remainder of funding to be addressed during the budget process for 2013; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the contract with Tioga County Soil & Water Conservation District, to perform said Hazard Mitigation Coordinator services from September 1 2012 – August 31, 2013 and authorizes the funding for September 1 – December 31, 2012 at \$8,333.34 to be transferred from A1990.40-715 Contingent Account to A8020.40-140 Planning Consultant Services with the remainder to be addressed in the 2013 budget process; and be it further

RESOLVED: That the Tioga County Legislature authorize the Chair of the Legislature to sign all associated contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 194-12

*APPLY FOR INDIGENT LEGAL SERVICES
GRANT*

WHEREAS: The New York State Office of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$61,902.00 to improve the quality of indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals by ensuring that the administration of the assigned counsel plan is undertaken in a consistent, unbiased and fair manner in compliance with Article 18-B; and

WHEREAS: The grant funds will be used to develop a new Assigned Counsel Plan, to hire a part time Assigned Counsel Plan Administrator and to provide the Public Defender's Office with an on line research tool, investigation services and transcription services over the three years of the grant period; and

WHEREAS: There is no local matching funds required under this grant; therefore be it

RESOLVED: The Tioga County Legislature authorizes the submission of said grant to the Office of Indigent Legal Services for the sum of \$61,902.00, and authorizes and directs the Chair of the Legislature to execute any contracts or other necessary documents to proceed with the grant, subject to approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRING TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 195-12 *INFORMATION TECHNOLOGY ASSESSMENT/
STAFFING ANALYSIS STUDY*

WHEREAS: The Information Technology Services Review Committee has determined the need to hire a consultant to perform an Information Technology Assessment/Staffing Analysis study; and

WHEREAS: Barry Strock Consulting Associates, Inc. has been selected as the vendor; therefore be it

RESOLVED: That the Information Technology Services Review Committee be authorized to contract with Barry Strock Consulting Associates, Inc. to perform the study for an amount not to exceed \$29,000 and will be charged against Information Technology's A1680.40.140 Contracting Services account; and be it further

RESOLVED: That the Tioga County Legislature authorize the Chair of the Legislature to sign said contract, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 196-12 *SUPPORT S.5509B/A.8489A*
REVISE THE SHARING FORMULA
FOR WIRELESS E911
SURCHARGE MONIES

WHEREAS: In 1991, the NYS Legislature enacted a statute that placed a monthly surcharge of 70 cents on each cell phone bill and that monthly surcharge was increased to \$1.20 per cell phone in 2002; and

WHEREAS: The allocation of said wireless surcharge monies collected by the State was intended to help defray the costs of operating and maintaining county 911 centers throughout the state; and

WHEREAS: Counties now receive only a small portion of over \$2 million dollars collected from said surcharge by the State each year because the monies have been diverted to other state purposes; and

WHEREAS: S.5509-B/A.8489-A, as proposed, would require that 58.3% of E911 wireless surcharge funds must be used for grants or reimbursements to counties for the development, consolidation, or operation of public safety communications systems, or networks designed to support interoperable communications for first responders, including Next Generation 911 and the remaining 41.7% would be used for miscellaneous state expenses; now therefore be it

RESOLVED: That the Tioga County Legislature hereby urges the State Legislature and Governor Cuomo to approve S.5509-B/A.8489-A that would revise the sharing formula for wireless E911 surcharge monies to ensure that local governments receive the funds necessary to upgrade 911 call centers and maintain emergency dispatch center operations in the name of public safety; and be it further

RESOLVED: That certified copies of this Resolution be forwarded to Governor Cuomo, Senator Thomas Libous, Assemblyman Gary Finch, Assemblyman Chris Friend, and New York State Association of Counties.

ROLL CALL VOTE

Yes – Legislators 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. 197-12 *URGING NEW YORK STATE AND THE FEDERAL GOVERNMENT TO BAN THE MANUFACTURE, DISTRIBUTION, SALE AND POSSESSION OF DANGEROUS UNREGULATED SYNTHETIC DRUGS*

WHEREAS: The sales and abuses of synthetic “designer” drugs, known commonly as “bath salts,” continue to increase among individuals in our communities; and

WHEREAS: These “designer drugs” are specifically synthesized with a similar, but slightly modified structure of a Schedule 1 controlled substance in order to avoid existing drug laws, and can be continually chemically modified to avoid legal repercussions, while maintaining their intended effects and usages; and

WHEREAS: Hospitals, health agencies, and poison control centers are experiencing increased emergency room cases, illnesses, deaths, and reports linked to the use and abuse of these substances; and

WHEREAS: Law enforcement agencies and courts are seeing increased crime in our local communities associated with the sale and abuse of these substances; and

WHEREAS: Manufacturers and retailers of these substances often directly market them through the Internet and by colorful packaging designs that include no warnings or adequate descriptions of the ingredients, and are deceptively sold as plant food and other ordinary household goods, and which are not approved for medical use in the United States; and

WHEREAS: Individuals obtain the substances either through storefront retailers, indirectly through others, or through Internet sales; and

WHEREAS: The availability and ready access of these substitute drugs, many of which are not detected by normal drug tests, undermines publicly-funded meaningful and effective substance abuse programs directed toward the treatment and counseling of substance abusers; and

WHEREAS: Internet sales of these substances raises questions about interstate commerce regulations and concerns about the distribution of unregulated harmful drugs across state and national boundaries, requiring action at the federal level; and

WHEREAS: The Commissioner of Health in New York State issued an Order for Summary Action to Ban the Sale and Distribution of Designer Drugs Commonly Packaged and Marketed as Bath Salts on May 20, 2011; and

WHEREAS: The State Legislature again has two bills before it - S6694-A (Flanagan) and A9781-A (Cusick) that would classify substituted cathinones as a controlled substances based on foundational chemical structures under the public health law and the penal law (which should address the current practice of making minor alterations to chemicals to subvert statutes that prohibit distinct chemicals) and would create a Statewide substituted Cathinone Surrender Program to allow for surrender of these harmful substances to appropriate authorities; and

WHEREAS: The United States Senate passed a bill to ban permanently two substances commonly used in "bath salts"; and

WHEREAS: All these facts support the assertion that these substances continue to pose a significant and immediate public health threat and danger to public safety; now therefore be it

RESOLVED: That the Tioga County Legislature and the Tioga County Departments of Mental Hygiene, Public Health and Social Services urge the State Legislature and Governor to immediately pass further meaningful and effective legislation criminalizing the manufacture, distribution, sale and possession of these substances and their future derivatives by anyone of any age in New York State with the intent of protecting the health and safety of all citizens of New York State; and be it further

RESOLVED: That the Tioga County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators 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 Standinger.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 198-12 *ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Newark Valley, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted August 8, 2012 by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Barton:</u>		
146.00-1-1.20, John & Mary Lou Darrah	Michael Buinkskis	\$ 2,700.00
122.18-21-25.10, Guy & Jennifer Leach	Steven T Chaffee	\$ 20,000.00
<u>Town of Berkshire</u>		
14.00-2-1, Estate of David N DeGruttalo	Joy Emma Goodsell	\$ 7,500.00
22.00-1-5.6, William L McKinnon Jr.	Cotton Hanlon, LLC	\$ 15,000.00

Prior Owner-Tax Map#	Purchaser	Bid
<u>Town of Newark Valley</u>		
64.15-3-32, Joseph Breitwiser	Johanthan B Marks	
	Audra Kemmerling	\$ 200.00
54.00-1-26.12, John & Carol Dingman	Paul E Evenson	\$ 15,000.00
64.19-1-20.12, Elsie Muzek	Tyler Donahue	\$ 2,000.00
53.00-1-44.20, Diana Ogden	Craig E Blacker	\$ 23,000.00
<u>Town of Owego</u>		
129.05-3-7, Loco Holdings LLC	J. Robert Chobot	\$ 500.00
175.00-2-57, Marian Card	LKI, LLC	\$ 16,500.00
131.20-1-13, Anna Cederborg	William E & Faye A Schiesser	\$ 1,500.00
117.19-2-12, Daniel R & Ellen S. Cronk	David Brich	\$ 5,000.00
131.17-2-3.4, Leo & Sheila Cueto	James M Horton	\$ 1,700.00
<u>Town of Owego, continued</u>		
117.20-1-8, Ellen D. & Lester L. Harris	Edie Hulbert	\$ 2,900.00
152.00-1-12, Charles R. Hawk	Tyler Donahue	\$ 23,000.00
152.00-1-11, Charles R. Hawk	Joseph M Catalano	\$ 9,500.00
152.16-1-2, Walter & Hannah Hickey	Henry W Huizinga	\$ 6,000.00
162.00-1-22, Michael R. Lindsey	Jessica R Cady	
	Drew A Hust	\$ 42,000.00
130.00-1-70, Loco Holdings, LLC	Benjamin L Peck	\$ 800.00
142.14-1-27.21, Loco Holdings, LLC	Jonathan B Marks	
	Audra Kemmerling	\$ 250.00
129.00-2-31, Richard McCann	Matthew H Sloat	\$ 500.00
128.08-3-42, Diana Predmore	Stuart James Barry Craddock	\$ 1,900.00
128.08-3-17, Wendy E. Van Der Karr	Stuart James Barry Craddock	\$ 5,000.00
132.09-1-7, Evelyn M. Vavra	Eric D Slate	\$ 1,300.00
<u>Town of Richford</u>		
14.00-1-21, David N. & Gloria M. DeGruttlaio	Joy Emma Goodsell	\$ 7,500.00
16.00-1-16, Vernon Gehm	Elane A VanKuren	
	Matt J Smith	\$ 1,000.00
<u>Town of Spencer</u>		
80.00-1-33.10, John Jeffords	Susquehanna Land Co	\$ 17,500.00
69.00-1-25.20, David Neilsen	Justin E Carr	\$ 20,500.00
<u>Town of Tioga</u>		
116.00-1-10.11, Grace I. Blunt	Matthew H Sloat	\$ 400.00
102.16-1-5.20, Carl F. & Ami L. Pierce	Brandon R Brenza	\$ 2,450.00
149.09-1-16, Daniel A. & Bruce P. Stauder	Harjit Singh	\$ 6,250.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 199-12 *AMEND RESOLUTION NO. 155-12
AUTHORIZE CREATION AND BACKFILL OF
TEMPORARY POSITION
INFORMATION TECHNOLOGY*

WHEREAS: Resolution 155-12 appointed Suzanne Horton to a temporary position of Project Manager for an effective date of July 2, 2012 through August 31, 2012; and

WHEREAS: There continues to be ongoing projects that are not expected to be completed until possibly October 2012 and because of such, there is a need to have Suzanne Horton stay on as Project Manager to work on an as needed basis; therefore be it

RESOLVED: That Resolution No. 155-12 be amended to extend the temporary position of Project Manager through October 31, 2012 on an as needed basis to assist with the review of Proposals, coordination of a Needs Assessment for the County Departments and explanation of the County's infrastructure to Consultants, as needed; and be it further

RESOLVED: That Suzanne Horton's rate of \$50 per hour will continue through October 31, 2012.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: COUNTY CLERK'S COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 200-12 *REQUEST WAIVER OF 90-DAY HOLD;
AUTHORIZE BACKFILL OF VACANT PART-
TIME, MOTOR VEHICLE EXAMINER POSITION
COUNTY CLERK'S OFFICE*

WHEREAS: Resolution 277-11 extended the 90-day hiring delay through December 31, 2012; and

WHEREAS: Resolution 176-12 authorized the backfill of a full-time Motor Vehicle Examiner vacancy, due to Pat Zorn's retirement, with the reassignment of a part-time Motor Vehicle Examiner, Rebecca Gallo effective August 31, 2012; and

WHEREAS: There is a desire to maintain a level of customer service by filling said vacancy within the Department of Motor Vehicles; therefore be it

RESOLVED: That the County Clerk is hereby granted a waiver from the 90-day hiring delay and is authorized to fill a part-time, Motor Vehicle Examiner position with a provisional appointment at a rate of \$11.99 / hour effective September 4, 2012.

ROLL CALL VOTE

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

No – Legislators Monell and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 201-12 *REQUEST WAIVER OF 90-DAY HOLD;
AUTHORIZE BACKFILL OF VACANT FULL-TIME,
MAINTENANCE MECHANIC III POSITION
DPEARTMENT OF PUBLIC WORKS*

WHEREAS: Resolution 277-11 extended the 90-day hiring delay through December 31, 2012; and

WHEREAS: Due to an unanticipated resignation, a vacancy has occurred in the title of Maintenance Mechanic III effective 7/13/12; and

WHEREAS: Said position requires specific trade skills as it is the primary position involved with the maintenance of HVAC units within County buildings; and

WHEREAS: There is an immediate need to fill the position due to the type of work performed for the daily operation of multiple County buildings; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby granted a waiver from the 90-day hiring delay and is authorized to fill a full-time, Maintenance Mechanic III position at an hourly rate of \$15.861 (CSEA DPW Grade 3) effective August 15, 2012.

ROLL CALL VOTE

Yes – Legislators 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 PERSONNEL
COMMITTEE

RESOLUTION NO. 202-12 *CREATE AND FILL SEASONAL SOCIAL
WELFARE EXAMINER POSITION FOR HEAP
PROGRAM DEPARTMENT OF SOCIAL
SERVICES*

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

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 1, 2012; and

WHEREAS: Administrative monies from the Federal government have been reduced; and

WHEREAS: The Social Services budget allows for the hiring of one seasonal Social Welfare Examiner to staff the HEAP Program; and

WHEREAS: The length of the position will be reduced from nine to seven months; and

WHEREAS: The starting salary for said position will be \$13.650/hr.; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal position of Social Welfare Examiner at \$13.650/hr. effective September 12, 2012, through April 15, 2013.

ROLL CALL VOTE

Yes – Legislators 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 Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 203-12 RECLASSIFY THE POSITION OF ENGINEERING
TECHNICIAN TO ASSISTANT ENGINEER
PUBLIC WORKS ADMINISTRATION

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

WHEREAS: The Tioga County Public Works Dept. was forced to eliminate the position of Assistant Engineer by the County Manager upon the retirement of the incumbent in 2002; and

WHEREAS: The Commissioner of Public Works submitted a New Position Duties Statement to the Personnel Department which identified how certain efficiencies can be met with a higher level position instead of the present Engineering Technician position (CSEA Salary Grade VII); and

WHEREAS: Based upon this statement, on 7/10/12, the Personnel Officer conducted a desk audit of the Engineering Technician position and determined that the duties being performed by the incumbent, Richard Perkins, are reflective of an Assistant Engineer (CSEA Salary Grade XIII); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of Mr. Perkins' position of Engineering Technician to that of Assistant Engineer retroactive to 7/10/12 at an annual salary of \$41,308; and be it further

RESOLVED: That Mr. Perkins will be required to successfully complete civil service examination requirements in order to obtain permanent status in the title of Assistant Engineer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 204-12 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body.

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials							
2 ND Assistant Public Defender	Mark J. Loughran	3273	35079698	6	3/1/12-12/31/15	N	8.12
Temporary Director of Information Technology & Communication Services	Brandi Ferri-Gilbert	7925	40883647	7	7/2/12-12/31/15**	Y	N/A
Acting Director of Community Services	Lori Monk	2467	40543464	7	6/5/12-12/31/15**	Y	N/A

**Term end date defined for purposes of resolution, not binding for term of office.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 205-12 AWARD CONTRACT FOR
CLEANING SERVICES FOR
COUNTY BUILDINGS

WHEREAS: The Commissioner of Public Works received sealed bids for cleaning services for the County Buildings on August 01, 2012 @ 11:00 AM and the bids were as follows;

Matrix Integrated Facility MNG
Johnson City, NY

<u>COB & DPW</u>	<u>HHS & PSB</u>	<u>Clerk's, CH, CHA</u>	<u>ALL BLDGS.</u>
\$41,977.00	\$87,567.00	\$43,463.00	\$173,007.00

The Night Shift
Endwell, NY

<u>COB & DPW</u>	<u>HHS & PSB</u>	<u>Clerk's, CH, CHA</u>	<u>ALL BLDGS.</u>
\$81,122.32	\$181,962.60	\$117,174.24	\$380,259.16

therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Matrix Integrated Facility MNG, Johnson City, NY in the amount of \$173,007.00 to be paid out of Buildings & Grounds Contracting Services account A1620.40 use code 140.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 206-12

*AUTHORIZING AMENDMENT OF
CONTRACT WITH TETRA TECH FOR MULTI-
JURISDICTIONAL ALL HAZARD
MITIGATION PLAN*

WHEREAS: A Professional Services Contract was entered into by and between Tetra Tech EM Inc and Tioga County for the preparation of a Multi-jurisdictional All Hazard Mitigation Plan; and

WHEREAS: The payment terms of the contract call for a retention of 20% of each invoice paid, to be held in total as accumulated and to be paid out to Tetra Tech upon approval of the completed plan by FEMA; and

WHEREAS: Preparation of the plan is nearing completion, and portions of said plan have been submitted to FEMA for preliminary approval; and

WHEREAS: Several members of the Tioga County Hazard Mitigation Committee have recommended that the contract be amended to change the retention percentage from 20% to 10%, and to provide half of the accumulated retention be released to Tetra Tech in consideration of the excellent performance by Tetra Tech and the good reviews by FEMA of the portions of the plan submitted thus far; therefore be it

RESOLVED: That the Chair of the Legislature be authorized to execute an amendment to the Tetra Tech contract to change the retention percentage from 20% to 10%, and to permit Tetra Tech to be paid one half of the retention currently accumulated and held by Tioga County pursuant to the original agreement with the remainder of the accumulated retention being paid upon approval of the completed plan by FEMA, and that the rest and remainder of the contract remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:26 P.M.