

First Regular Meeting
January 10, 2012

The First Regular Meeting of 2012 was held on January 10, 2012 and was called to order by the Chair at 12:02 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Weston asked for a moment of silence for all the people in the County who have suffered so greatly because of this flood.

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

Denis McCann presented Employee of the 4th Quarter 2011.

Denis McCann spoke. "On behalf of the Employee Recognition Committee I would first like to thank the Legislature for again supporting the employee recognition efforts, not just a quarterly and annual award, but also the pin ceremonies and the luncheons, and we just appreciate that. After four years on the Employee Recognition Committee, this is my last act as I am done on that committee at the close of this meeting, but with that I am very happy to be able to present Sandy Hoose as Employee of the 4th Quarter 2011.

"Sandy Hoose has been selected as the Tioga County Employee of the 4th Quarter 2011. Sandy started with the Tioga County Health Department in 1992 as a part-time Nurse. After a six year break to raise her family, she returned in 2004 as a part-time Nurse. In 2006, Sandy was promoted to a full-time RPN in the Home Care Program. She was promoted in 2007 to her current position of Supervising Community Health Nurse, overseeing the Long Term Home Health Care program.

"Sandy is known for her calm, friendly and professional demeanor in all circumstances. She is very knowledgeable of nursing and has spent time in several Public Health Programs. She is well liked and respected by all that have the opportunity to work with her. Sandy is a "go to" person when a question arises, and is very proficient with the detailed nursing and billing software.

"Sandy was previously recognized by her peers as the Public Health Team Member of the Quarter in 2008.

“Sandy provides great customer service to all that she comes in contact with and represents Tioga County very well. Sandy is always quick to respond to questions or when sought for assistance.

“Personally, family is very important to Sandy. She resides in Nichols with her husband, Mike, and their four children. Sandy is busy with her children’s activities and as a volunteer with both community and church. In her little spare time, Sandy enjoys long walks, hiking, gardening, watching her kid’s sports and spending as much time with her family as possible. Congratulations Sandy on this well deserved award.

“Now a surprise, each year the Employee Recognition Committee selects from the four quarterly winners an Employee of the Year, and this year Sandy was also selected as Employee of the Year. Congratulations.”

Legislator Huttleston spoke. “Congratulations. People like this is what makes this County what it is, especially the people that we serve who are so blessed by having people like Sandy and all the people that serve this County. I really appreciate it. You started in 1992, that was the same year I came on the Legislature.”

Johannes Peeters, Public Health Director, spoke. “I am here to talk about Sandy and I am talking to her because her Supervisor, Director of Patient Services could not be here and she asked me to speak on her behalf. Sandy, I want to tell you that we consider you the go to person, you as a Supervisor, but also with the software that has not always been so friendly. Sandy is the person that Home Care Nurses rely on for information. She is always there for them. She is always available to ask any questions staff may have. She is always more than willing to work with folks.

“Sandy enjoys her work as a Nurse and you can tell because she always has a positive attitude and never speaks ill of anybody. That makes it a very friendly pleasant place to work. She has compassion about her patients and treats them well. People get into nursing because there is a reason they do that. They love to work with people and sometimes as a Supervisor you get away from that, but Sandy always seems to connect with the patients even though she may not get to see them all the time. I think that is a good thing.

“If problems arise she evaluates the situation, does not jump to conclusions. She resolves the problem. If she cannot, she seeks advice from others to resolve those issues. She deals with issues immediately instead of letting them fester for whatever the case may be. Sandy is able to mix job and family life, therefore she has got to be well organized. If you have four kids to take care of, you have to work full time, you have to be well organized. Her job skills are visible in her job evaluations. She has always had good job evaluations. Her performance is great. She completes evaluations with staff in a timely manner, that is a big issue that I have done in Nursing, but she does it well. Sandy is loved by her staff ,her peers, and especially by Administration. I want to say that you are pleasant to have working with us and be a positive influence to me and everyone else in the Department. I want to thank you for that.”

Denis McCann spoke. “A true test of someone's value and award is, when we have people out at the office and Sandy is here that day and they are sick for whatever reason, you do not really notice it, but when Sandy is out everybody is running around trying to figure out because Sandy is always covering for everybody and doing a great job.”

Sandy Hoose spoke. “Thank you so much for the award and I certainly did not expect it, especially not even the Employee of the Year. I feel like I have a lot to live up to after everything that has been said and it makes me want to be more efficient and do a better job. Thank you very much.”

Peter Kehoe from the New York State's Sheriff's Association spoke. “Thank you Chairman Weston, Public Safety Chair Sauerbrey, members of the Legislature and guests. It is my pleasure to be here today on behalf of all the Sheriffs in New York State to recognize and honor Sheriff Gary Howard and the men and women of the Tioga County Sheriff's Office on the occasion of Accreditation of the Sheriff's Civil Division. Only 21 of the States 62 counties have been able to achieve Civil Accreditation, so obviously this is no easy accomplishment and this comes on top of Accreditation of the Law Enforcement Division, the Jail Division, and the PSAP 911 Center, which Sheriff Howard and his Office have previously earned from our Association and from the New York State Law Enforcement Accreditation Counsel. That is a record matched by only a few select counties in this State and all of these accomplishments are great testaments to Sheriff Howard and the entire Staff of your Sheriff's Office showing their dedication to the pursuit of excellence in their profession. You have an outstanding Sheriff's Office that is well respected

locally as you know, but also throughout the State and the citizens of Tioga County and this Legislature who are responsible for the financial support of the Sheriff's Office, should be very proud of their Sheriff's Office.

"I know most of the citizens are generally familiar with the concept of Accreditation, but still some might reasonably ask why do we bother with this, how does it benefit the citizens of Tioga County? Well first of all it is not just for bragging rights, although that is a good position to be in as one of a select few counties in the State, but it does have many actual and positive effects. It improves the operations and performance of the agency, it tends to increase morale in the agency because the employees know that measured by some objective standard they are doing an excellent job and someone actually recognizes them for that. It tends to reduce the incidents of lawsuits and liability, and often reduces costs for self-insured counties, which results in fewer claims and far fewer successful claims. Most importantly though it improves services to the public and tends to increase the public's confidence in its public institutions, and that is why the Sheriff's Association spends so much of its time and its resources on our various Accreditation programs.

"Today we honor the Civil Office employees, the unsung heroes of the Sheriff's Office. Everyone knows pretty much the dangers and difficulties our Road Patrol Deputies face every day, not everyone knows that the work of a Civil Deputy can be just as dangerous and just as stressful as that of a Law Enforcement Deputy. Too often angry litigants take out their frustrations with the Civil Court System on the Deputy who was just doing his job serving and enforcing the orders of the Court. Without the dedication and the good work of our Civil Deputies our Courts of Civil Justice would not be able to function, and that is why we seek to foster excellence in Sheriff's Civil Offices through our Accreditation programs.

"Civil Office Accreditation is not something that is available just for the asking. To achieve Accreditation requires that the Civil Office meets a very stringent set of standards developed by experts in the field of civil process. These standards currently have 121 individual components and to gain Accreditation the Sheriff's Civil Office must submit itself to scrutiny by an outside Board of Assessors, which reviews the agency's operations in detail to ascertain whether or not the Civil Office meets these many demanding standards. I am happy to report here today that the Board of Assessors, which reviewed the operations of the Tioga County Sheriff's Office has found that it meets or exceeds every one of those standards. Congratulations are in order for Sheriff Howard and the men and women

of the Civil Division, and all the men and women of the Tioga County Sheriff's Office for this accomplishment.

“Congratulations are also in order for the Tioga County Legislature and the citizens of Tioga County for without your morale support and your financial support this achievement and the outstanding service provided by the Sheriff's Office to all the citizens of Tioga County in all the areas of Sheriff's responsibility would not be possible.

“I just want to say that Accreditation does not just happen, it takes a lot of hard work by a lot of people, and the entire staff of the Sheriff's Civil Division deserve to be recognized and applauded for this achievement, but I particularly want to recognize one individual who devoted a great deal of time and effort to managing the many administrative and operational details required in order to successfully document and demonstrate that the Tioga County Sheriff's Civil Division is most deserving of this award, and that is Kim Ward, Accreditation Manager.

“Again, thank you Chairman Weston for this opportunity to publicly acknowledge the good work of your Sheriff's Office that it is doing for the citizens of Tioga County and congratulations to all of the partners in this significant achievement, especially Sheriff Howard and the men and women of your Office Sheriff, and the Legislature and the citizens of this County. At this time I would ask Sheriff Howard to come forward and receive this plaque commemorating this occasion. Sheriff congratulations to you.”

Sheriff Gary Howard spoke. “A little over two years ago Kim was promoted to Civil Manager and one of the things I asked her to do was to start on Civil Accreditation, that was the last part that would be accredited for the Office. We would then be 100%. It took about 18 months for Kim to do that along with the new job of Civil Manager. The 121 standards that Peter mentioned she had to write, they are policies and procedures. She had to write them, rewrite them, and then edit them, and then rewrite them and get them passed. It is not a small feat by any means and I have told Kim this before, Kim has been a breath of fresh air to the Civil Department and is one of the most outstanding employees in the Sheriff's Office, and I thank you Kim.”

Chris Bonner had privilege of the floor. He spoke about the candidates for Presidency and government in general.

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		995.01
A1165	District Attorney		3,033.83
A1170	Public Defender		2,842.52
A1172	Assigned Counsel		21,961.14
A1325	Treasurer		510.60
A1345	Purchasing		151.40
A1355	Assessments		6,732.68
A1362	Tax Advertising/Expense		6,796.44
A1410	County Clerk		328.70
A1411	Department of Motor Vehicles		32.50
A1420	Law		698.36
A1430	Personnel		934.50
A1450	Elections	525.00	65,499.74
A1460	Records Management		32.03
A1490	Public Works Administration		865.20
A1620	Buildings		58,200.47
A1621	Buildings		26,948.63
A1680	Information Technology		17,325.20
A2490	Community College Tuition		88,025.10
A2960	Education of Handicapped Children		263,435.80
A3020	Public Safety Comm E911 System		5,605.36
A3110	Sheriff		23,672.64
A3140	Probation		459.27
A3146	Sex Offender Program		17,533.30
A3150	Jail	72.00	29,270.44
A3315	Special Traffic Programs	5,000.00	15,152.17
A3410	Fire	135.77	9,678.24
A3640	Emergency Mgmt Office		911.14
A3992	EMO C837990 Grant	1,452.56	
A4010	Public Health Nursing		36,725.37
A4011	Public Health Administration		8,203.39
A4012	Public Health Education		594.37
A4042	Rabies Control		10,627.25
A4044	Early Intervention		48,147.72
A4053	Preventive/Primary Health Services		20.35
A4054	Preventive Dental Services		5,799.94
A4064	Managed Care-Dental Services		17,798.63
A4070	Disease Control		4,208.46
A4090	Environmental Health		738.31

A4210	Alcohol and Drug Services		7,495.46
A4309	Mental Hygiene Co Admin	277.33	9,137.61
A4310	Mental Health Clinic		48,211.98
A4315	Mental Retardation		1,242.48
A4320	Crisis Intervention Services		5,012.09
A4321	Intensive Case Management		2,946.13
A5630	Bus Operations		57.87
A6010	Social Services Administration	69.00	71,257.65
A6422	Economic Development		2,846.06
A6510	Veterans' Service		433.32
A6610	Sealer Weights/Measures	47.31	183.62
A7180	Snowmobile Grant Program		6,932.40
A7310.41	Youth Programs, Refundable		8,377.00
A7510	Historian		155.58
A8020	Planning		51.20
A9060	Health Insurance		1,596.82
SOLID WASTE FUND			70,470.07
COUNTY ROAD FUND			84,435.67
SPECIAL GRANT FUND			488.94
CONSOLIDATED HEALTH FUND			72,134.29
CAPITAL FUND			1,977,595.48
LIABILITY INSURANCE FUND			180.00
WORKERS' COMPENSATION			<u>2,600.00</u>
GRAND TOTAL			\$ 3,181,916.89

Legislator Hollenbeck made a motion to approve the minutes of December 13 and 22, 2011, seconded by Legislator Sullivan, and carried.

Chair Weston made an appointment to the Cornell Cooperative Extension Board for a one year term:

Legislator Standinger – 1/1/2012-12/31/2012

Chair Weston made appointments to a Flood Recovery Oversight Committee effective 1/10/2012:

Legislator Sauerbrey
 Legislator Sullivan
 Legislator Weston
 County Attorney
 Commissioner of Public Works or designee

Director of Economic Development & Planning or designee
 County Treasurer
 Chief Accountant/Budget Officer
 Sheriff or designee
 Director of Emergency Management Office or designee
 Director of Soil & Water Conservation District
 Director of Information Technology or designee

Chair Weston announced the following Standing Committees for 2012:

*STANDING COMMITTEES OF THE COUNTY LEGISLATURE
 OF THE COUNTY OF TIOGA FOR 2012*

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Standing	Huttleston	Quinlan	Monell
2. Economic Development/ Planning/Tourism/ Job Training & Agriculture	Quinlan	Roberts	Sullivan	Sauerbrey
3. Finance/Legal & Safety	Sullivan	All Legislators		
4. Information Technology	Monell	Quinlan	Hollenbeck	Standing
5. Legislative Worksessions/ Legislative support	Weston	All Legislators		
6. Health & Human Services	Huttleston	Hollenbeck	Quinlan	Monell
7. Public Safety/ Probation & DWI	Sauerbrey	Huttleston	Roberts	Standing
8. Public Works/ Capital Projects	Roberts	Standing	Sullivan	Huttleston
9. Personnel/ADA	Hollenbeck	Sullivan	Monell	Sauerbrey

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 Roberts.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 11-12 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: The 2012 Town and County tax bill of \$3,123.66 for property no. 2736 in the Town of Owego, assessed to the State of New York, erroneously includes a school tax relevy of \$2,609.22; and

WHEREAS: School taxes for stateland are collected in the Treasurer's Office and the 2011-12 school taxes for property no. 2736 were paid by the State of New York on 11/16/11, and current Town and County tax bills for stateland are mailed from the Treasurer's Office; be it therefore

RESOLVED: That the erroneous school tax amount of \$2,609.22 be deducted from 2012 Town and County tax bill no. 9110 for property no. 2736 in the Town of Owego and the corrected amount of \$514.44 be billed to the State of New York; and be it further

RESOLVED: That the erroneous school tax and interest of \$2,438.52 be charged back to the Owego-Apalachin School District; and be it further

RESOLVED: That the erroneous county penalty of \$170.70 be charged to the appropriate account in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 12-12 TIOGA DEV GRP I LLC COURT ORDER
TOWN OF OWEGO

WHEREAS: The Supreme Court of the State of New York has rendered an Order and Settlement Agreement/Demand for Refunds for Index Nos. 2009-2007 and 2010-2059, filed on December 21, 2011, in answer to the petition between Tioga Development Group-I, LLC, for property no. 10541, and the Town of Owego; and

WHEREAS: The Court Order reduces the assessment for property no. 10541, assessed to Tioga Development Group in the Town of Owego from \$550,000 to \$450,000 for tax roll years 2009/2010 and 2010/2011; and

WHEREAS: The taxes for 2010 and 2011 have been paid; be it therefore

RESOLVED: That a refund of \$3,180.25 for overpayment of 2010 and 2011 Town and County taxes be issued to Hinman, Howard & Kattell, LLP as attorneys for Tioga Development Group-I, LLC; and be it further

RESOLVED: That the erroneous town tax of \$602.00 be charged back to the Town of Owego, and the erroneous fire tax of \$324.45 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$90.40 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$2,163.40 be charged to the proper accounts in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
RESOLUTION NO. 13-12 *ERRONEOUS ASSESSMENT
TOWN OF NICHOLS*

WHEREAS: An application for corrected tax roll indicates that property no. 626, assessed to NYS DOT in Roll Section 1 of the 2012 tax roll of the Town of Nichols is erroneous in that it is owned by New York State and therefore tax exempt; and

WHEREAS: A 2012 tax bill in the amount of \$46.27 was issued to NYS DOT for property no. 626 in the Town of Nichols; be it therefore

RESOLVED: That a new bill be issued by the Town of Nichols tax collector to NYS DOT reflecting the zero amount; and be it further

RESOLVED: That the erroneous town tax of \$11.28 be charged back to the Town of Nichols and the erroneous fire tax of \$2.93 be charged back to the Nichols Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$1.39 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$30.67 be charged to the appropriate account in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ED & P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 14-12 *AUTHORIZE DISBURSEMENT OF HUD CDBG
 REVOLVING LOAN FUNDS TO TIOGA COUNTY
 INDUSTRIAL DEVELOPMENT AGENCY (TCIDA) FOR
 THE RAYMOND-HADLEY CORP.*

WHEREAS: Tioga County and the Tioga County Industrial Development Agency (TCIDA) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Legislature needs to authorize the Treasurer to disburse funds from the settlement account to the TCIDA prior to each and every disbursing of loan proceeds; and

WHEREAS: The TCIDA has certified to Tioga County that the loan applicant, Raymond-Hadley Corp., has satisfied all of the requirements which are conditions precedent to the execution of loan documents and the disbursement of loan proceeds in the sum of \$100,000; and

WHEREAS: The Department of Economic Development and Planning has reviewed and approved the certification and the required checklist of conditions precedent to execution of loan documents and disbursement of funds in the sum of \$100,000; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Treasurer to disburse the sum of \$100,000 from the HUD CDBG account number CE8668.40 to the TCIDA to be loaned to Raymond-Hadley Corp. and utilized according to the Small Cities Community Development Block Grant Program Subrecipient Agreement.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:	ED&P COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 15-12

*RESOLUTION TO AUTHORIZE
APPLICATION SUBMITTAL AND
ACCEPTANCE OF 2011 NYS HOMES
AND COMMUNITY RENEWAL (HCR)
AGRICULTURE AND COMMUNITY
RECOVERY GRANT PROGRAM FUNDS
FOR TOWN/VILLAGE OF OWEGO
BUSINESSES AND COMMERCIAL
PROPERTY OWNERS*

WHEREAS: Due to the devastating statewide damage caused by Tropical Storm Lee flooding in September, Governor Cuomo has created a \$15 million recovery package called the NYS Agricultural & Community Recovery Grant Program; and

WHEREAS: For this grant program, NYS Homes and Community Renewal (HCR) has been allocated funding and will provide through New York State Housing Trust Fund Corporation (HTFC) New York Main Street (NYMS) and Community Development Block Grant (CDBG) funds to address the emergency repair needs of privately held local business and commercial property owners and make funding available for rehabilitation of buildings for commercial use, the replacement of permanent fixtures and equipment loss and loss of inventory due to flooding, or for reimbursement of said costs already incurred; and

WHEREAS: Priority will be given to buildings with immediate health and safety issues and/or those that are historic properties in danger of being lost, and

WHEREAS: Funds must be used toward a project in which the building will be complete and/or habitable, as evidenced by a Certificate of Occupancy, once the funds have been fully expended, and

WHEREAS: This is a non-competitive, grant program in which eligible Town/Village of Owego business and commercial property owners may apply for 50% of their damages up to \$10,000 per property from these funds; and

WHEREAS: Tioga County has requested a maximum total of \$500,000 in funds under this grant program, and

WHEREAS: Tioga County Economic Development will administer all aspects of the grant program for which they will receive a project delivery and administrative fee of up to \$58,500.00, therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize said grant application and authorize Legislature Chair signature on all grant-associated paperwork upon County Attorney review and approval; and be it further

RESOLVED: That the Tioga County Legislature does hereby accept said grant funds in the amount of \$500,000 plus up to \$58,500.00 for project delivery and administration fees and that the funds be appropriated to the following accounts:

From: Account No. 3991 - NYS 2011 Ag & Community Recovery Fund	
NYS HCR 2011 Main St.	\$322,500.00
(including \$22,500.00 in administrative fees)	

To: Account No. CE8668.44-487-Rehabilitation Grant	
(NYS 2011 Ag & Community Recovery Fund)	
NYS HCR 2011 Main St Exp	\$322,500.00
(including up to \$22,500 in administrative fees)	

From: Account No. 4910.18 - NYS 2011 Ag & Recovery Fund
 NYS CDBG \$236,000.00
 (including \$36,000.00 in administrative fees)

To: Account No. CE8668.45-487-Rehabilitatiion Grant -
 Equipment & Inventory (NYS 2011 Ag & Recovery Fund)
 NYS CDBG Exp \$236,000.00
 (including up to \$36,000 in administrative fees)

ROLL CALL VOTE

Recused – Legislator Roberts

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 16–12 *AUTHORIZE TO APPLY FOR NYS LICENSE FOR HOME CARE SERVICE AGENCY AND AUTHORIZE CHAIR OF THE LEGISLATURE TO SIGN APPLICATION PUBLIC HEALTH*

WHEREAS: The Tioga County Health Department (TCHD) will be reorganized in the near future; and

WHEREAS: The New York State Department of Health (NYSDOH) will require the County Health Department be a licensed Home Care Service Agency; and

WHEREAS: NYSDOH does require that the Chair of the Legislature sign the application; and

WHEREAS: NYSDOH requires that a copy of this resolution be part of the application; and

WHEREAS: There will be no impact to the department budget because of this change; and

WHEREAS: The County Attorney will review the application with the Public Health Director prior to having the Chair sign the application; therefore be it

RESOLVED: That the Chair of the Legislature sign the application for a Licensed Home Care Service Agency for Tioga County; and be it further

RESOLVED: That a copy of said resolution be part of the application to New York State Department of Health.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 17-12 APPROPRIATION OF FUNDS
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Community Solutions for Transportation; and

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

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

RESOLVED: That funding be appropriated as follows:

From: A4610.00 Federal Aid: Administration	\$3,077
To: A6010.40.487 Program Expense	\$3,077

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 18-12	<i>FUND SHERIFF'S GRANT – BUCKLE UP NEW YORK GRANT</i>
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WHEREAS: The Sheriff's Office has been awarded a BUNY (Buckle Up New York) Grant identified as "BUNY-2012-Tioga Co SO-00071-(054) from the Governor's Traffic Safety Committee in the amount of \$1,435; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the BUNY Grant be appropriated as follows:

From: State Aid-Sheriff BUNY Grant	
BUNY-2012-Tioga Co SO-00174-(054) A3395.	\$1,435
To: BUNY Grant-Personnel Services (O/T) A3115.10.30	\$1,435

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 19-12

*FUND SHERIFF'S GRANT –NYS WM 2010
SLETPP GRANT*

WHEREAS: The Sheriff's Office has been awarded a NYS Homeland Security Grant identified as (LE10-1038-E00) in the amount of \$34,608, and

WHEREAS: This funding now needs to be appropriated, therefore be it

RESOLVED: That the NYS Homeland Security Grant (LE10-1038-E00) be appropriated as follows:

From: State Aid-Sheriff LE10-1038-E00	A3397.00	\$34,608
To: Sheriff LE10-1038-E00 Grant-Personnel	A3120.20.130	\$34,608

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 20-12 *FUND SHERIFF'S GRANT –NYS
CHILD PASSENGER SAFETY
GRANT*

WHEREAS: The Sheriff's Office has been awarded a Child Passenger Safety Program Grant identified as CPS-2012– Tioga Co SO-00062-(054) from the NYS Governor's Traffic Safety Committee in the amount of \$2,300; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Child Passenger Safety Grant be appropriated as follows:

From: State Aid-Sheriff NYS CPSG		
CPS-2012-Tioga Co SO-00062-(054)	A3396.00	\$2,300

To: Sheriff Grant Tioga Co SO-00062-(054)		
Equipment (Equipment Not Car)	A3116.20.130	\$2,300

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 21-12 *FUND SHERIFF'S GRANT –STEP GRANT*

WHEREAS: The Sheriff's Office has been awarded a STEP (Selective Traffic Enforcement) Grant identified as "STEP-2012-Tioga Co SO-00078-(054)" from the Governor's Traffic Safety Committee in the amount of \$11,972; and

WHEREAS: This funding now needs to be appropriated, therefore be it

RESOLVED: That the STEP Grant be appropriated as follows:

From: State Aid-Sheriff STEP Grant		
STEP-2012-Tioga Co SO-00078-(054)	A3390	\$11,972
To: STEP Grant-Personnel Services (O/T)	A3111.10.30	\$11,972

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 22-12 RE-ESTABLISH PRIOR YEAR
PUBLIC WORKS PROJECTS

WHEREAS: Prior year Public Works Projects need to be re-established for the remaining balance as of year end 2011 for completion in 2012; therefore be it

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

<u>Bridge Projects</u>		<u>BIN #</u>	<u>Amt to Establish</u>
H2006.03	Halsey Valley Rd.	3335010	\$ 31,526.78
H2007.14	Tappan Rd.	3335280	\$ 324,103.98
H2009.02	East River Rd.	3335410	\$ 35,790.23
H2009.05	Main St. Bridge	3334800	\$ 627,087.99
H2010.06	Straits Corners Rd.	3335040	\$ 120,963.78
H2010.10	Halsey Valley Rd.	3334970	\$ 536,783.12

<u>Federal Bridge Program</u>		<u>BIN#</u>	<u>Amt to Establish</u>
H2008.08	Southside Dr.	3335530	\$ 289,745.26
H2010.07	Lillie Hill RD	3335510	\$ 55,141.00

<u>CHIPS Program</u>		
H2011.03	East River Rd. Rd.	\$ 56,019.14
H2011.05	Willseyville Rd.	\$ 25,000.00
H2011.08	Gaskill Rd. Bridge	\$ 8,700.76
H2011.09	Dean Creek/Sabin Rd.	\$ 16,069.74
H2011.10	Gridleyville Crossing	\$ 51,100.20

<u>Capital Projects</u>		
H2010.08	Culvert Replacement	\$ 16,530.10

<u>Capital Construction</u>		
H1620.20-121	Elevators	\$ 50,000.00
H1620.20-924	Court House Façade	\$ 5,185.43
H1620.20-926	HVAC Control System	\$ 30,000.00
H1620.20-927	Court House Ext. Renov.	\$ 256,177.85
H1620.20-928	COB Bathrooms	\$ 9,653.26

Capital Equipment

H1620.21-913	Jail Renovations	\$	10,000.00
H1620.21-929	Boiler	\$	7,065.00
H1620.21-988	Court House Renov.	\$	226,290.00
H1620.21-996	PSB Lighting	\$	40,373.00
H5130.21-915	Patrol Truck Replacement	\$	9,208.40

And be it further

RESOLVED: That the corresponding revenue sources shall also be re-established in the 2012 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
COUNTY CLERK'S COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 23-12 GRANT APPLICATION FOR BACK-FILING
OF DOCUMENTS FOR THE COUNTY CLERK'S
OFFICE

WHEREAS: The Records Management Officer plans to submit a proposal through the Local Government Records Management Improvement Fund Grant; and

WHEREAS: The grant, not to exceed \$75,000, will be used to hire a firm to perform back-filing of documents for the County Clerk's Office; and

WHEREAS: The Records Management Officer will apply for this grant with no local matching funds for the 2012-2013 grant year; therefore be it

RESOLVED: That the back-filing proposal be hereby approved for submission to the New York State Archives for funding the service for the 2012-2013 grant year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 24-12 AMEND COUNTY POLICY 44:
NON-UNION BENEFITS

WHEREAS: The County Legislature is requiring all Non-Union staff eligible for health insurance to switch to a High Deductible health insurance plan as of February 1, 2012; and

WHEREAS: The Dental insurance available to eligible Non-Union employees is changing in 2012; and

WHEREAS: County Policy 44, Section 5 outlines the insurance available to eligible Non-Union employees and the employee's contributions; therefore be it

RESOLVED: That County Policy 44, Section 5 be revised to read as follows:

5. HEALTH & DENTAL INSURANCE

Eligibility: All full-time employees, elected officials, and part-time Attorneys are eligible to participate in the Health/Dental/Vision programs.

Date of Coverage: Employees hired on the first of the month or the first workday of the month shall have their coverage effective immediately. Employees hired after the third of the month shall have coverage effective the first of the month following their employment. If an employee fails to enroll in the health insurance program within 30 calendar days of employment, then s/he must wait until an open enrollment period, which occurs annually in November for January coverage. Also, employees who wish to change from Individual to Family coverage or Family to Individual coverage, or drop coverage completely must also wait for said open enrollment periods.

Tioga County currently provides health insurance through Excellus Blue Cross/Blue Shield of Central New York, but maintains the right to change providers at will.

Effective February 1, 2012, the County shall offer a High Deductible Plan supplemented with a limited use Health Reimbursement Account.

A Legislator's contribution toward health insurance coverage shall be as follows:

2012
7% of premium

A full-time non-union employee's contribution toward health insurance coverage shall be as follows:

2012

Hired Prior to 1/1/09: 7% of premium
Hired on or after 1/1/09: 15% of premium

Part-time Attorney health insurance contributions shall be as follows:

2012

Regardless of date of Hire: 20% of premium

These payroll deductions shall be taken from pre-tax earnings, unless alternative election is made.

An employee on a leave of absence without pay due to medical reasons shall only pay his/her normal contribution toward the health insurance for the first 6 months. Thereafter, the employee is responsible for 100% of the monthly premium.

An employee on a leave of absence without pay for non-medical reasons shall be responsible for 100% of the monthly premium as of day 1.

A prescription card is included in the medical plan and requires employees to pay \$5 for generic drugs, \$35 for common brand name drugs, or \$70 for new brand name drugs. A 90 day supply of prescriptions will only be available through mail-order, and will require two times the co-pay. Some exceptions may be required by NYS regulations and Excellus Blue Cross/Blue Shield. Drug categorization to be determined by Excellus Blue Cross/Blue Shield. Blue Cross/Blue Shield's "Gap Pricing" shall be in effect for all prescriptions.

For 2012 - 2014, the Health Reimbursement Accounts shall be funded by the County at the following levels:

Individual:	\$2,600
Family:	5,200

Any eligible employee who enrolls in the Dental and/or Vision plan(s) shall be required to pay 100% of the premium(s). Said premium payments shall be processed as pre-tax deductions.

Booklets detailing the complete coverage provided by the health, dental, and/or vision programs are available from the Personnel/Civil Service Office.

ROLL CALL VOTE

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

No – Legislator Huttleston

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 25-12 RESOLUTION TO AMEND AND
RESTATE THE DEFERRED
COMPENSATION MODEL PLAN

WHEREAS: The New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Tioga County (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS: Tioga County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of [Name of Local Employer]; and

WHEREAS: Effective August 26, 2011 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.
- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.
- Making technical recognition of the waiver of RMDs for 2009.
- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.

- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of \$100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the \$50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account.
- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of \$500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.
- Limiting indemnification to Committee Members only.

WHEREAS: The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS: Upon due deliberation, Tioga County has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Tioga County by adopting the amended Model Plan; therefore be it

RESOLVED: That Tioga County hereby amends the Deferred Compensation Plan for Employees of Tioga County by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 26-12 *AUTHORIZE CONTRACT WITH SADD
SCHOOL ASSOCIATES*

WHEREAS: It is the desire of the STOP DWI Program to contract with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: Katie Carter-Benetiz was approved to serve the Waverly School District, but is now unable to perform her duties until the next school year; and

WHEREAS: A replacement teacher, Debra Lauper, has been selected to perform the SADD Associate Duties at the Waverly High School from January to June of 2012, and will be compensated \$100 each month for the six months of the remaining school year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That a contract for SADD School Associate Debra Lauper be authorized for the first six months of the 2012 calendar year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 27-12 APPOINT COUNTY AUDITOR
AND DEPUTY COUNTY AUDITOR

WHEREAS: The County is required to appoint a County Auditor and Deputy County Auditor to process and review the Purchase Orders submitted by County Departments for payment of a variety of bills; and

WHEREAS: The terms for these appointments coincide with Legislator Group One and are due for reappointment as of January 1, 2012; therefore be it

RESOLVED: That Maureen L. Dougherty, be and hereby is appointed County Auditor for a four (4) year term, commencing January 3, 2012 and ending December 31, 2015; and be it further

RESOLVED: That Cathy Haskell be and hereby is appointed Deputy Tioga County Auditor, to act in the absence of the County Auditor, said term to be the same as that of the County Auditor.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 28-12 *AUTHORIZE 2012 NON-UNION
SALARY INCREASES*

WHEREAS: The 2012 Non-Union salary increases were dependent upon whether those employees would be changing health insurance plans; and

WHEREAS: The determination on health insurance was not made until after the 2012 County Budget was adopted; and

WHEREAS: Non-Union employees will be required to change from the current Classic Blue or PPO Plans to a High Deductible Plan effective February 1, 2012; and

WHEREAS: The change in health insurance plans will provide a savings to the County in the form of decreased premiums; and

WHEREAS: The Non-Union employees will also now be required to contribute a percent of the health insurance premium, as opposed to a set dollar contribution; and

WHEREAS: The percent (%) contribution will be the same across the board, thereby eliminating the advantage previously provided to lower paid Non-Union staff; and

WHEREAS: Non-Union support staff have not received salary increases in keeping with their Unionized counterparts, thereby diminishing the incentive to move into Non-Union positions; and

WHEREAS: The Legislature would like to give an additional salary adjustment in 2012 for those employee making less than \$50,000.00 in an effort to make up some of that difference; and

WHEREAS: The County Legislature is willing to grant salary increases in light of all the above; therefore be it

RESOLVED: That the 2012 Non-Union salary increases shall be retroactive to January 1, 2012, dependent upon the results of each employee's performance evaluation, as follows:

Department Heads (Full-time):

Satisfactory – 2% + \$1,000.00
Unsatisfactory – 0

Department Heads (Part-time):

Satisfactory – 2%
Unsatisfactory – 0

Full-time staff \$50,000.00 & over (2011):

Outstanding – 2% + \$1,000.00
Commendable – 1.5% + \$1,000.00
Satisfactory – 1% + \$1,000.00
Unsatisfactory – 0

Full-time staff under \$50,000.00 (2011):

Outstanding – 2% + \$1,500.00
Commendable – 1.5% + \$1,500.00
Satisfactory – 1% + \$1,500.00
Unsatisfactory - 0

Part-time staff:

Outstanding – 2%
Commendable – 1.5%
Satisfactory – 1%
Unsatisfactory – 0

Part-time Attorneys:

Outstanding – 2% + \$350.00
Commendable – 1.5% + \$350.00
Satisfactory – 1% + \$350.00
Unsatisfactory – 0

And be it further;

RESOLVED: That the Public Defender shall be eligible for an additional \$350.00 for a satisfactory evaluation, like the other Part-time attorneys.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 29-12 *AUTHORIZE 2012 SALARIES
BOARD OF ELECTIONS*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Non-Union staff has been authorized a salary increase; therefore be it

RESOLVED: That the 2012 rates of pay, retroactive to January 1, 2012, for the Board of Elections staff shall be as follows:

	2012 pay:
Commissioner (2)	\$ 36,374
Deputy Commissioner (2)	\$ 29,453

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

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. 30-12 *AUTHORIZE HIRING DELAY WAIVER
PUBLIC HEALTH*

WHEREAS: Tioga County Health Department (TCHD) is required to have a Director of Weights and Measures under § 180 of Agriculture and Markets Law; and

WHEREAS: There is currently a vacancy for the Director of Weights and Measures position due to a resignation effective December 31, 2011; and

WHEREAS: No one is currently available to address the Weights and Measures issues in Tioga County; and

WHEREAS: Tioga County has an established position of Director of Weights and Measures; and

WHEREAS: TCHD desires to fill the vacant part-time Director of Weights and Measures position as soon as possible, requesting a waiver of the 90-day Hiring Delay per Resolution # 277-11; therefore be it

RESOLVED: That TCHD is authorized to extend an employment offer for the Director of Weights and Measures position effective anytime on or after January 11, 2012 at an annual salary of \$12,329.

ROLL CALL VOTE

Recused – Legislator Sullivan.

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

No – None.

Absent – Legislator Monell.

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. 31-12 REQUEST WAIVER OF 90-DAY HOLD
DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS: Effective January 4, 2012, Michelle Preshur will resign as Caseworker in the Children and Adult Services division; and

WHEREAS: Said vacancy will leave the Child Protective Services units understaffed while experiencing a period of high volume caseloads; and

WHEREAS: The Commissioner of Social Services received authorization to begin recruiting for said vacancy at the December 22, 2011, legislative work session; 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 Caseworker position at an annual salary of \$37,135 (2012 CSEA Salary Grade XI), effective January 11, 2012.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

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. 32-12 REQUEST WAIVER OF 90-DAY HOLD
DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS: Effective December 23, 2011, Lisa Dow resigned as Social Welfare Examiner in the Employment and Temporary Assistance Division; and

WHEREAS: Said vacancy will leave the Food Stamp and Medicaid Unit understaffed while continuing to experience a period of high volume caseloads due to the floods from Tropical Storm Lee; and

WHEREAS: The Commissioner of Social Services received authorization to begin recruiting for said vacancy at the December 22, 2011, legislative work session; 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 \$26,899 (2012 CSEA Salary Grade VI), effective January 11, 2012.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 33-12 AUTHORIZATION TO FILL FULL-TIME DENTIST
POSITION
TRANSFER OF FUNDS
HEALTH DEPARTMENT

WHEREAS: Tioga County Health Department (TCHD) has contracted for the services of a Dentist; and

WHEREAS: As a result of the IRS audit, Tioga County has conceded that the position of Dentist met the criteria for an employee rather than a contractual position; and

WHEREAS: TCHD was authorized in December 2011 to fill the vacant Dentist position and terminate the Dentist contract prior to 2012; and

WHEREAS: Funds for the position are budgeted, yet will require transfer into the appropriate personnel line in 2012; and

WHEREAS: That as a result of filling the previously vacant full-time Dentist position, the 2012 authorized headcount for the Public Health Department for full-time positions will remain at 53; and

WHEREAS: The Director of Public Health desires to fill the position with the individual that has been under contract as Dentist for several years, Dr. Eric Sarnicola, and Dr. Sarnicola is willing and able; therefore be it

RESOLVED: That Dr. Eric Sarnicola be appointed as Dentist with TCHD at an annual salary of \$98,823, on a provisional basis pending civil service examination, effective January 3, 2012; and be it further

RESOLVED: That funding be transferred as follows:

From:	A4054.40-140 Preventive Dental: Contractual Services	\$ 10,000
	A4064.40-140 Dental Services: Contractual Services	\$ 88,823
To:	A4054.10-10 Preventive Dental: Personal Services	\$10,000
	A4064.10-10 Dental Services: Personal Services	\$88,823

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 34-12 *AUTHORIZE CONTRACTS WITH
OWEGO-APALACHIN CENTRAL SCHOOL
DISTRICT AND CENTRAL NEW YORK
SERVICES FOR SCHOOL-BASED SOCIAL
WORKER*

WHEREAS: The mission of Tioga County Mental Hygiene is to insure that the mental health needs of the residents of Tioga County are addressed; and

WHEREAS: Providing mental health services in community settings such as schools is a well-established method of overcoming the barriers of transportation and stigma associated with going to a mental health clinic site; and

WHEREAS: Tioga County Mental Hygiene has a long and successful history of providing mental health services in schools in Tioga County; and

WHEREAS: Owego-Apalachin Central School District has experienced significant loss over the past several months due to two student suicides and a motor vehicle accident which killed a District employee, in addition to the 2011 flood which caused significant hardship to the District; and

WHEREAS: Due to these tragic events, the Owego-Apalachin School District desires to obtain mental health services for both students and staff members who are in need of a social work professional to provide therapy, conduct risk assessments, and facilitate other services in order to help them succeed in school and at home; and

WHEREAS: The Owego-Apalachin School District is requesting one (1) school-based Social Worker be provided by the Tioga County Department of Mental Hygiene to provide mental health services on site to its students and staff members; and

WHEREAS: The Owego-Apalachin School Board has approved funding for the addition of one (1) school-based Social Worker; and

WHEREAS: The Department of Mental Hygiene is able to bill Medicaid and third-party payers for services to generate revenue which pays for 40% of the cost of the school-based Social Worker and Owego-Apalachin School District is willing to pay for 60% of the cost of the school-based Social Worker, the total cost of this position is funded with non-County funds with no cost to the County; and

WHEREAS: Central New York Services is willing to contract to provide the school-based Social Worker for this purpose; and

WHEREAS: The Mental Hygiene department seeks authorization to enter into contracts on a temporary basis (to end June 30, 2012) with Central New York Services and Owego-Apalachin Central School District to provide a school-based social worker; and

WHEREAS: Information on this position will be presented to the Legislature on a monthly basis or as requested; therefore be it

RESOLVED: That the Department of Mental Hygiene is authorized to contract with Owego-Apalachin Central School District and Central New York Services for the provision of a school-based Social Worker to the Owego-Apalachin School District.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

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

REFERRED TO:	FINANCE /LEGAL
RESOLUTION NO. 35-12	<i>AWARD CONTRACT FOR ALL HAZARD MITIGATION PLAN UPDATE AND TRANSFER OF FUNDS</i>

WHEREAS: Tioga County's All Hazards Mitigation Plan has expired; and

WHEREAS: The current plan was scheduled to be updated and rewritten in 2011; and

WHEREAS: The damage caused by Tropical Storm Lee has created an urgency to expedite the creation and approval of an updated plan by FEMA within a 6 month period in order to make all municipalities in Tioga County eligible for mitigation funding; and

WHEREAS: A Request for Proposals was issued to hire a consultant to prepare the plan; and

WHEREAS: The Tioga County Hazard Mitigation Committee has met to review the six submissions received in response to the RFP, and has recommended that Tetra Tech be selected to prepare Tioga County's All Hazards Mitigation Plan; now therefore be it

RESOLVED: That Tetra Tech is hereby selected to prepare Tioga County's All Hazards Mitigation Plan; and be it further

RESOLVED: That the Chair of Tioga County Legislature is authorized to execute a contract between Tioga County and Tetra Tech setting forth the rights and obligations of the parties consistent with the RFP and the proposal submitted by Tetra Tech; and be it further

RESOLVED: That the sum of \$52,500 be transferred from Hazard Mitigation Plan Revenue Account A3657 to Hazard Mitigation Plan Account A3957.40-590.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 36-12 *APPROPRIATE FUNDS
BASED ON NEW CONTRACT*

WHEREAS: Resolution No. 253-11 adopted the County Budget for 2012 along with appropriations and salary schedule; and

WHEREAS: The new CSEA contract was not approved until after the budget was adopted and funds need to be appropriated for the salary increases from the Contingency Account to the appropriate personnel services accounts; therefore be it

RESOLVED: That the following sums be appropriated for salary increases for 2012 to the appropriate personnel services accounts:

From: Contingency Account A1990.40-715	\$326,703
To: Legislative Account A1010.10-10	\$ 4,450
District Attorney A1165.10-10	\$ 2,359
Treasurer A1325.10-10	\$ 8,395
Real Property A1355.10-10	\$ 2,829
County Clerk A1410.10-10	\$ 7,624
DMV A1411.10-10	\$ 3,113
Law A1420.10-10	\$ 127
Personnel A1430.10-10	\$ 7,474
Elections A1450.10-10	\$ 7,214
DPW A1490.10-10	\$ 3,107
Buildings A1620.10-10	\$ 10,116

IT A1680.10-10	\$ 19,888
Sheriff A3110.10-10	\$ 25,237
Probation A3140.10-10	\$ 18,140
EMO A3640.10-10	\$ 202
Public Health (PH) A4010.10-10	\$ 12,147
PH Administration A4011.10-10	\$ 17,630
PH Education A4012.10-10	\$ 1,456
Rabies A4042.10-10	\$ 430
Early Intervention A4044.10-10	\$ 3,079
Preventive/Primary A4053-10-10	\$ 454
Handicap Education A4047.10-10	\$ 876
Preventive Dental A4054.10-10	\$ 1,828
Prenatal Care A4056.10-10	\$ 530
Lead Poisoning A4062.10-10	\$ 215
Dental Van A4064.10-10	\$ 326
Disease Control A4070.10-10	\$ 1,093
Environmental Health A4090.10-10	\$ 5,577
Alcohol and Drugs A4210.10-10	\$ 7,818
Mental Health A4309.10-10	\$ 10,398
Mental Health Clinic A4310.10-10	\$ 13,931
Treatment Alt to Incarn A4356.10-10	\$ 1,054
Social Services A6010.10-10	\$ 95,097
EDP A6422.10-10	\$ 3,762
Planning A8020.10-10	\$ 3,498
Solid Waste B8160.10-10	\$ 2,382
Employer CD6293.10-10	\$ 2,496
Consolidated Health CH1710.10-10	\$ 1,839
County Roads D5110.10-10	\$ 13,358
Road Machinery DM5130.10-10	\$ 3,314
Workers Compensation S1710.10-10	\$ 1,840

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

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. 37-12 *AUTHORIZE CREATION OF TEMPORARY,
PART TIME DIRECTOR OF WEIGHTS AND
MEASURES
PUBLIC HEALTH*

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

WHEREAS: There is currently a vacancy for the Director of Weights and Measures position due to the retirement of Peter Ward effective December 31, 2011; and

WHEREAS: No one is currently available to address the Weights and Measures issues in Tioga County and there is remaining work which needs to be finalized by the prior incumbent; and

WHEREAS: Said temporary position will assist with transitioning and training a replacement for the permanent position; therefore be it

RESOLVED: That the Public Health Director be authorized to create a temporary, part-time Director of Weights and Measures position effective January 11, 2012, which will be filled by Mr. Ward at an hourly rate of \$18.44; and be it further

RESOLVED: That said temporary position shall continue for a duration not to exceed three (3) months.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 38-12 *ERRONEOUS ASSESSMENT*
TOWN OF OWEGO

WHEREAS: An application for corrected tax roll indicates that property no. 973, assessed to the Village of Owego on the 2012 tax roll of the Town of Owego is erroneous in that an exemption code to make the property tax exempt should have been applied to the property; and

WHEREAS: A 2012 tax bill in the amount of \$12.06 was issued to the Village of Owego for property no. 973 in the Town of Owego; be it therefore

RESOLVED: That a new bill be issued by the Town of Owego tax collector to the Village of Owego reflecting the zero amount; and be it further

RESOLVED: That the erroneous town tax of \$.97 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous solid waste tax of \$.48 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$10.61 be charged to the appropriate account in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:37 P.M.