

WHEREAS: Teresa has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 20 years. She has earned the respect of her colleagues in other county agencies, and those citizens she professionally interacts with throughout Tioga County; and

WHEREAS: Teresa was instrumental as Deputy Director of Economic Development in bringing new businesses and expanding existing businesses in Tioga County. She assisted with and administered many projects including Restore NY Waverly, NY Main Street Programs in Owego, Nichols and Waverly, Snowmobile Grant, Empire Zone, NY Main Street Parkview, Rural Area Revitalization Program Waverly; she acted as the liaison with Binghamton University and SUNY Broome, she established and facilitated numerous façade improvement and paint program projects, provided small business start-up and expansion assistance, assisted many businesses with Consolidated Funding Applications for Empire State Development Capital funds, assisted with a business visitation program, assisted with the creation and launch of TEAM Tioga, assisted with the Village of Owego Downtown Revitalization Initiative application and planning, and most notably is responsible for the creation, funding and oversight of the Tioga County Property Development Corporation (land bank); and

WHEREAS: Teresa has served on many vital boards representing Tioga County such as the Southern Tier East Regional Planning and Development Board, Entrepreneurial Assistance Program Committee, Empire Zone Board, and has been appointed the Executive Director of the Tioga County Property Development Corporation Board; and

WHEREAS: Teresa will be retiring on April 27, 2019; 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 Teresa Saraceno for her 20 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, Teresa Saraceno.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

LeeAnn Tinney, Director of Economic Development & Planning spoke. “I know Teresa that you will be returning in a part-time capacity with the Land Bank, but I also want you to know that I have been paying close attention to the vocabulary since you made your announcement. I keep hearing words like joy, happiness, delight, enjoyment, bliss and elation. I think it is probably a good thing that you have not heard the words that I have been using since you made your announcement. They include words such as dread, terror, trepidation, anxiety, alarm and horror. It has been my pleasure to have worked with Teresa over the past 20 years. She has acted as an exceptional Deputy Director since August of 2015 and frankly we would not be where we are today without her hard work and extraordinary commitment to the residents of Tioga County.

“She has been instrumental in many initiatives as Dale has already explained, the most recent of which is the establishment of the Land Bank, which will prove to be a valuable tool in our economic development efforts. Teresa’s work is incomparable when she tackles a problem. She pushes me to consider possibilities that I do not always initially recognize. She requires me to step outside of my comfort zone and has a remarkable way of gently showing me another point of view and sometimes not when I get my heels dug in. I have relied heavily on her safe guidance over the years.

“Teresa is an outstanding employee and Team Tioga will miss her and I know I will. So in truth, the words that I use when talking about Teresa include those words that you just heard, exceptional, extraordinary, incomparable, remarkable and outstanding. Thank you Teresa for being a part of our Team. Take joy and find happiness and delight in spending more time with Christian and Danielle, Feel enjoyment, bliss and elation in time with your brother and sisters. You have certainly earned it.”

Teresa Saraceno spoke. “I just want to say thank you. The community has been wonderful to work with. I cannot believe 20 years has gone by, it is crazy and the support of the Legislature has always been there with everything we tried to get together and pull off and even in good times and bad times, we have had some economic issues over the years. Thank you very much.”

Chair Sauerbrey noted the following two Proclamations on Donate Life Month in Tioga County and Child Abuse Prevention Month.

STATE OF NEW YORK
Tioga County
Donate Life Month Proclamation

WHEREAS: Through our membership with NYSAC, New York State Association of Counties and NYSACC, New York State Association of County Clerks, New York Counties have come together to collectively support April as Donate Life Month; and

WHEREAS: This observance pays tribute to organ and tissue donors and their families whose meaningful decision enables others to receive life-saving organs or tissue, whereby a transplant not only improves the quality of life for the recipient, but in many cases can save a life; and

WHEREAS: A single individual's donation of organs can save up to 8 lives while a donation of tissue can improve the lives of up to 75 others; and

WHEREAS: There are approximately 9,500 men, women and children waiting for an organ transplant in New York State which represents the third highest need in the nation, and there are approximately 400 New Yorkers that die every year while waiting for an organ transplant; and

WHEREAS: Only 35% of New York State residents are currently signed up to be organ, eye and tissue donors, and there are also tens of thousands persons nationwide in need of bone, corneal or other tissue transplant, with names added to the waiting list each day; and

WHEREAS: A new online New York State Donate Life Registry, located at www.donatelife.ny.gov, launched in October 2017 ensuring that New Yorkers can quickly and easily communicate their consent to give the gift of life and become organ and tissue donors; and

WHEREAS: Legislation which took effect in February 2017 has allowed more than 55,000 sixteen- and seventeen-year-olds to enroll in the New York State Donate Life Registry; and

WHEREAS: New Yorkers can help save another's life by joining the New York State Donate Life Registry and enrolling when they apply for, or renew, their New York State driver's license, or non-driver's license identification card, or on voter registration forms; and

WHEREAS: New York State counties are joining organ and tissue donation advocacy organizations to raise awareness of the need for organ and tissue

donation and to provide residents with opportunities to join the New York State Donate Life Registry; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim April 2019 as

DONATE LIFE MONTH

in Tioga County

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,111 reports of alleged abuse/neglect involving 2,452 children in 2018; and

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2019 as

CHILD ABUSE PREVENTION MONTH

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

There was no Privilege of the Floor.

Legislator Sullivan made a motion to approve the minutes of March 7, 12 and 21, 2019, seconded by Legislator Mullen and carried with Legislators Monell and Roberts being absent.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 116-19 MUNICIPAL OPIOID COST RECOVERY AND
PUBLIC NUISANCE LEGISLATION

WHEREAS: The Tioga County Legislature recognizes that an opioid epidemic exists in Tioga County; now therefore be it

RESOLVED: That the Tioga County Legislature hereby supports the following Municipal Opioid Cost Recovery and Public Nuisance Legislation:

MUNICIPAL OPIOID COST RECOVERY AND PUBLIC NUISANCE LEGISLATION

I. Purpose and intent.

The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing Tioga County. A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this legislation is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

II. Definitions.

"Costs" means all expenditures related to the opioid epidemic that directly or indirectly arise from the County's response to a responsible party's action or inaction.

"Responsible party" means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

III. Governmental function cost recovery.

The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney's fees, interest, and any other payment or type of damages the court deems proper.

IV. Effect of criminal or civil proceedings on governmental function cost recovery.

The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation, giving rise to the criminal prosecution.

V. Public nuisance.

The County hereby finds and declares the following:

1) That addiction to and abuse of opioids is one of the greatest challenges facing the County;

2) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years, which practice continues today;

3) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;

4) The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on

the County economy, wasted public resources, and a generation of narcotic dependence;

5) That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;

6) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance;

7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and

8) That it is the duty of Tioga County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

VI. Retroactive application.

This legislation applies retroactively.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 117-19 *URGING NEW YORK STATE TO FUND ALL COSTS ASSOCIATED WITH NEW STATE-DIRECTED ELECTION REFORMS IMPLEMENTED AT THE COUNTY LEVEL*

WHEREAS: State lawmakers have passed and the Governor has enacted a series of reforms to state election law and the voting process, including early

voting, consolidating the federal and state primary dates, and voter registration transfers; and

WHEREAS: Counties, through local Boards of Elections, are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS: The State's new early voting law requires counties to open polling sites for early voting for 9 days prior to any primary or general election, starting during the 2019 general election; and

WHEREAS: Another state proposal would allow for same day voter registration, which would enable voting-age residents to register to vote and vote on Election Day; and

WHEREAS: These reforms will likely require counties to purchase and use electronic poll books, and make other investments in their election systems; therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew M. Cuomo, and the New York State Legislature to create a task force of state and local officials to determine the costs associated with implementing these voting reforms; and be it further

RESOLVED: That the state fund the costs associated with the reforms, and be it further

RESOLVED: That certified copies of this resolution be sent by the Clerk of this Legislature to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Fred Akshar and Assemblyman Christopher Friend.

Legislator Standinger spoke. "Another unfunded mandate, compliments of Albany. We had no say in this early voting stuff. We have absentee ballots, which has always been a mechanism for people who cannot make the polling place on voting day. As a result of others in the State Legislature we now have a mandate to provide an unnecessary and unneeded service. Thank you Albany."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO 118-19 *RESOLUTION TO OPPOSE NEW YORK STATE SENATE BILL S.1947 AND NEW YORK STATE ASSEMBLY BILL A.1261 RELATED TO HOURS, WAGES AND SUPPLEMENTS IN CONTRACTS FOR PUBLIC WORK*

WHEREAS: Legislation has been introduced in both the New York State Senate and Assembly related to hours, wages and supplements in contracts for public work; and

WHEREAS: These Bills would expand the scope and definition of activities under the term Public Work to include most future construction projects that are financed with any amount of public funding; and

WHEREAS: These Bills would require contractors and material suppliers to pay prevailing wages and benefits to all workers and deliveries on projects receiving any state money, including those that receive tax breaks from industrial development agencies; and

WHEREAS: This legislation, if adopted or included as a budget mandate, will result in significant cost increases for all affected projects and a negative effect on economic development throughout the State; therefore be it

RESOLVED: That the Tioga County Legislature opposes Senate Bill S.1947 and Assembly Bill A.1261 or the inclusion of any language as part of the 2019-2020 New York State budget; and be it further

RESOLVED: That copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the NYS Legislature and all others deemed necessary and proper.

Legislator Mullen spoke. "I just wanted to say that this was brought by Economic Development & Planning Committee. This could have a significant negative impact on economic development and building of infrastructure and private enterprise. Thanks Albany. It is a situation that is not good and it could really hurt economic development."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 119-19 AMEND 2019 DISTRICT ATTORNEY BUDGET AND APPROPRIATE FUNDS

WHEREAS: Per Resolution 114-19 a Part Time Investigator position was created in the District Attorney Office with the County Legislature support and approval; and

WHEREAS: The Non Union Investigator Position was approved at an hourly rate of \$34.00 per hour up to 29 hours per week for an annual salary of \$51,272.00 plus employee benefits; and

WHEREAS: Legislative approval is needed to amend the District Attorney's Budget and appropriate funds; therefore be it

RESOLVED: That the District Attorney's 2019 budget be modified and funds be appropriated as follows:

A1165	510020	District Attorney -Part Time Salary	\$37,468.00
A1165	583088	District Attorney –FICA (SS and Medicare)	\$ 2,867.00

A1165	584088	District Attorney –Worker’s Comp	\$ 1,380.00
A1165	588988	District Attorney –EAP	\$ 14.60

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standing, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 120-19	<i>AMEND CAPITAL BUDGET AND TRANSFER FUNDS FOR SINGLE AXLE DUMP TRUCK – PUBLIC WORKS</i>
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WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a single axle dump truck for 2019 from the Capital Reserve Account H387807 for \$100,000.00 ; and

WHEREAS: The Commissioner of Public Works received proposals for the purchase of the single axle dump truck which came in higher than anticipated; and

WHEREAS: Cost savings were achieved in other Capital Reserve Budget lines and legislative approval is needed to authorize all Capital Reserve expenses; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds’; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521908	Tandem Dump Truck	\$20,000.00
H5130.521907	Equipment Trailer	\$ 7,600.00

To: H5130.520935 Dump Truck \$27,600.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 121-19 AMEND CAPITAL BUDGET AND APPROPRIATE
CAPITAL FUNDS
PUBLIC WORKS

WHEREAS: Tioga County was granted a culvert project through BRIDGE NY 2016, West River Drive over Walker Creek, funding for the original project was estimated to cost \$200,000 for construction and \$25,000 for Construction Inspection, for a total reimbursement cost from NYSDOT of \$225,000; and

WHEREAS: During final design and bidding of said project the updated cost of construction has been revised to not exceed \$375,000 with Construction Inspection cost remaining the same of \$25,000; and

WHEREAS: There is no additional funding available from NYSDOT to cover the unanticipated additional cost of construction and \$175,000 is local share; and

WHEREAS: Budget Amendments and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That capital funds be appropriated from fund balance and the 2019 budget be amended as follows:

From: H390900 Capital Fund Balance \$175,000

To: H5110 540001 H1709 West River Drive Over Walker Creek \$175,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standing, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 122-19 *AMEND 2019 CAPITAL BUDGET, AND CREATE CAPITAL PROJECT ACCOUNT FOR OAK HILL ROAD BRIDGE EMERGENCY REPAIRS AND APPROPRIATE FUNDS*

WHEREAS: An inspection of the Oak Hill Road Bridge (BIN 3334940) revealed significant scour under the southeast wingwall that needs to be repaired; and

WHEREAS: Due to this being an unforeseen issue the Department of Public Works did not budget for this repair which is estimated to cost \$300,000; and

WHEREAS: There are monies available in the Capital Fund and Legislative approval is needed to appropriate Capital Funds and amend 2019 budget; and

WHEREAS: There may be residual funds available in the Capital Bond Reserve to cover some costs and Legislative approval is needed to authorize Capital Reserve expenses; therefore be it

RESOLVED: That the Tioga County Legislature authorize use of residual Bond Reserve Funds, Appropriate Funds from the Capital Fund Balance and amend the 2019 Capital Budget as follows:

From: H 390900	Capital Fund Balance	\$300,000.00
To: H5110 540002 H1906	Oak Hill Road Bridge- Emergency Repairs	\$300,000.00

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 124-19 *APPROPRIATION OF FUNDS AND AMEND 2019
BUDGET
SOCIAL SERVICES*

WHEREAS: SNAP Bonus Award funds have been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance; and

WHEREAS: Tioga County's plan for the use of these funds has been approved by the Office of Temporary and Disability Assistance; and

WHEREAS: Appropriation of funds and budget modifications require legislative approval: therefore be it

RESOLVED: That funding be appropriated and the 2019 budget be amended as follows:

From:	A 6010.436100 State Aid-Social Services Admin	\$ 7,000
	A 6010.446110 Federal Aid-Food Stamp Program	\$ 7,000
To:	A 6010.510030 Overtime/Other	\$ 5,000
	A 6010.540487 Program Expense	\$ 9,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 125-19 *APPROPRIATION OF FUNDS AND
AMEND 2019 BUDGET
SOCIAL SERVICES*

WHEREAS: Additional Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

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

RESOLVED: That funding be appropriated and the 2019 budget be amended as follows:

From: A6010.436100 State Aid: Administration \$3,350

To: A6010.540487 Program Expense \$3,350

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-19 *APPROPRIATION OF FUNDS AND
AMEND 2019 BUDGET
SOCIAL SERVICES*

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 129–19 *AWARD CONTRACT FOR JAIL SUBSTANCE
USE DISORDER PROGRAM IN TIOGA
COUNTY*

WHEREAS: Proposals have been received for the provision a of substance abuse prevention program in Tioga County; and

WHEREAS: The proposals were received on February, 22, 2019 and reviewed by Award/Review Committee, and that the proposals were received as follows:

Council on Alcohol and Substance Abuse of Livingston County, d.b.a. Trinity

Addiction Center of Broome County (ACBC)

and

WHEREAS: Trinity has been determined to be the agency that will best meet the needs and interests of Tioga County and whose proposal complied with all requirements; and

WHEREAS: The Director of Community Services is in agreement with this determination for the provision of substance use services to Tioga County's inmates; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Mental Hygiene to enter into a contract with Council on Alcohol and Substance Abuse

of Livingston County, d.b.a., Trinity for the provision of Substance Use Disorder services in Tioga County Jail.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 130-19

*AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR OAK HILL
ROAD BRIDGE BIN 3334940*

WHEREAS: The Oak Hill Road Bridge BIN 3334940 is a bridge that needs repair due to a NYSDOT Bridge inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$20,750; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Oak Hill Road Bridge BIN 3334940 for Delta Engineers not to exceed \$20,750 to be paid out of the Oak Hill Road Bridge Emergency Repairs account H51 10 540002 H1906.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 131-19 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR COURTHOUSE
FAÇADE EVALUATION*

WHEREAS: The Tioga County Courthouse needs an evaluation of the existing stone façade due to a failing stone; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this evaluation came in at \$17,240; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Courthouse Façade Evaluation project to Delta engineers not to exceed \$17,240 to be paid out of Buildings and Grounds account A1620.540140.

Chair Sauerbrey spoke. "I just want to add that the Courthouse is one of our historical buildings in Tioga County that carries a lot of history and it is a focal point for our county. It is very important that we not only keep the repairs up to date, but make sure that the structure is secure so it can last for many more hundreds of years as we move forward."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standing, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 132-19 *RESCIND RESOLUTION NO. 117-17 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE -AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Resolution No. 117-17 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 117-17 appropriated the sum of \$225,000 from the West River Drive Culvert Account H5110.540001.H1709 and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The amount is being revised; therefore be it

RESOLVED: That Resolution No. 117-17 is hereby rescinded and a new resolution will be adopted with the correct amount.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 133-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE -AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Tioga County will Design, let and construct the "project"; and

WHEREAS: A project for the culvert replacement on West River Drive over Walker Creek, Town of Nichols, Tioga County, PIN 9754.52 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 0% Federal Funds and 100% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work; now therefore

The Tioga County Legislature, duly convened does hereby

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

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

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project, which exceed the amount of the NY Bridge Funding Awarded to the County of Tioga; and be it further

RESOLVED: That the sum of \$299,000 is hereby appropriated from the West River Drive Culvert account H5110 540001 H1709 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature

shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

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

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

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 134-19 *RESOLUTION PURSUANT TO
SECTION 131-B OF THE HIGHWAY LAW
DEDICATING CORPORATE DRIVE AS A
COUNTY ROAD*

WHEREAS: Corporate Drive is a public roadway running from NYS Route 38 over the lands of the County of Tioga to the terminus of said highway at the lands of Upstate Shredding; and

WHEREAS: The First thousand feet of said roadway was formally dedicated by the County through Resolution 122-96 and thereafter the Commissioner of Public Works recommended the formal laying out of a highway to be known as Corporate Drive which recommendation was adopted by Resolution No. 245-99; and

WHEREAS: Although the roadway has been openly used as a public highway since that time, the Tioga County Department of Public Works and the County Attorney have recommended that Corporate Drive in the Town of Owego, County of Tioga and State of New York be officially dedicated at this time to provide clarity as to its status as a county highway; and

WHEREAS: The Tioga County Legislature concurs with that decision; now therefore be it

RESOLVED: That the Tioga County Legislature has, and hereby does, determine that it is in the best interest of the County of Tioga to formally recognize Corporate Drive as a county road, which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Owego, County of Tioga and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly boundary of NYS Route 38 which lies S 16°05'02" W, 251.55 feet from a concrete highway monument at the intersection of the north line of lands of the County of Tioga and the westerly boundary of NYS Route 38;

THENCE S 16°05'02" W along the westerly boundary of NYS Route 38 for a distance of 50.31 feet to a point;

THENCE N 80°17'22" W passing through a ¾" rebar with Edsall cap at 1201.46 feet and another ¾" rebar with Edsall cap at 139.96 feet for a total distance of 1741.42 feet to a ¾" rebar with Edsall cap;

THENCE S 24°25'13" W passing through a ¾" rebar with Edsall cap at 489.86 feet for a total distance of 593.26 feet to a point;

THENCE N 80°17'22" W for a distance of 62.04 feet to a point;

THENCE N 24°25'13" E for a distance of 644.95 feet to a ¾" rebar with Edsall cap;

THENCE S 80°17'22" E passing through a ¾" rebar with Edsall cap at 192.96 feet, another at 184.94 feet, another at 84.44 feet, and another at 142.36 feet for a total distance of 1795.92 feet to the Point of Beginning;

CONTAINING 2.883 acres of land as shown on a survey map prepared by Williams and Edsall Land Surveyors titled Survey map of Corporate Drive for Tioga County IDA dated April 1, 2019.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 135-19 *AMEND EMPLOYEE HANDBOOK
PAYROLL PROCEDURES
(FORMERLY POLICY 2)*

WHEREAS: The Employee Handbook Section IV. Personnel Rules – Subsection b. Payroll Procedures (formerly policy 2) needs clarification in Reporting of Time for clarity; therefore be it

RESOLVED: That the Employee Handbook Section IV. Personnel Rules – Subsection b. Payroll Procedures (formerly policy 2) be amended as follows:

Section I: REPORTING OF TIME be revised to read as follows:

“Time shall be reported on forms(s) and/or Employee Self Service/Time Entry designated by the Treasurer’s Office on the dates so designated by the County Treasurer. Time shall be reported in units according to most current Union Contract or Non-Union policy. Time reported shall include the following:

- A. Time Worked.
- B. Leave time taken (to be supported by standard leave form signed by department head or accrual requests processed through ESS).
- C. Overtime worked.
- D. Comp time worked and taken.
- E. Time on temporary assignment.”;

Section II: DISTRIBUTION OF PAYCHECKS AND RELATED DOCUMENTS be revised to read as follows:

“Salaries and wages of all persons covered by this agreement shall be paid every two weeks, with payday falling on the Thursday following the two-week period ending on the preceding Friday. All checks in payment of said salaries and wages shall contain or have attached thereto a complete statement of all deductions for income taxes withheld, social security taxes withheld, Union dues and any authorized or required deductions. Copies of these said documents can also be retrieved by accessing Employee Self Service on Munis payroll system.”

And be it further

RESOLVED: That the remainder of the Employee Handbook shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 136-19 *AUTHORIZE APPOINTMENT OF CLINICAL
PROGRAM DIRECTOR
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Due to an internal promotion, the position of Clinical Program Director has been vacant since February 18, 2019; and

WHEREAS: After recruitment efforts, the Director of Community Services has identified a well-qualified candidate to fill the position; therefore be it

RESOLVED: That Catherine Healy shall be appointed to the Clinical Program Director position at an annual, non-union salary of \$68,000 effective on or after April 15, 2019, and consistent with Tioga County's payroll procedures; and be it further

RESOLVED: That Ms. Healy's appointment shall be provisional pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 137-19 *AUTHORIZE APPOINTMENT OF VOTING MACHINE
TECHNICIAN FOR BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on March 30th, 2019; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That William F. Leonard is appointed to the title of Voting Machine Technician retroactive to April 1st, 2019, at the established non-union rate of \$16.93 per hour.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 138-19 *AUTHORIZE APPOINTMENT OF
COMMUNICATIONS AND e-SERVICES
COORDINATOR
PUBLIC HEALTH DEPARTMENT*

WHEREAS: The position of Communications and e-Services Coordinator has been vacant since October 2017, due to an incumbent's retirement; and

WHEREAS: Following recruitment efforts, the Public Health Director has identified a qualified candidate for said position; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to appoint Jessica Casolite to the position of Communications and e-Services Coordinator effective April 29, 2019, at an annual salary of \$45,000; and be it further

RESOLVED: That Ms. Casolite's appointment shall be provisional pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 139-19 *CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2019; and

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

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective May 13, 2019 through October 11, 2019 at an hourly rate of \$11.10 (minimum wage), however no more than 900 hours may be worked May 13, 2019 – October 11, 2019.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.