

*Third Regular Meeting*  
March 12, 2013

The Third Regular Meeting of 2013 was held on March 12, 2013 and was called to order by the Chair at 6:00 P.M. Eight Legislative members were present, Legislator Sauerbrey being absent.

Chair Weston asked to have a moment of prayer. "Our Father, please share with each Legislator the problems that must be solved and provide the wisdom needed to face the grave decisions they must make. Thank you."

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

The following Proclamation on Public Health Week was noted.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, learning about prevention of deadly diseases or receiving vaccinations; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and



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 Jeffery Brown for his 36 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, Jeffery Brown.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

#### RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “I know Jeffery through his teaching of the Hunter’s Safety, which I also do. I am sure he is as dedicated at his job as he was on the Hunter’s Safety teaching. I think it is an admirable thing, 36 years is a long time.”

Ken Del Bianco, Commissioner of Public Works, spoke. “I have a few words to say about Jeff and first of all it is a special night because not only are we honoring him, but it is Jeffery’s birthday and so I would like to sing happy birthday to him. I would not do that for almost any other employee, but Jeff is kind of a jokester and he is a prankster, and he is king of the one liner, in fact as I was speaking to him in the back there, he was saying oh you wore a tie and it is so nice it does not have a gravy stain on it.

“We are here to honor Jeff. I just want to say he started right out of high school here and he has been here ever since, that is 36 years, that is a long time. He is 55 tonight. That is a lot of sleep interruptions, looking out the window, seeing if it is snowing, gaging how much rain has fallen on the roof to see if he has to go out and check the trouble spots that we have, and waiting for that call from the Sheriff’s Department, a lot of sleepless nights. It is not only him, it is his wife also and she is here. We want to honor her too. He gets paid for that and there is overtime and things like that, but money cannot buy that kind of dedication, there has got to be something inside you and Jeffery certainly has that. It has to be something special to have that dedication and I just want to

say that I have really enjoyed working with him. I am going to miss him and the Department is going to miss him too."

Chair Weston read the 2012 State of the County Address.

Chair Weston spoke. "Tonight I am here to deliver the State of the County.

Areas of note within Tioga County in 2012 and 2013 goals.

I. Overall Review of the County

- There is a strong need for mandate relief for Counties. We all need to send the message to Albany that mandate relief is essential if we are going to stay under a 2% tax cap
- Mandates from the State are responsible for consuming an increasing proportion of county budgets and are a major contributor to increases in county property taxes. Medicaid mandate will cost Tioga County taxpayers around \$8.5 million in 2013.
- Retirement costs to the County for 2013 are expected to be around \$3.6 million.
- Distribution of VLT Aid to municipalities and Tioga County for 2013 will be approximately \$183,000.

II. County Government News:

- The Law Department reviewed 206 contracts for 2012, worked with the County's Labor Counsel, Roemer, Wallens, Gold & Mineaux and the Personnel Department in matters relating to the administration of the civil service, personnel related challenges, benefits administration issues and the administration of labor contracts and grievances.
- Throughout 2012 the County Attorney continued to address issues surrounding the 2011 flood including document recovery, insurance issues, audit of clean up bills, sale of the Barton Transfer Station and development of the Hazard Mitigation Plan and Department Continuity of Operations Plans.
- The Personnel Department conducted 36 Civil Service Examinations in which 249 candidates participated.
- Tioga County saved approximately \$800,000 during 2012 by moving 300+ employees into a High Deductible Health Plan.
- The Department of Social Services Child Protective Services received 1,043 reports involving 2,266 children.
- The Department of Social Services Preventive Unit served 74 families and 159 children in 2012.

- The Department of Social Services reported local revenues and recoveries totaled approximately \$1 M. Medicaid recoveries from accident settlements, estates, and liens totaled \$237,068.
- Child Support Enforcement Unit collected \$5.6 M for children in Tioga County.
- The Federally funded HEAP Unit processed 9,477 benefits to customers totaling \$2.9 M for the 2011-2012 season.
- In January 2012 Ride Tioga added commuter service to Ithaca via routes 38 and 79 in response to TCAT cutting this service.
- 81 Freedom of Information Requests were processed by the Legislative Clerk
- The completed Journal of Proceedings for 2012 was posted on the County website.
- The ATI Weekend Work Program conducted by Public Safety performed more than 3,928 man-hours of labor throughout the county during 2012.
- The Road Patrol Division recorded 455,745 miles of patrol, and handled 9,261 calls for service, a 1% increase from 2011.
- The Civil Office received and disbursed \$542,545.73 during the year, a slight increase from 2011, \$230,170 was in bail money received and disbursed.
- Pistol permit transactions increased a significant 41%, for a total of 1,043.
- Bureau of Fire provided at least 400 State Training hours of high quality fire service training and maintain at least a 90% rate of passing grades for the EMS training program.
- The Mental Health Clinic provided 16,539 services to citizens of Tioga County.
- Tioga County Alcohol and Drug Services continue to be the primary provider of outpatient and alcohol services within the County. During 2012, a total of 6229 services, including evaluation, education, and treatment intervention, were provided.
- Public Health nursing staff provided care and services to 959 patients who were admitted to the Tioga County CHHA in 2012.
- An unprecedented four elections were successfully conducted by the Tioga County Board of Elections in 2012.
- In 2012, the Public Defender's Office covered 1,508 cases for Drug Treatment Court, Felony, and Violations/Misdemeanor and Parole Hearings.
- The Veterans' Office had 576 total contacts in 2012 and lost 116 Veterans.
- A total of all fees collected by the County Clerk were 5.1 M, 3.2 M of it was for New York State and 1.8 M went to Tioga County.
- In 2012 a total of \$122,036 in restitution, fines, special surcharges, and fees were collected and disbursed for Tioga County government and crime victims.
- Probation officers completed 353 Investigations which were ordered during 2012 by the 18 courts serviced by the Probation Department.
- The Department of Public Works managed the reconstruction/rehabilitation of four bridges, as well as rehabilitation of Glen Mary Drive.

- Recovery from the flood of 2011 progressed in 2012 with total reconstruction of the basement of the Court House, stream bank stabilization, and replacement of elevators in the County Office Building, Court House and Court Annex.
- Curbside recycling revenues for 2012 were \$43,637.10, a 13.5% decrease from 2011.
- The fifth annual tire and scrap metal collection program was held in 2012 which amounted to approximately 12,000 tires cleaned up within Tioga County.
- At the end of 2011 the Tioga County Legislature permanently closed the Barton Transfer Station due to the flood of September 2011 and in June of 2012 sold the Barton Transfer Station to Taylor Garbage Services for \$172,000.

### III. On the Economic Development front:

- Taylor Recycling Project brought a new state of the art single stream recycling facility to Apalachin
- A \$100,000 loan was given to Raymond Hadley Corp in Spencer to grow their business
- 11 Projects were completed under the NY Main Street Grant representing over \$440,000 in investment and improvement to properties in the Village of Owego
- A \$500,000 grant for community flood recovery was secured and was disbursed to 72 businesses in their efforts to get back in business
- Secured and distributed \$265,000 of NYS Office of Community Renewal funds to assist 12 farms impacted by the flood of 2011
- Economic Development & Planning completed two 8-year agricultural district reviews

### IV. Overall good news for the County

- Tioga County received a clean audit opinion with no findings by the independent audit firm.
- County Sales Tax collections grew by 6% in 2012 to \$20.2 M; \$4.8 M was distributed to Towns and Villages
- Community College tuition billings cost \$2.1 M.
- 29 properties were sold at public auction in 2012 for \$117,000.
- FEMA reimbursements from the 2011 flood have totaled \$4.2 M year to date.
- According to the Department of Public Works, the County replaced/reconstructed four bridges, Gaskill Road Bridge over Little Nanticoke Creek, Dean Creek Road Bridge over Dean Creek and Sabin Road Bridge over Dean Creek, Gridleyville Crossing Road Bridge over Catatank Creek

- Sheriff’s Department operational costs came in under budget. Revenues finished 26% above our goal at \$803,731.
- The 90-day hiring delay was continued through 2012, resulting in a \$560,000 payroll savings for the County.

V. 2013 Goals

- Decide on what steps will be taken to solve records reconstruction
- Explore ways to meet the mandated 2% property tax without using so much of our fund balance
- Get the West Spencer Town tax map boundaries to align themselves with the County line boundaries
- Complete space allocation studies thereby improving efficiency of government to function at less costs
- Perform \$800,000 in FEMA funded mitigation work on our buildings to protect critical facilities in future flood events and complete back-up 911 building
- Afford displaced Departments such as Real Property back to their own office space
- And finally reorganize office space to allow Departments to share office staff, availability of records, etc. thus increasing efficiency of government work.

VI. 2013 Future Developments

- Construction will begin on the Army Reserve Center in Lounsberry
- Construction will begin on a new hotel and conference center at Tioga Downs in Nichols
- Property improvements will begin in the Village of Nichols under the \$250,000 Main Street Grant
- Construct Pennsylvania Avenue Bridge and replace Gaskill Road Bridge, Lillie Hill Road Bridge over Owego Creek, and the East River Road Bridge over Wappasening Creek in Nichols
- Spend \$1.2 million in NYS CHIPS funding on various road projects

In conclusion, I want to personally thank all of our department heads and employees for helping us during these challenging economics times. Through your hard work and diligence we have been able to, thus far, survive these economic hard times.

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		104.47
A1165	District Attorney		2,154.88
A1170	Public Defender		2,455.13

A1172	Assigned Counsel		9,375.00
A1185	Medical Examiners/Coroners		2,867.92
A1325	Treasurer		3,442.06
A1355	Assessments		2,117.00
A1362	Tax Advertising/Expense		11,333.90
A1364	Expense of County Owned Property		4,988.00
A1410	County Clerk		256.02
A1411	Department of Motor Vehicles		212.36
A1420	Law		4,548.00
A1430	Personnel		4,511.50
A1450	Elections		412.85
A1490	Public Works Administration	356.33	377.64
A1620	Buildings	500.59	46,431.58
A1621	Buildings		18,477.82
A1680	Information Technology		30,471.48
A2490	Community College Tuition		60,611.98
A2960	Education Handicapped Children		240,514.98
A3020	Public Safety Comm E911 System		2,591.40
A3110	Sheriff		17,491.69
A3140	Probation		7,461.01
A3146	Sex Offender Program		9,240.00
A3150	Jail		47,598.13
A3315	Special Traffic Programs		1,021.58
A3357	FY11 NYS Homeland Security	2,845.20	
A3410	Fire	278.04	4,269.65
A3640	Emergency Management Office		589.84
A4010	Public Health Nursing		32,563.79
A4011	Public Health Administration		2663.65
A4012	Public Health Education		391.08
A4042	Rabies Control		695.94
A4044	Early Intervention		24,603.47
A4053	Preventive/Primary Health Services		306.43
A4054	Preventive Dental Services		2,998.10
A4064	Managed Care-Dental Services		10,083.46
A4070	Disease Control		3,376.27
A4090	Environmental Health		731.81
A4210	Alcohol and Drug Services		1,248.53
A4211	Council on Alcoholism		10,999.34
A4309	Mental Hygiene Co Admin		6,070.87
A4310	Mental Health Clinic		7,455.16
A4311	Rehabilitation Support Services		1,854.00
A4320	Crisis Intervention Services		10,000.00



A4321	Intensive Case Management	1,451.09
A4333	Psycho Social Club	25,000.00
A5630	Bus Operations	67,607.33
A6010	Social Services Administration	97,901.70
A6141	Energy Crisis Assistance Programs	7,116.22
A6422	Economic Development	253.81
A8020	Planning	564.46
A8025	Regional Planning 7-County Board	10,000.00
A9060	Health Insurance	2,191.44
SOLID WASTE FUND		89,384.97
SPECIAL GRANT FUND		3,595.23
COUNTY ROAD FUND		54,407.48
CAPITAL FUND		92,760.85
CONSOLIDATED HEALTH INSURANCE FUND		370,102.33
SELF-INSURANCE FUND		<u>1,546.00</u>
GRAND TOTAL		\$ 1,479,832.84

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

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

Chair Weston made the following appointments to the Workforce Investment Board:

- Shawn Yetter – 3/12/13-6/30/13 and 7/1/13-6/30/16
- Kathleen Horner – 7/1/13-6/30/16

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 Standing.

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 51-13	<i>ERRONEOUS ASSESSMENT TOWN OF SPENCER</i>

WHEREAS: A Supreme Court Stipulation & Agreement for correction of the 2011 assessment roll and refund overpayment of 2012 taxes stipulates that the assessment on property no. 1282, assessed to Raymond-Hadley Corporation on the 2012 tax roll of the Town of Spencer be reduced from \$1,320,000 to \$985,000, and property no. 319 assessed to Raymond-Hadley Corporation be reduced from \$680,000 to \$480,000; and

WHEREAS: A BUS. CTS exemption was applied to property no. 1282 on the 2011 assessment roll only, and the Real Property Director has instructed that the taxable assessment be calculated for the 2012 tax refund keeping the exemption and using the same calculations for the exemption as the assessor and has indicated that the reduced taxable value for property no. 1282 be \$528,550 for assessment year 2011-tax year 2012 only; and

WHEREAS: Taxes for properties no. 1282 and no. 319 were paid on 1/30/2012; be it therefore

RESOLVED: That the Tioga County Treasurer issue a refund of \$4,053.19 for overpayment of the 2012 taxes on properties no. 1282 (\$1,847.08) and no. 319 (\$2,206.11) to Hinman, Howard & Kattell, LLP as attorneys for Raymond-Hadley Corporation; and be it further

RESOLVED: That the erroneous town tax of \$780.67 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous solid waste tax of \$141.47 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$3,131.05 be charged to the proper account in the records of the County Treasurer.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 52-13 *ERRONEOUS ASSESSMENT  
TOWN OF SPENCER*

WHEREAS: A Supreme Court Stipulation & Agreement for correction of the 2012 assessment roll and refund overpayment of 2013 taxes stipulates that the assessment on property no. 1282, assessed to Raymond-Hadley Corporation on the 2013 tax roll of the Town of Spencer be reduced from \$1,320,000 to \$985,000, and property no. 319 assessed to Raymond-Hadley Corporation be reduced from \$680,000 to \$480,000; and

WHEREAS: Taxes for properties no. 1282 and no. 319 were paid to the Town of Spencer Tax Collector on 1/28/13; be it therefore

RESOLVED: That the Town of Spencer Tax Collector issue a refund of \$6,037.22 for overpayment of the 2013 taxes on properties no. 1282 (\$3,780.31) and no. 319 (\$2,256.91) to Hinman, Howard & Kattell, LLP as attorneys for Raymond-Hadley Corporation; and be it further

RESOLVED: That the erroneous town tax of \$1,256.46 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous solid waste tax of \$201.16 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$4,579.60 be charged to the proper account in the records of the County Treasurer.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 53-13                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO*

WHEREAS: An application for credit and refund of property taxes on property No. 4412, assessed to Carl & Carolyn Andreasen on the 2013 tax roll of the Town of Owego indicates that a 2012 DEC penalty was assessed erroneously; and

WHEREAS: The erroneous 2012 DEC penalty amount of \$88.33 was added as an omitted tax to the 2013 tax bill for property No. 4412; and

WHEREAS: The 2013 tax bill including the erroneous penalty amount for property No. 4412 was paid to the Town of Owego Tax Collector on 1/24/13; be it therefore

RESOLVED: That a refund of \$88.33 be issued to Carl & Carolyn Andreasen by the Tioga County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$18.62 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous solid waste tax of \$2.69 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$67.02 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 54-13                      *ERRONEOUS ASSESSMENT*  
*TOWN OF TIOGA*

WHEREAS: An application for corrected tax roll indicates that parcel No. 1836 in the Town of Tioga assessed to Gerald R & Linda D Hyatt on the 2013 tax roll of the Town of Tioga is erroneous in that since a survey of a neighboring parcel was done, the parcel no longer exists; and

WHEREAS: Gerald & Linda Hyatt paid the taxes on parcel #1836 in the Town of Tioga for the year 2013 to the Town of Tioga tax collector on 1/14/13; be it therefore

RESOLVED: That a refund of \$36.18 be issued to Gerald & Linda Hyatt by the Town of Tioga Tax Collector; and be it further

RESOLVED: That the erroneous town tax of \$9.68 be charged back to the Town of Tioga, and the erroneous fire tax of \$2.42 be charged back to the Tioga Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$1.01 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$23.07 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 55-13                      *ERRONEOUS ASSESSMENT*  
*TOWN OF NEWARK VALLEY*

WHEREAS: An application for corrected tax roll indicates that property no. 664 assessed to Ellen Fogle, and property no. 2058 assessed to Darlean Carpenter on the 2013 tax roll of the Town of Newark Valley are erroneous in that the assessor transposed the class codes, thereby adding the house that belongs on property no. 664 to property no. 2058, and incorrectly classifying property no. 664 as vacant land; and

WHEREAS: The 2013 town and county bills for these properties have not yet been paid to the Town of Newark Valley tax collector; be it therefore

RESOLVED: That a new bill be issued to Ellen Fogle for property no. 664, and a new bill be issued to Darlean Carpenter for property no. 2058 by the Town of Newark Valley tax collector as follows:

	<u>Fogle Bill #867/Acct 664</u>	<u>Carpenter Bill #649/Acct 2058</u>
County	\$ 844.22	\$ 83.12
Recycle	37.12	3.65
Townwide	334.94	32.98
Return School	1,422.93	199.42
Newark Valley Fire	<u>101.61</u>	<u>10.00</u>
	\$ 2,740.82	\$ 329.17

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 56-13                      *RESOLUTION TO SUPPORT SUSQUEHANNA  
RAIN AND STREAM GAGES*

WHEREAS: There are currently a series of sixteen rain gages and eighteen stream gages in the Susquehanna River Basin all of which are federally funded; and

WHEREAS: Three rain gages and three stream gages are located within in Tioga County – 2 each in Owego and 1 each in Waverly; and

WHEREAS: All these stream and river gages are maintained and operated by the US Geological Survey to generate real-time data needed by the National Weather Service in forecasting river levels and consequently issuing timely, accurate early flood warnings; and

WHEREAS: Data collected from the gages are used by emergency managers, local officials, and citizens to make critical decisions to protect life and property; and

WHEREAS: The Susquehanna River is one of the most flood prone river basins of the country, with more than 80 percent of the over 1,400 municipalities in the basin region located within the designated flood-prone area; and

WHEREAS: Tioga County was subject to a devastating record flood in 2006, which was exceeded by the second, more damaging flood of record in 2011; and

WHEREAS: The 2011 flood event alone caused hundreds of millions in damage due to property loss, economic impacts, and infrastructure damage; and

WHEREAS: The community is still recovering from the 2011 flood; and

WHEREAS: We were fortunate not to have experienced loss of life during the 2011 flooding, due in substantial part to have sufficient advance warning to allow for orderly evacuations; and

WHEREAS: According to our recently adopted Hazard Mitigation Plan there is the potential for \$6.6 billion in damage in Tioga County alone from a future flood event; and

WHEREAS: The annual cost to the Federal government to maintain this vital gage system for the entire Susquehanna River is approximately \$215,000;

WHEREAS: Funding for these vital gages is uncertain from year to year; therefore be it

RESOLVED: That the Tioga County Legislature does hereby urgently call for the Federal government to make a firm, long-term commitment to funding this critical rain and stream gage system and directs submittal of this resolution to Tioga County's federally elected representatives.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
AGRICULTURE COMMITTEE

RESOLUTION NO 57-13      *AUTHORIZE 2013 REQUESTS FOR INCLUSION OF  
LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared the required report listing these requests, which are located within the Spencer and North Tioga Agricultural Districts, and total nearly 300 acres; and



WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the district and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature approve the 2013 requests for inclusion of land listed in said report into the Spencer and North Tioga Agricultural Districts, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 58-13

*RESOLUTION TO AUTHORIZE ACCEPTANCE  
OF NYS DEPT OF AGRICULTURE & MARKETS  
GRANT FOR COUNTY AGRICULTURAL AND  
FARMLAND PROTECTION PLAN UPDATE*

WHEREAS: Per resolution 255-09 the Tioga County Legislature approved application to NYS Department of Agriculture & Markets to update Tioga County's 1999 Agricultural and Farmland Protection Plan; and

WHEREAS: Tioga County has received award notification and state contract for said grant from NYS DOS in the amount of \$15,000, with a total project cost of \$30,000; and

WHEREAS: The required local match is made up of \$7,000 cash match from Planning Department \$2,000, Tioga County SWCD \$3,000 and Tioga County Cornell Cooperative Extension \$2,000, as well as in-kind services totaling \$8,000 from all three parties; and

WHEREAS: The \$22,000 cash will be used to pay a consultant (to be selected and contracted) to develop the plan update; and

WHEREAS: Tioga County Planning Department will handle project management, coordination and administration of this grant; therefore be it

RESOLVED: That the Tioga County Legislature does hereby accept said grant funds in the amount of \$15,000, and approves expenditure of county cash match and in-kind services; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to sign all associated grant/contract paperwork and that said funds be appropriated to the following accounts:

From: NYS Ag Markets Grant Revenue Account A3905.00           \$15,000

To: NYS Ag Markets Grant Account A8752.40-140           \$15,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 59-13 *AUTHORIZE ACCEPTANCE OF A \$250,000.00 2012 NEW YORK STATE MAIN STREET PROGRAM GRANT FOR VILLAGE OF NICHOLS*

WHEREAS: The New York State Housing Trust Fund Corporation’s Office of Community Renewal (OCR) through the New York State Main Street Program has approved the award to Tioga County in the amount of \$250,000.00 for the Nichols Downtown Revitalization Program; and

WHEREAS: This grant has been approved for funding for \$217,375.00 interior and exterior renovations, \$15,000.00 in Streetscape Enhancements and \$17,625.00 in Administrative funding for the approved Nichols Downtown Revitalization Program, and

WHEREAS: The Village of Nichols and Tioga County supports the revitalization of commercial and residential uses that make up the downtown or “main street” areas of the Village of Nichols , and

WHEREAS: The Village of Nichols supports this program through approval of a Resolution on 11/28/12, and

WHEREAS: The Tioga County Legislature approved the application and administration of this grant through Resolution #146-12, therefore be it

RESOLVED: That the Tioga County Legislative Chair is authorized to sign any and all documents related to this grant and that the Tioga County Legislature hereby authorizes the acceptance of said grant and authorizes the following fund transfers:

From: CE3990.12 NYS 2012 Nichols Main Street Program \$250,000.00

To: CE8510.12 NYS 2012 Nichols Main Street Program \$250,000.00

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 60-13                      *AUTHORIZE THE ACCEPTANCE OF THE  
ROUND 2 STATEWIDE INTEROPERABLE  
COMMUNICATIONS GRANT CONTRACT –  
FIRE COORDINATORS OFFICE*

WHEREAS: The NYS Division of Homeland Security and Emergency Services has awarded Tioga County a Round-2 Interoperable Communications Grant in the amount of \$2,342,000.00; and

WHEREAS: The Tioga County Emergency Services Communications System is currently over 20 years old and is no longer able to adequately serve the needs and safety of the Police, Fire and Ambulance Services of Tioga County; and

WHEREAS: In 2011 Tioga County employed the consulting firm of Blue Wing Communications to perform a Radio Communication System Analysis, to perform research and make recommendations and produce a communications update plan for the future of Tioga County emergency communications; and

WHEREAS: Accepting this Interoperable Communications Grant will provide the initial infrastructure updates recommended in the Blue Wing Plan and provide critical interoperability improvements that will electronically link Tioga County to all of our New York State contiguous Counties and to enhance the safety of all Emergency Services Personnel by providing additional interoperable communications frequencies in multiple communications bands; and

WHEREAS: This Grant requires no matching funds to be obligated by Tioga County; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be permitted upon approval of the Tioga County Attorney to sign the contract accepting this New York State Round-2 Interoperable Communications Grant Contract in the amount of \$2,342,000.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
INFORMATION TECHNOLOGY

RESOLUTION NO. 61-13 *AUTHORIZE LEASE AGREEMENT BETWEEN TIOGA COUNTY AND TOMPKINS COUNTY FOR RECORDS STORAGE*

WHEREAS: Tioga County has microfilm and papers records that are currently housed at Iron Mountain located in Pennsylvania; and

WHEREAS: Tompkins County has recently obtained bunker space at the former Seneca Army Depot now owned by Finger Lakes Technologies Group and is willing to rent space to Tioga County to house microfilm and paper records for a yearly fee of One Hundred Dollars (\$100.00) at a significant cost savings to Tioga County; and

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

RESOLVED: That the Chair of the Tioga County Legislature sign this Agreement.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 62-13                      *CONTINGENCY FUNDING FOR  
JAIL MEDICAL EXPENSES*

WHEREAS: The Sheriff is experiencing higher Medical Expenses than expected in the Jail; and

WHEREAS: Budgeted funds to cover these expenses within the 2013 Jail Budget have been nearly exhausted, now therefore be it

RESOLVED: That the following contingency funds be appropriated as follows:

From: A1990.40-715 Contingency	\$60,000
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To: Jail Account A3150.40.370 (Medical Expense)	\$60,000
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## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
FINANCE

RESOLUTION NO. 63-13 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 2012 for completion in 2013; therefore be it

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

<u>Bridge Projects</u>		<u>Amt to Establish</u>
H2009.02	East River Rd.	\$ 1,426,929.05
H2010.07	Lillie Hill RD	\$ 55,141.00
H2011.10	Gridleyville Crossing Bridge	\$ 25,000.00
H2012.05	Penn. Ave Bridge	\$ 680,000.00
H2012.06	Gaskill Road Bridge	\$ 731,360.00
H2013.02	East River Rd	(\$1,400,000.00)
H2013.03	Gaskill Road Bridge	(\$ 700,000.00)
<u>Capital Projects</u>		
H1624.20	Trop. Storm Lee Disaster-Capital	\$ 192,343.96
H1624.-20-121	Trop. Storm Lee Disaster-Capital	\$ 83,761.00
H1625.20	Trop. Storm Lee-Expenditure	\$ 61,160.77
<u>Capital Construction</u>		
H1620.20-923	Bldgs-Stand by Generator	\$ 125,000.00
H1620.20-926	Bldgs-HVAC Control System	\$ 60,000.00
H1620.20-927	Bldgs-Court House Ext. Renov.	\$ 366,439.00
H1620.20-990	Bldgs-E911 Backup Center	\$ 53,940.58
<u>Capital Equipment</u>		
H1620.21-929	Buildings-boiler	\$ 120,000.00
H1620.21-988	Bldgs-Court House Renov.	\$ 8,561.00
H5130.21-915	Road Machinery-Patrol Tk Rplc	\$ 14,296.34

And be it further

RESOLVED: That the corresponding revenue sources shall also be re-established in the 2013 modified budget.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 64-13                      *APPROVE CHANGE ORDER  
FOR ELEVATOR PROJECT*

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

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

WHEREAS: There were some unforeseen conditions requiring more work to be done as follows:

- Additional work required for fire alarm system in the Elevator Shaft \$2500
- Requested testing be done to the Recall System of the Elevator Emergency System for County Office Building & Court Annex \$2,000
- Elevator Cab needs to be cleaned & the floor was deemed unsalvageable and will be replaced at the Annex \$2,000
- Jack Hole re-drill process due to unforeseen conditions at the County Office Building \$66,583
- Elevator pit items for code, thermostat for HVAC at Annex & County Office Building \$300
- Lead Paint disposal by third party due to lead levels \$1,834
- Lead paint removal at the County Office Building to allow for waterproofing \$5,866
- Fire alarm system at the County Office Building \$1,309



- Masonry restoration at the county Office Building to allow for water proofing \$1,369

For a total of \$83,761.00; and

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

RESOLVED: That the Tioga County Legislature authorize the change order for the elevators not to exceed \$83,761.00 to be paid out of H1624.20-121 Tropical Storm Lee Disaster-Capital.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 65-13

*APPROVE CHANGE ORDER  
FOR CABLING PROJECT FOR  
COURT HOUSE & COURT ANNEX*

WHEREAS: Tioga County leases space to the NYS Unified Courts System at the Court House & Court Annex; and

WHEREAS: On December 11, 2012 the Tioga County Legislature passed resolution 295-12 to award the cabling installation for the Courts to Matrix Communications; and

WHEREAS: After the project was awarded, the Courts System approved upgrading the door access controls at the Court Annex and Court House requiring an upgrade for the cabling to the access controls for the project; and

WHEREAS: The funding for the change order will be paid 100% by the Unified Court System; therefore be it

RESOLVED: That the Tioga County Legislature approve the Change Order to Matrix Communications in the amount of \$8,561 to be paid out of the Building Account-Court House Renovations H1620.21 use code 988.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 66-13

*AWARD DESIGN SERVICES TO  
MCFARLAND JOHNSON FOR  
CATATONK HILL RD BRIDGE  
BIN: 3335130*

WHEREAS: The Catatonk Hill Rd. Bridge has been placed on the FHWA program; and

WHEREAS: The Commissioner of Public Works received a proposal for Design Services for this project from McFarland Johnson not to exceed \$89,387; and

WHEREAS: The Commissioner of Public Works has budgeted for this in Catatonk Hill Rd over Catatonk Creek account H2013.05; and

WHEREAS: This project will be funded as follows:

Federal:	80%
State:	15%
Local:	5%

Therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract to McFarland Johnson, Binghamton, NY not to exceed \$89,387 to be paid out of account H2013.05 Catatonk Hill Rd over Catatonk Creek Bin: 3335130.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 67-13

*APPOINT DIRECTOR  
SOIL AND WATER CONSERVATION  
DISTRICT*

WHEREAS: Robert Aman's term on the Soil and Water Conservation District as a Farm Bureau Representative is set to expire on March 31, 2013; and

WHEREAS: The Farm Bureau has expressed interest for Robert Aman to continue as Farm Bureau's Representative on the Soil and Water Conservation District Board; therefore be it

RESOLVED: That Robert Aman of Candor, New York be hereby reappointed Farm Bureau Representative to the Soil and Water Conservation District Board for a term of April 1, 2013 through March 31, 2016.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 68-13      *APPOINT MEMBER  
BOARD OF ETHICS*

WHEREAS: Colleen Craig's appointment on the Board of Ethics is set to expire on March 31, 2013; and

WHEREAS: Charles DiGiacomo has expressed an interest in filling the position once it becomes vacant; therefore be it

RESOLVED: That Charles DiGiacomo, Chair appointment, is hereby appointed to the Board of Ethics for a term of April 1, 2013 through March 31, 2016.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 69-13 APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/13-3/31/14
Crime Victim	4/1/13-3/31/14
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/13-3/31/14

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 70-13 APPOINT MEMBER TO THE TIOGA COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS: The Agricultural & Farmland Protection Board member serving in the Agri-Business position has not been able to attend Board meetings in recent years and has expressed agreement with replacing him prior to expiration of his term, and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and has found Gary Phelps of Gary's Berries willing to serve in this position replacing Kevin Perry; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints said member to the Agricultural and Farmland Protection Board to fulfill Kevin Perry's unexpired term of 1/1/10 – 12/31/13.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 71-13 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Kristin Barnhardt expires as of March 31, 2013; and

WHEREAS: Kristin Barnhardt has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Kristin Barnhardt for another three-year term of 4/1/13 – 3/31/16.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 72-13      *RE-APPOINT MEMBER TO THE TIOGA COUNTY  
LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Marcia Kiechle expires as of March 31, 2013; and

WHEREAS: Marcia Kiechle has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Marcia Kiechle for another three-year term of 4/1/13 – 3/31/16.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 73-13 *RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member Sandy Layman expires as of March 31, 2013; and

WHEREAS: Sandy Layman has expressed a desire for another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Sandy Layman for another three-year term of 4/1/13 – 3/31/16.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 74-13 *RESOLUTION REAPPOINTING & NEW APPOINTMENT OF MEMBERS TO COMMUNITY SERVICES BOARD*

WHEREAS: Dr. Keith Nichols appointment to the Community Services Board will expire on March 31, 2013; and

WHEREAS: Candance Cerretani has agreed to become a new member, replacing Denise Brown; and



WHEREAS: The Community Services Board has recommended Dr. Keith Nichols reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Dr. Nichols be reappointed to the Community Services Board, for term starting April 1, 2013 and ending March 31, 2017; and be it further

RESOLVED: Candance Cerretani be appointed a new member, for term starting April 1, 2013 and ending March 31, 2017.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 75-13 *MODIFY COMMITTEE MEMBERS CERTIFIED HOME HEALTH AGENCY/LONG TERM HOME HEALTH CARE PROGRAM/LICENSED HOME CARE SERVICES AGENCY 2013*

WHEREAS: Resolution No. 74-09 made appointments to the Tioga County Health Department Professional Advisory/Utilization Review Committee for CHHA/LTHHCP; and

WHEREAS: The Tioga County Health Department was approved as a Licensed Home Care Services Agency in October of 2012; and

WHEREAS: Members continually leave and are replaced by name, and it is desirous to more effectively specify standard roles required for the committees rather than replace appointments by name as they leave; therefore be it

RESOLVED: That the following roles be specified and appointed to the Professional Advisory/Utilization Review Committee for CHHA/LTHHCP/LHCSA with 4 year terms from 4/1/13 to 3/31/17 as follows:

Appointee Role: Term of Appointment/4 Years: Certified Home Health Agency

Tioga Opportunities Representative  
Consumer Representative  
Medical Social Worker/Master of Social Work  
Physical Therapist/Occupational Therapist  
Medical Director/Consultant  
Nurse #1  
Nurse #2  
Nurse #3  
Director of Patient Services  
Public Health Director  
Dental Advisor  
Dental Program Manager/RDH  
Nurse (CHHA/LTHHCP)  
Primary Care Provider

Appointee Role: Term of Appointment/4 Years: Long Term Home Health Care

Tioga Opportunities Representative  
Consumer Representative  
Medical Social Worker/Master of Social Work  
Physical Therapist/Occupational Therapist  
Medical Director/Consultant  
Nurse #1  
Nurse #2  
Nurse #3  
Director of Patient Services  
Public Health Director  
Dental Advisor  
Dental Program Manager/RDH  
Nurse (CHHA/LTHHCP)  
Primary Care Provider

Appointee Role: Term of Appointment/4 Years: Licensed Home Care Services Agency

Tioga Opportunities Representative  
 Consumer Representative  
 Medical Social Worker/Master of Social Work  
 Physical Therapist/Occupational Therapist  
 Medical Director/Consultant  
 Nurse #1  
 Nurse #2  
 Nurse #3  
 Director of Patient Services  
 Public Health Director  
 Dental Advisor  
 Dental Program Manager/RDH  
 Nurse (CHHA/LTHHCP)  
 Primary Care Provider

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
 PERSONNEL COMMITTEE

RESOLUTION NO. 76–13 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2013; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, be hereby reappointed County Historian for a two-year term from April 1, 2013 until March 31, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:                         LEGAL COMMITTEE  
  PERSONNEL COMMITTEE

RESOLUTION NO. 77-13               *AUTHORIZE EXTENSION OF LEAVE OF ABSENCE  
  LAW DEPARTMENT*

WHEREAS: In accordance with Tioga County Policy 1, Section VI, on 12/26/12, the County Attorney granted a leave of absence to Stephanie Carrigg, Paralegal, upon her acceptance of the position of Secretary to the District Attorney; and

WHEREAS: The 60 working days leave authorized by the County Attorney will expire March 25, 2013; and

WHEREAS: Ms. Carrigg has made a request to the County Attorney for an extension of the leave from the Law Department while serving in her new role in the District Attorney's Office; and

WHEREAS: The County Attorney is in favor of granting such an extension to Ms. Carrigg's leave of absence; therefore be it

RESOLVED: That in accordance with Tioga County Policy 1, Section VII, the Legislature hereby authorizes Ms. Carrigg's request for an extension to her leave of absence through November 29, 2013 or her return to her Paralegal position within the Law Department, whichever occurs first.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## 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. 78-13 *REQUEST WAIVER OF 90-DAY HOLD; AUTHORIZE  
BACKFILL OF VACANT FULL-TIME, REGISTERED  
PROFESSIONAL NURSE POSITION  
PUBLIC HEALTH*

WHEREAS: The Public Health Department has been carrying a vacant full time Registered Professional Nurse position since January 4, 2013; and

WHEREAS: Additional nursing vacancies have occurred since that time due to resignations and retirement in addition to nursing positions left unfunded for 2013; and

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

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

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

RESOLVED: That the Public Health Director is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one (1) full-time, Registered Professional Nurse vacancy at an annual salary of \$44,046 (CSEA Salary Grade XIV) effective March 13, 2013, 23 days shy of being vacant 90 days.

## ROLL CALL VOTE

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

No – Legislators Roberts and Monell.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. 79-13 STANDARD WORK DAY AND  
REPORTING RESOLUTION

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

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

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Temporary Director of Information Technology & Communication Services	Drew Griffin	7	3/2/13-12/31/15**	Y	N/A

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 80-13 *AUTHORIZE SERVICE AGREEMENT BETWEEN TIOGA COUNTY AND COHESIVE FOR WEBSITE UPDATES*

WHEREAS: Tioga County has a need for ongoing updates to its website [www.tiogacountyny.com](http://www.tiogacountyny.com) and Cohesive has the skills and expertise to perform these updates in a timely and professional manner; and

WHEREAS: Tioga County ITCS recent staff changes have created a need to have this work performed by an outside service provider and Cohesive is willing to provide these services on a time & materials basis at \$60/hour billed in 10 minute increments; and

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

RESOLVED: That Tioga County enter into a service agreement with Cohesive at a cost of \$60/hour and not to exceed \$16,000/year; and be it further

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

## ROLL CALL VOTE

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

No – Legislator Roberts.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:31 P.M.