

Twelfth Regular Meeting
December 14, 2010

The Twelfth Regular Meeting of 2010 was called to order by the Chair at 6:00 P.M. Seven Legislators were present, Legislators McEwen and Quinlan being absent.

Chair Weston asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we ask for your blessing on this Assembly. Please provide your guidance and grant us the gift of wisdom so that we may perform our duties on behalf of the people of the County."

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

There were 25 people in attendance.

Drew Griffin presented Employee of the Fourth Quarter 2010 to Katherine Garrison from the Department of Social Services.

"First of all I would like to thank the Legislators for their continued support of the Employee of the Quarter Program and my fellow committee members for all the hard work that they do throughout the year. Tonight it is my great pleasure to introduce to you Kathy Garrison.

"Kathy began her career here at Tioga County Department of Social Services in a temporary position as a typist in November of 1991. In 1992, Kathy became a seasonal typist in the HEAP Unit and in February of 1993, she became a permanent employee in the Income Maintenance Unit as a typist. In October of 1995, Kathy was promoted to Social Welfare Examiner and in Feb of 2002, Kathy was again promoted this time to Social Services Investigator. Kathy was promoted a last time in August of 2004 to the position she currently holds, Principal Social Welfare Examiner.

"Kathy has been involved in many different initiatives and projects unique to Tioga County in the past few years including, but not limited to:

- The integration of the Temporary Assistance and Employment Programs.
- The Intensive Case Management Project that deals with sanctioned customers
- The Home-Visiting Initiative.
- Tioga Works
- Disability Case Management Initiative/SSI Tracking
- Wheels to Work Liaison
- Community Solutions to Transportation Coordination
- TANF 200% Program Coordination
- Volunteer Income Tax Assistance (VITA)
- Generic Screening of all Assistance Programs
- Transitional Housing Services for families as well as ex-offenders
- Integrating all of the above as well as other programs (SCU/JOBS/Daycare) into the Tioga County Employment Center as a true "One Stop Shopping" center of Human Service programming for Tioga County residents

"Kathy has won the Tioga County Department of Social Services employee of the quarter on two occasions: July – September of 1994 and July – September 1998. She was also named the Tioga County Department of Social Services Supervisor of the Year in 2008.

"Kathy has a strong passion for the work that she does and is a visionary in her field. Kathy is recognized for the management strengths she has shown in working to improve her unit operations as well as those units supervised by her peers. Her high level of professionalism, her enthusiasm, her dedication to the goals of the agency and for continually striving to improve herself and those who work for her, Kathy's firm but fair approach exemplifies our goals of accountability and self-sufficiency for our customers.

Legislator Huttleston spoke. "Congratulations. I saw her in the hall coming in and she always said it would be a cold day in hell if she got this award. Thank goodness it got cold so they would give you this award. I do want to congratulate the Committee. It was a good selection. I have heard a lot about you and all of the things I have heard have always been good. I do appreciate you and all the employees that work for Tioga County. The Committee has done a good job at making another good selection. I appreciate everything you do, it makes my job easier and makes Shawn's job easier. Thank you."

Shawn Yetter, Commissioner of Social Services, spoke. “Katherine or Kathy or Kath, or Kat, she has several names, I never quite know what to call her, but she is indeed one of Tioga County’s finest employees and I thank the Employee Recognition Committee and the Legislature for the support and for honoring her here tonight.

“As you heard in her bio, she has steadily moved up through the Organization and has been extremely competent in every position that she has held. Something that was not in her bio however that I would add is that I have come to believe that she is somewhat psychic. Do you remember the character Radar on MASH who always knew what the Colonel was going to say? I call Kathy and I say I just got a call from and she will cut me off and say John Jones. I will say yea and I really need you to, uh I have already done it, it is taken care of. Then I would say well do we need to do anything with procedures, uh I have taken care of that, it will never happen again. And then I just have to say thank you and that is how Kath works every day, day in and day out.

“She is our group of employees at the top of the list as far as people who are in tune with the people that we serve. Her work comes from her heart every day and there are many many former public assistance recipients in this County who are former recipients because of the compassion that she has and the high expectation she has for outcomes from both the people we serve and from the staff that she works with as part of her team. She treats all those people, customers and staff, fairly and firmly, and she is very adept at allowing her staff the opportunity to work in that same fashion and make accomplishments happen. It is through the efforts of Kathy and her team that we see such successful opportunities and low cash assistance rolls in this County month in and month out, and our average length of stay on assistance is very low in comparison to other counties our size as well.

“All of the work, I will not repeat what was said in the bio, but all of those programs she has had an amazing impact in getting off the ground and making it happen, and Kathy we really salute you for that. This is an honor that is greatly deserved and it certainly represents the almost 20 years of service that you have given to the County, and we thank you for all that you do for us.”

Kathy Garrison spoke. "I just want to thank everyone, this is truly such an honor. Thank you to my Legislators, my admin, always with the open door policy, my family, my husband and my kids, Marcus and Mallory, they are so supportive, and, of course, my team. There are four of my girls right there and I am nothing without them. We all shine together. We are an excellent unit and we work well together. It shows and I cannot thank them enough. Thank you, thank you to everyone."

Legislator Hollenbeck read and presented the following Recognition Resolution to Norma Slocum.

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

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 230-10

*RESOLUTION RECOGNIZING
NORMA M. SLOCUM'S
32 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Norma M. Slocum was appointed as Clerk-Typist on 11/06/78; Account Clerk-Typist on 12/11/78; Senior Account-Clerk Typist on 09/05/83; Benefits Manager on 01/01/88; and Secretary to the Personnel Officer on 01/01/90; and

WHEREAS: Norma M. Slocum has been dedicated and loyal in the performance of her duties and responsibilities during the past 32 years, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Norma M. Slocum will retire from the Tioga County Personnel Department on December 31, 2010; 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 Norma M. Slocum for her 32 years of dedicated and loyal service to the employees and 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, Norma M. Slocum.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED UNANIMOUSLY.

Bethany O'Rourke, Personnel Officer, spoke. "As mentioned in the resolution, Norma has served Tioga County for 32 years and I think it is important to mention that no other employee of the Tioga County Personnel Department, past or present, has had more years of service than Norma. In fact, I think the closest tenure was only 19 years.

"As you can imagine after working here for 32 years the list of Norma's coworkers has been quite long, 36 I believe, but what is notable about that is the fact that Norma has put in the time and effort to maintain contact with most of them, even long after they left Tioga County and that is the way Norma is. She is devoted to the people she cares about and she has devoted her career to Tioga County.

"I personally have had the pleasure of working with Norma for 12 years and during that time Norma has been an invaluable resource, not only to me, but too many employees throughout the departments. Norma has vast historical information and although the Personnel Department staff has devoted the past two months to try and to learn Norma's duties, we cannot possibly capture all of her knowledge. Norma we are both sad and thrilled that you are retiring. Sad we will not see you on a regular basis, but thrilled for all the opportunities that retirement is going to offer you. I have no doubt you will stay busy because your social calendar pales to no bodies. I also hope you make time in that schedule to stop by and see us. We have been fortunate to have you work here 32 years. I thank you and congratulations."

Norma Slocum spoke. "Well thank you to the Tioga County Legislature for this honor and for the flowers. It has been my pleasure to work for Tioga County and meet so many wonderful people over the last 32 years. A special thanks to the Economic Development Department and Planning Department for their never ending support. I have been so proud to work with my Personnel Office coworkers.

"I thank Bethany O'Rourke for her guidance and leadership, Linn Jorgensen for her commitment to administering Civil Service Law and for her delicious chocolate chip cookies, Nancy Henry for making every day at work a joy, Susan Owens for sharing her wonderful photography with the staff, much of which belongs on the cover of Outdoor Life, and finally no words could possibly express the appreciation and affection I have for Amy Poff. Amy is a true angle on earth. Tioga County is fortunate to have all of these capable people on staff. After all these years I have learned that it is truly all about the people. The people we serve and the people we work with, and I have been lucky enough to have had the best. I thank my family and friends for being here, and I wish each of you here tonight Happy Holidays. Thank you. "

George Penney had privilege of the floor. "I would like to speak about the Groundwater Specialist position. First may I say I will miss Norma's smiling face. As to the Groundwater Specialist position, I am looking at a list of persons contracting now with the Public Health Department, a total of 36 names. I do not want to think that these will be full time positions sometime in the future. I would suggest that you might table the pending resolution for further consideration. Thank you."

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		813.74
A1165	District Attorney		723.27
A1170	Public Defender		13,173.94
A1325	Treasurer		622.50
A1355	Assessments		10,079.91
A1410	County Clerk		306.64
A1411	Department of Motor Vehicles		448.76
A1420	Law		790.07
A1430	Personnel		971.85
A1450	Elections		31,559.18

A1460	Records Management		189.08
A1460.41	Records Management		8,956.74
A1490	Public Works Administration		783.35
A1620	Buildings		65,878.76
A1680	Information Technology		18,298.83
A2490	Community College Tuition		238,262.12
A2960	Education of Handicapped Children		241,403.58
A3020	Public Safety Comm E911 System	644.40	8,715.18
A3110	Sheriff	1,451.09	16,594.76
A3140	Probation		114.51
A3241	Alternatives to Incarceration		808.50
A3146	Sex Offender Program		8,766.67
A3150	Jail		44,774.36
A3315	Special Traffic Programs		732.80
A3410	Fire		7,714.54
A3552	EMO Grant-SHSP C837970		14,350.00
A3640	Emergency Mgmt Office		632.89
A4010	Public Health Nursing		32,255.87
A4011	Public Health Administration	950.00	19,585.93
A4012	Public Health Education		54.06
A4042	Rabies Control		1,194.29
A4044	Early Intervention		26,009.59
A4053	Preventive/Primary Health Services		1,258.35
A4054	Preventive Dental Services		937.38
A4062	Lead Poisoning Program		322.35
A4064	Managed Care-Dental Services		5,862.05
A4070	Disease Control		14,152.25
A4090	Environmental Health		1,712.95
A4210	Alcohol and Drug Services		9,614.33
A4309	Mental Hygiene Co Admin		9,842.55
A4310	Mental Health Clinic		66,654.02
A4315	Mental Retardation		614.41
A4320	Crisis Intervention		31,461.49
A4321	Intensive Case Management		2,127.67
A6010	Social Services Administration		120,024.19
A6141	Energy Crisis Assistance Programs		8,747.38
A6422	Economic Development		1,133.20
A6510	Veterans' Service		942.39

A6610	Sealer Weights/Measures	169.42
A7310.41	Youth Programs, Refundable	8,467.19
A9060	Health Insurance	1,537.34
SOLID WASTE FUND		82,169.43
COUNTY ROAD FUND		29,306.63
SPECIAL GRANT FUND		7,163.46
CONSOLIDATED HEALTH FUND		63,177.52
CAPITAL FUND		168,304.66
LIABILITY INSURANCE FUND		576.00
WORKERS' COMP		<u>1,250.00</u>
GRAND TOTAL		\$ 1,456,140.37

Legislator Sauerbrey made a motion to approve the minutes of November 9 and 23, 2010, seconded by Legislator Monell, and carried.

Chair Weston abolished the Finger Lakes Association member appointment effective 12/14/2010.

Chair Weston appointed the following to a Financial Planning Committee effective 12/14/2010:

Finance Committee
Personnel Officer
County Attorney

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 231-10 *FIX TIME OF
ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Monday, January 3, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 232-10 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 233-10 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 234-10 *AUTHORIZE TREASURER TO
ENCUMBER FUNDS*

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2010 to allow proper coding of bills for payment in January.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 235-10 *ADOPT COUNTY BUDGET FOR 2011,
APPROPRIATIONS AND SALARY
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2011 submitted by the Budget Officer on November 15, 2010 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2011; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2011; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 236-10 *TOWN TAX LEVY*

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2011; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	\$ 45,430.00	195,387.00
Newark Valley	-	-
Nichols	8,060.00	46,793.00
Owego	-	1,586,663.00
Spencer	41,449.00	372,424.00

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	14,889.00
Lockwood Fire Protection	35,000.00
Waverly Joint Fire Protection	250,347.00
Town of Berkshire	
Berkshire Fire District	125,067.00
Town of Candor	
Candor Fire District	417,560.00
Town of Newark Valley	
Newark Valley Fire District	177,227.69
Town of Nichols	
Lounsberry Fire Protection	3,000.00
Nichols Joint Fire Protection	135,400.00
Town of Owego	
Apalachin Fire District	683,595.00

Owego Fire District	931,031.63
Newark Valley Fire District	25,773.31
Town of Richford	
Richford Fire District	77,155.00
Town of Spencer	
Spencer Fire Protection District	75,000.00
Town of Tioga	
Tioga Fire District	178,561.00

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,708.00
Water District No. 4/Ext. 15	7,553.00
Water District No. 4/Ext. 17	21,125.00
Water District No. 4/Ext. 20	17,625.00
Sewer District No. 2/Ext. 14	15,635.00
Sewer District No. 2/Ext. 15	11,573.00
Lighting District No. 1	5,297.00
Lighting District No. 2	11,950.00
Lighting District No. 3	10,378.00
Lighting District No. 4A	618.00
Lighting District No. 4B	1,939.00
Lighting District No. 5	6,319.00
Lighting District No. 6	15,779.00
Lighting District No. 7	2,013.00
Lighting District No. 8	1,307.00
Lighting District No. 9	601.00
Lighting District No. 10	841.00

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$196,705.18; further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$8,166.20; further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	194,000.00	441,400.00
Berkshire	78,745.00	330,450.00
Candor	360,359.00	791,187.00
Newark Valley	266,046.00	297,800.00
Nichols	99,142.00	256,893.00
Owego	728,847.00	
Richford	140,555.00	390,600.00
Spencer	320,244.00	49,474.00
Tioga	223,004.00	502,900.00

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 237-10 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 235-10 dated December 14, 2010 adopted a Budget for the fiscal year 2011 and by Resolution No. 235-10 dated December 14, 2010 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 236-10 dated December 14, 2010 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	109,671.15
Berkshire	20,353.02
Candor	85,328.84
Newark Valley	61,486.02
Nichols	42,092.81
Owego	381,290.81
Richford	20,400.13
Spencer	56,972.84
<u>Tioga</u>	<u>70,254.38</u>
Total	847,850.00

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$20,260,838.00 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	385,632.86
For School Tax Returned	2,787,573.59
For Deficits from prior years' taxes	395.44
For Reimbursement of Erroneous taxes, etc.	6,148.66
All of the forgoing being subject to	
Credit for excess collection the prior year of	54.85

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 236-10 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2010; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	8.036
	In	8.036
Berkshire		8.304
Candor	Out	111.515
	In	111.515
Newark Valley	Out	12.744
	In	12.744
Nichols	Out	30.618
	In	30.618
Owego	Out	10.788
	In	10.788
Richford		6.659
Spencer	Out	44.791
	In	44.791
Tioga		109.556

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 238-10 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for corrected tax roll indicates that property no. 1219 in the Town of Spencer, assessed to the Columbia Gas Transmission, LLC on the 2010 tax roll is erroneous in that Columbia retired their pipeline assets in the Town of Spencer in December 2008; that said assets were to be incorporated into the pipeline constructed and owned by Millenium Pipeline Company thus the parcel no longer exists; and

WHEREAS: Property no. 1219 in the Town of Spencer was billed and paid by both Columbia and Millenium in 2010, and the 2010 Columbia Gas tax bill in the amount of \$1,918.50 was paid on 1/26/10; be it therefore

RESOLVED: That a refund of \$1,918.50 be issued to Columbia Gas Transmission, LLC for overpayment of the 2010 taxes; and be it further

RESOLVED: That the erroneous town tax of \$749.90 be charged back to the Town of Spencer, and the erroneous fire tax of \$78.01 be charged back to the Spencer Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$43.73 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$1,046.86 be charged to the proper account in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 239–10 *REAPPOINT MEMBERS
BOARD OF ETHICS*

WHEREAS: The terms of F. John Waite and John Hitchings on the Board of Ethics are due to expire December 31, 2010; and

WHEREAS: F. John Waite and John Hitchings have both agreed to serve another term; therefore be it

RESOLVED: That F. John Waite, Minority appointment, and John Hitchings, Chair appointment, are hereby reappointed to the Board of Ethics for a term of January 1, 2011 through March 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 240-10 APPOINT MEMBERS
 RECORDS MGMT. ADVISORY BOARD

WHEREAS: Resolution 36-90 established the Records Management Advisory Board; and

WHEREAS: The Board currently consists of the following members:

Records Management Officer	TERM OF OFFICE
Information Technology and Communication Srvcs Department Director	TERM OF OFFICE
County Treasurer or designee	TERM OF OFFICE
Records Management Committee Legislator	TERM OF OFFICE
Records Management Committee Chair	TERM OF OFFICE
Department Records Steward of DSS	2/28/08-2/28/10
Representative of the Media	2/28/08-2/28/10
Real Property Tax Director	TERM OF OFFICE
County Clerk	TERM OF OFFICE

And

WHEREAS: There are two vacant seats created by expiration of terms on February 28, 2010, Department Records Steward of DSS and Representative of the Media; and

WHEREAS: It is desirous to have the Department Records Steward of DSS appointed for TERM OF OFFICE; and

WHEREAS: The County Historian was listed in Resolution 36-90 when the Records Management Advisory Board was established, but was never formally appointed; now therefore be it

RESOLVED: That the following members be appointed to the Records Management Advisory Board as follows:

Mary Beth Jones – Tioga County Courier – 12/14/2010 -2/28/2012
 Department Records Steward of DSS – Term Of Office

And be it further

RESOLVED: That The County Historian be appointed for TERM OF OFFICE.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 241-10 *AMEND RESOLUTION 488-93*
 APPOINT MEMBER
 GIS ADVISORY BOARD

WHEREAS: The Tioga County GIS Advisory Board, created per resolution 488-93, serves to provide oversight and guidance to GIS activities in Tioga County including issues such as personnel, hardware and software resources, alternative program funding, application development and GIS program prioritization; and

WHEREAS: Current members of the GIS Advisory Board are as follows:

County Planning Director	TERM OF OFFICE
Real Property Director	TERM OF OFFICE
Records Management Officer	TERM OF OFFICE
Information Technology and Communication Svcs Director	TERM OF OFFICE
Commissioner of Public Works	TERM OF OFFICE
Sheriff	TERM OF OFFICE
Fire Coordinator	TERM OF OFFICE
Public Health Director	TERM OF OFFICE
Emergency Management Officer	TERM OF OFFICE

Commissioner of DSS	TERM OF OFFICE
Soil & Water Conservation District Manager or designee	TERM OF OFFICE

WHEREAS: The Real Property Director has relinquished the position of Chair of the GIS Advisory Board; and

WHEREAS: Resolution 488-93 needs to be amended to add the GIS Manager as a member of the GIS Advisory Board for the Term of Office; and

WHEREAS: The GIS Manager has agreed to be appointed as the Chair of the GIS Advisory Board; therefore be it

RESOLVED: That Resolution 488-93 be amended to add the GIS Manager as a member of the GIS Advisory Board for the Term Of Office; and be it further

RESOLVED: That the GIS Manager be appointed as Chair of the GIS Advisory Board.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 242-10 *EXTEND YOUTH BOARD MEMBER TERM
YOUTH BUREAU*

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

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

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

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 104-10 and terms have expired; now therefore be it

RESOLVED: That the following listed representatives term be extended as follows:

	<u>TERM</u>
Elisa Harris (previously Amato)(Extending Term)	01/01/2011 – 12/31/2014

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 243-10

*APPOINT MEMBERS TO THE
TIOGA COUNTY PLANNING
BOARD*

WHEREAS: Several members terms on the Tioga County Planning Board expire as of 12/31/10; and

WHEREAS: Patty Porter is willing to serve another term as an at-large alternate member; and

WHEREAS: The Village of Waverly has nominated William Dimmick III to serve another term as their representative; and

WHEREAS: The Town of Barton has nominated Dave Mumbolo to replace Peter Kanze; and

WHEREAS: The Town of Tioga has nominated Doug Chrzanowski to replace Jeff Barnes, therefore be it

RESOLVED: That the Tioga County Legislature appoint Dave Mumbolo and Doug Chrzanowski, and reappoint Patty Porter and William Dimmick III to the Tioga County Planning Board, all to serve 3-year terms of 1/1/11 – 12/31/13.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 244-10 *APPOINT MEMBERS TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND
PROTECTION BOARD*

WHEREAS: The member's term representing the Farm Bureau (Ag Land Preservation) term expires as of December 31, 2010, and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling these positions and the Tioga County Farm Bureau has found John Lacey willing to fill this position replacing Marty Borko; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints said member to the Agricultural and Farmland Protection Board for a four-year term of 1/1/11 – 12/31/14.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 245-10

*RESOLUTION APPOINTING
CHRISTINE SCHWEITZER TO THE
COMMUNITY SERVICES BOARD*

WHEREAS: The Tioga County Community Services Board has a vacant position available; and

WHEREAS: Christine Schweitzer, residing in Apalachin, NY, has expressed an interest in filling the vacant position; and

WHEREAS: The Community Services Board nominated Ms. Schweitzer for the position at its November 18, 2010 meeting; now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Christine Schweitzer to the Tioga County Community Services Board for the remainder of a vacant position ending on March 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 246-10 *RESOLUTION ABOLISHING
HOSPICE DONATIONS COMMITTEE*

WHEREAS: The Director of Public Health has recommended that the Hospice Donations Committee is no longer needed as it is under the direction of Lourdes; therefore be it

RESOLVED: That the Hospice Donations Committee is hereby abolished effective December, 15, 2010.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 247-10 *APPROPRIATION OF ADDITIONAL REVENUE*

WHEREAS: The fee revenue being collected during 2010 has exceeded the budget; and

WHEREAS: The cost of disposing of the additional tonnage has also increased proportionally; therefore be it

RESOLVED: That the sum of \$40,000.00 be appropriated to Solid Waste Account B8160.41-140 from the additional tipping fee revenue Account B1221.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 248–10 *APPROPRIATION OF ADDITIONAL REVENUE*

WHEREAS: The Hazardous Waste Program has been very successful and the program during 2010 has exceeded the budget; and

WHEREAS: The cost of disposing of the additional amounts of hazardous waste and electronics due to increases in participation rates of the program which was particularly evident in the large bill for September; therefore be it

RESOLVED: That the sum of \$10,000 be appropriated from tipping fee revenue Account B1221 to Solid Waste Account B8160.42-261 for the additional amounts of hazardous waste and electronics in 2010.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 249-10 TRANSFER OF FUNDS
PUBLIC HEALTH

WHEREAS: The Tioga County Health Department (TCHD) Mobile Dental Services is in need of replacement equipment; and

WHEREAS: TCHD has the funds available for the necessary equipment; and

WHEREAS: The available funding requires transfer to the appropriate budget lines; and

WHEREAS: Transfer of funds requires Legislative approval, therefore be it

RESOLVED: That funds be transferred as follows:

From: A4064.40-140 Dental Services Contract Services	\$ 6,000
To: A9950.93-715 Transfer to Capital-All Other	\$ 6,000

And,

From: H5301.30 Interfund Transfer All Other	\$ 6,000
To: H4064.21 Capital Equip Dental Services	\$ 6,000

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 250-10 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: Tioga County Health Department (TCHD) and Information Technology Communication Services (ITCS) have identified computer and computer related equipment needs; and

WHEREAS: TCHD and ITCS have worked jointly to identify needs and possible cost savings in solutions to these needs; and

WHEREAS: Although some of the items will benefit other county departments, TCHD's shared need will allow for the partial reimbursement of these items through State Aid if purchased by TCHD; and

WHEREAS: The coordinated efforts of TCHD and ITCS in determining the solutions of purchasing the items through TCHD, have resulted in reduced budget requests by both departments in the 2011 budget, with full expectation of the same in the 2012 budgets for these items; and

WHEREAS: TCHD has earned and already received fee revenue from its Certified Home Health Care Agency (CHHA) that is well above 2010 budgeted amounts, which can be appropriated to fully cover the balance of the costs not covered by the State aid reimbursements; and

WHEREAS: The re-investment of the additional revenues into the technical and computer related components will allow for continued success in both the program and fiscal areas of the CHHA; and

WHEREAS: The Director of ITCS has reviewed and approved the computer and computer related items to be purchased; and

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

RESOLVED: That funding be appropriated as follows:

From: A1610.00 Fee Revenue: Public Health	\$ 11,270
From: A3401.00 State Aid: Public Health	\$ 6,230
To: A9950.93-715 Transfer to Capital-All Other	\$ 17,500

And,

From: H5301.30 Interfund Transfer All Other	\$ 17,500
To: H4011.21 Capital Equip Health Administration	\$ 17,500

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 251-10 TRANSFER OF FUNDS
BOARD OF ELECTIONS

WHEREAS: The U. S. Election Assistance Commission approved the Advisory Opinion in Response to a Request from the New York State Board of Elections on behalf of Tioga County Board of Elections, for approval to purchase a vehicle for a Voter Education Program and for Inspector Training of Optical Scan Voting Systems and Accessible Ballot Marking Devices; and

WHEREAS: The Board of Elections received a grant in the amount of \$35,000 to purchase a vehicle; and

WHEREAS: The Board of Elections budget line for the 2010 Capital Equipment was only budgeted at \$30,000.00; and

WHEREAS: The Board of Elections has secured a vehicle for the amount of \$31,621.69; and

WHEREAS: Additional funding of \$1,621.69 is needed to meet the costs of the obtained vehicle; and

WHEREAS: These funds are able to be transferred from the \$35,000 grant; and

WHEREAS: Transfer of funds requires Legislative approval, therefore be it

RESOLVED: That the sum of \$1,621.69 be transferred as follows:

From: H4089 Federal Aid

\$1,621.69

To: H1450.21.60-Capital Equipment-Car/Truck

\$1,621.69

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 252-10

TRANSFER OF FUNDS

WORKERS' COMPENSATION

WHEREAS: Due to higher than anticipated workers' compensation medical costs a shortfall is anticipated in the Benefit and Award accounts in the 2010 workers' compensation budget; and

WHEREAS: Funds are available in the Payments to State Expense account; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account \$1710.40 (450)	\$85,000.00
To: Workers' Compensation Account \$1720.40 (380)	\$85,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 253-10 APPROVE FUNDING
2011 YOUTH BUREAU PROGRAMS

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding, which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2011 applications for funding, which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2011 be approved by the Tioga County Legislature in the amounts indicated:

Youth Development and Delinquency Prevention Programs

Cooperative Extension Family Resource Centers	\$13,846
Tioga County Council on Alcohol & Substance Abuse	\$ 6,442
Cooperative Extension Waverly Youth Café	\$ 4,543
Camp Ahwaga	\$ 3,268
Spencer Van Etten Building Foundations	\$ 2,199

Special Delinquency Prevention Programs

Big Brothers Big Sisters of Bradford County, Inc.	\$ 9,134
A New Hope Center	\$ 8,432
Cooperative Extension Family Resource Centers	<u>\$ 2,409</u>
TOTAL	\$50,273

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 254-10 *INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last ten years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the year 2011; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee , upon approval of the County Attorney, to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the year 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 255–10 HAULING/TRANSFER SERVICES

WHEREAS: The contract for Hauling/Transfer of garbage with Superior expires at the end of December 2010; and

WHEREAS: The department of Solid Waste held a bid opening on December 7, 2010

WHEREAS: The bid results were as follows:

<u>Bidder Name</u>	<u>\$/Ton/Mile</u>	<u>Miles</u>	<u>\$/Ton</u>
Superior Disposal	0.501466	68.2	34.20

Therefore be it

RESOLVED: That the Tioga County Legislature award the Hauling/Transfer bid to the low bidder Superior with the contract date effective February 1, 2011;

And be it further

RESOLVED: That the contract be for an initial 3 years with two 3 year extensions with an increase based upon the Consumer Price Index.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 256–10 *PRICING CHANGE FOR TIPPING FEE AT
TRANSFER STATION*

WHEREAS: The tipping fee at the Transfer Station is currently \$70 per ton which was last increased in August 2004; and

WHEREAS: With the significant increases in the new hauling contract, an increase in pricing would offset the cost of this increase on the taxpayer; and

WHEREAS: That the Tioga County Legislature requires all pricing to be authorized by resolution; therefore be it

RESOLVED: That the Tioga County Legislature approves the new tipping fee to be \$80 per ton starting February 1, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 257-10

*AUTHORIZING THE IMPLEMENTATION
AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID
ELIGIBLE COSTS OF A
TRANSPORTATION FEDERAL-AID
PROJECT AND APPROPRIATING
FUNDS*

WHEREAS: A project for the Tappan Road Bridge over East Branch of Owego Creek, Town of Newark Valley, Tioga County, PIN 9753.38 (the Project) is eligible for funding under Title 23-US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% 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 Preliminary Engineering, Right-Of-Way, Construction and Construction Supervision and Inspection work; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and be it 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 Preliminary Engineering, Right-Of-Way, Construction, and Construction Supervision and Inspection work for the Project or the portions thereof; and be it further

RESOLVED: That the sum of \$1,873,000.00 is hereby appropriated in the Tappan Road Bridge account H2007.14 and made available to cover the cost of participation in the above phase of the Project; and be it 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 the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED: That the Chairman of the Legislature of the County of Tioga 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 of 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 be it 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 be it further

RESOLVED: That this resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 258-10

*AWARD CONSTRUCTION BID FOR
LOCKWOOD MAIN STREET BRIDGE
PROJECT TO ECONOMY PAVING CO.*

WHEREAS: Tioga County will be receiving a bond issue for the Capital Project in 2010; and

WHEREAS: December 07, 2010 sealed bids were opened for the Rehabilitation of the Main Street. Bridge over Cayuta Creek in the Town of Barton; and

WHEREAS: The bid results were as follows:

1. Economy Paving Co., Inc.	Cortland, NY	\$ 923,360.00
2. R. DeVincentis Construction Inc.	Binghamton, NY	\$1,016,000.00
3. Slate Hill Construction Inc.	Warners, NY	\$1,095,111.50
4. Vector Construction Corp.	Cicero, NY	\$1,095,398.50

And

WHEREAS: McFarland and Johnson Engineers, Binghamton, NY has reviewed the bid proposals and recommends awarding the project to the low bidder Economy Paving Co., Cortland, NY, which satisfies the requirement for qualifications; therefore be it

RESOLVED: That the Tioga County Legislature award the bid for the rehabilitation of the Main St. Bridge (BIN 3334800) over Cayuta Creek in the Town of Barton to Economy Paving Co., Cortland, NY not to exceed \$923,360.00 to be paid out of the Main St Bridge Account H2009.05.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 259-10 RENEW CONTRACT
 PARTNERS IN SAFETY, INC.
 (CDL DRUG & ALCOHOL TESTING)

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing “safety sensitive” tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; and

WHEREAS: All the municipalities involved, including the County are in agreement that the contract should be renewed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$43.00 Per Employee Per Year

To Include:

- Random Selection of Employees (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$46.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$70.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$45.00 per person
Emergency Service	\$125 per hour Minimum 2 hours plus the cost of the test
Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification):	\$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2011 - December 31, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 260-10 *AUTHORIZE 2011 TAX MAP MAINTENANCE CONTRACT*

RESOLVED: That the Chair of the Tioga County Legislature is hereby authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2011 for an annual charge of \$25,920, payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 261-10 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY
ASSOCIATES, PC, AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2011 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$800.00 to be paid to Pathologists, \$400.00 for morgue fees, and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/11 through 12/31/11.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 262-10 *AWARD PRINTING SERVICES
CONTRACT EXTENSION*

WHEREAS: The Tioga County Legislature entered into a contract with Action Graphic Services, Inc. on November 13, 2007 for the provision of printing services, which was to commence January 1, 2008 and expire on December 31, 2008; and

WHEREAS: Said contract provided for three one-year extensions; and

WHEREAS: The second one-year extension will expire on December 31, 2010; and

WHEREAS: Action Graphic Services, Inc. has requested in writing a one-year extension of the printing services contract and is willing to provide the same service specified in the contract; therefore be it

RESOLVED: That the Tioga County Legislature agrees to the third one-year extension of the Action Graphic Services, Inc. printing services contract at the same terms and conditions as the November 13, 2007 contract upon approval of the County Attorney, which extension shall commence on January 1, 2011 and expire on December 31, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 263-10

*AUTHORIZE CONTRACT WITH
SECURITAS SECURITY SERVICES
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: The Tioga County Department of Social Services has a contract with Securitas to provide security services at the HHS complex and Mental Hygiene's Waverly Office effective January 1, 2010 through December 31, 2010; and

WHEREAS: The need for ongoing security exists at these locations; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Securitas Security Services USA upon approval of the County Attorney to continue providing unarmed security services at the HHS complex and Mental Hygiene's Waverly Office effective as of January 1, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 264-10

*RESOLUTION TO APPROVE A
CONTRACT BETWEEN THE TIOGA
COUNTY PROBATION DEPT. AND
THE FAMILY AND CHILDREN'S
SOCIETY TO PROVIDE ADULT
SEXUAL OFFENDER TREATMENT
SERVICES*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult sex offender treatment in 2011; and

WHEREAS: The Family and Children's Society is continuing to offer a sexual offender treatment program for a maximum of 20 adult sex offenders at any point in time to Tioga County Probation for \$105,200 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract with The Family and Children's Society to provide adult sexual offender treatment services in the amount of up to \$105,200 annually upon approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 265-10 *AUTHORIZE CONTRACT FOR INMATE
MEDICAL CARE*

WHEREAS: The Sheriffs Office contracts with Correctional Medical Care Inc. (CMC) to provide medical care to the inmates of the Tioga County Jail; and

WHEREAS: The Sheriffs Office is desirous to extend the current contract one additional year for an annual fee of \$269,894; and

WHEREAS: Funding for this contract will be appropriated in the 2011 budget and the Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Sheriffs Office to enter into a contract with Correctional Medical Care, Inc.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 266-10 *AUTHORIZE CONTRACT FOR UNIFORM DRY
CLEANING AND LAUNDRY SERVICES*

WHEREAS: The Sheriffs Office is required to provide uniform Dry Cleaning and Laundry services for uniformed officers; and

WHEREAS: Moreton Cleaners of Waverly New York has contracted with the Sheriffs Office to provide this service; and,

WHEREAS: The Sheriffs Office is desirous to extend the current contract one additional year for a annual fee of \$12,250; and

WHEREAS: Funding for this contract will be appropriated in the 2011 budget and the Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Sheriffs Office to enter into a contract with Moreton Cleaners.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 267-10	<i>AUTHORIZE THE SUBMISSION OF GRANT APPLICATION SHERIFF'S OFFICE</i>

WHEREAS: The NYS Office of Homeland Security has announced the
FY '10 State Law Enforcement Terrorism Prevention Program (SLETPP) for Tioga County Law Enforcement in the amount of \$34,000; and

WHEREAS: Applications for these monies must be received no later than December 31, 2010; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 268-10

*AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security has issued a grant of \$84,000 to the Tioga County Office of Emergency Management, and through meetings with the Sheriff and Fire Coordinator, it was determined the grant would be used for the interoperability of radio communications; and

WHEREAS: The Tioga County Emergency Management Office has to submit an application for this funding; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Emergency Management Office apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 269-10 *AMEND RESOLUTION 224-10, HIRING DELAY
THROUGH 2011
ALL COUNTY DEPARTMENTS*

WHEREAS: Resolution 224-10 extended the terms of the 60-day hiring delay, previously established by resolution 147-09, through December 31, 2011; and

WHEREAS: The intent of resolution 224-10 was in fact to modify the 60-day duration to 90-days due to the additional cost savings which could be realized in conjunction with having the terms of the hiring delay extended through 2011; therefore be it

RESOLVED: That Resolution 224-10 is hereby amended to reflect a 90-day Hiring Delay through December 31, 2011; and be it further

RESOLVED: That other than the number of days of said delay, the 90-day Hiring Delay shall continue to adhere to all other terms set forth by Resolution 147-09 until further Legislative action.

ROLL CALL VOTE

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

No – Legislator Huttleston.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 270-10 *AUTHORIZE PURCHASE OF SPECIFIC AND
AGGREGATE STOP-LOSS FOR
CONSOLIDATED HEALTH INSURANCE
PROGRAM*

WHEREAS: The Tioga County Consolidated Municipal Health Insurance Program's (TCCMHIP) specific and aggregate stop-loss policies expire December 31, 2010; and

WHEREAS: TCCMHIP continues to experience rising health insurance costs and large claims incurred by individual members; and

WHEREAS: The continuance of both specific and aggregate stop-loss coverage help to limit exposure to the TCCMHIP; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Personnel Officer to purchase specific and aggregate stop-loss, subject to review by the County Attorney, from an A Rated or better Insurance Company who can provide the best coverage not to exceed a cost of \$410,993 dependent on enrollment, for the Tioga County Consolidated Municipal Health Insurance Program for the period of January 1, 2011 through December 31, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 271-10 *RENEW SPECIFIC EXCESS AND EMPLOYERS'
LIABILITY
INSURANCE FOR WORKERS'
COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy through Safety National Casualty Corp expires December 31, 2010; and

WHEREAS: The Tioga County Self-Insurance Plan's employers' liability insurance policy through United States Liability Insurance Co. expires December 31, 2010; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; and

WHEREAS: Safety National Casualty Corp. and United States Liability Insurance Co. are both A rated insurance companies and both are licensed in New York State; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Personnel Officer to purchase specific excess insurance from Safety National for the period of January 1, 2011 through December 31, 2011 to be paid for out of the 2011 Tioga County Self-Insurance budget account \$1722.40; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Personnel Officer to purchase employers' liability insurance from US Liability Insurance for the period of January 1, 2011 through December 31, 2011 to be paid for out of the 2011 Tioga County Self-Insurance budget account \$1710.40-270.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 272-10	<i>REQUEST WAIVER OF 60-DAY HOLD DEPARTMENT OF SOCIAL SERVICES</i>
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WHEREAS: Resolution 302-09 extended the 60-day hiring delay through December 31, 2010; and

WHEREAS: Effective July 8, 2010, Rebecca McCarthy, Caseworker, went out on Family Medical Leave; and

WHEREAS: Ms. McCarthy went into unpaid Family Medical Leave status on July 28, 2010; and

WHEREAS: Ms McCarthy's Family Medical Leave ended on September 26, 2010; and

WHEREAS: Ms McCarthy has not returned to work and will resign from her position effective January 14, 2011, as agreed; and

WHEREAS: The 60-day delay would have been met on November 25, 2010, based upon the end of her Family Medical Leave date of September 26, 2010; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 60-day hiring delay for Ms. McCarthy's position and is authorized to begin recruitment as of December 15, 2010 in order to fill the position effective January 15, 2011.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE PERSONNEL COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 273-10	<i>CREATE AND FILL FULL-TIME GROUNDWATER SPECIALIST POSITION TRANSFER OF FUNDS HEALTH DEPARTMENT</i>
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WHEREAS: Tioga County Health Department has contracted for the services of a Groundwater Management Specialist; and

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

WHEREAS: In conjunction with the IRS audit and the Tioga County Treasurer, the Director of Public Health desires to create a full-time Groundwater Management Specialist position starting in December 2010; and

WHEREAS: Legislative approval is required to create any new position within a Tioga County Department; and

WHEREAS: Funds for the full-time Groundwater Management Specialist position are available in the 2010 Budget from the contractual line previously used for these services, yet requires transfer into appropriate personnel line; and

WHEREAS: Funds for the position are included in the 2011 Health Department budget in the contractual line, which will require transfer to the appropriate personnel line in 2011; and

WHEREAS: The Personnel Officer has reviewed the headcount for 2010 submitted by the Public Health Director; and

WHEREAS: The funding for this position is available within the Public Health Department funds in 2011; and

WHEREAS: The Director of Public Health desires to fill the position with the individual that has been under contract as Groundwater Management Specialist since 2003, Justin Lewis, and Mr. Lewis is willing and able; therefore be it

RESOLVED: That one position of Groundwater Management Specialist with Tioga County Health Department be created (and filled) as a non-union position with a salary range of \$38,124 – 48,124, effective December 27, 2010; and be it further

RESOLVED: That Justin Lewis be provisionally appointed as Groundwater Management Specialist, pending the Civil Service examination, with Tioga County Health Department at an annual salary of \$46,000, effective December 27, 2010; and be it further

RESOLVED: That Mr. Lewis will not be eligible for a salary increase until his 6 month anniversary due to his date of hire (in accordance with County Policy 44), and that said increase will be dependent upon the results of his performance evaluation done at that time; and be it further

RESOLVED: That as a result of creating a full-time position, the 2010 authorized headcount for the Public Health Department for full-time positions will change from 52 to 53; and be it further

RESOLVED: That funding be transferred as follows:

From: A4090.40-140 Environmental Health: Contractual	\$ 900
To: A4090.10-10 Environmental Health: Personnel	\$ 900

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL

RESOLUTION NO. 274-10

*RE -APPOINT KENNETH
DEL BIANCO COMMISSIONER
OF PUBLIC WORKS*

WHEREAS: The appointment of Kenneth Del Bianco, Commissioner of Public Works expires February 20, 2011; and

WHEREAS: Mr. Kenneth Del Bianco desires to continue as the Commissioner of Public Works; therefore be it

RESOLVED: That the Tioga County Legislature re-appoint Mr. Kenneth Del Bianco, P.E. to the position of Commissioner of Public Works for another five year term effective February 20, 2011 to February 19, 2016.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 275-10 2011 STAFF CHANGES
(VARIOUS DEPARTMENTS)

WHEREAS: The Tioga County Legislature reviewed requests from departments regarding staff changes for 2011; and

WHEREAS: These requests were considered during the 2011 Budget preparation process; therefore be it

RESOLVED: That the following position changes are effective January 1, 2011 unless noted otherwise:

<u>Name:</u>	<u>Current Title/ Salary Grade:</u>	<u>New Title/ Salary Grade:</u>	<u>Budget Impact:</u>
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ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT

New Position	Agricultural Program Assistant – P.T.* (\$ 20.36 /hour)	+ \$18,000
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- Temporary position for the period 1/1/11-12/31/12

PERSONNEL DEPARTMENT

S. Owens	Personnel Clerk (Grade 5)	Abolish	- \$25,718
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And be it further:

RESOLVED: That approval to backfill any newly-created position must still be sought from the full Legislature prior to hiring.

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 276-10 ERRONEOUS ASSESSMENT
TOWN OF TIOGA

WHEREAS: An application for corrected tax roll indicates that properties no. 1366, 1367, 1368, and 1369 in the Town of Tioga, assessed to the Columbia Gas Transmission, LLC on the 2010 tax roll are erroneous in that Columbia retired their pipeline assets in the Town of Tioga in December 2008; that said assets were to be incorporated into the pipeline constructed and owned by Millenium Pipeline Company thus the parcels no longer exist; and

WHEREAS: Properties no. 1366, 1367, 1368, and 1369 in the Town of Tioga were billed as follows and paid by Columbia Gas Transmission, LLC on 1/26/2010;

	<u>Acct 1366</u>	<u>Acct 1367</u>	<u>Acct 1368</u>	<u>Acct 1369</u>
County	\$ 3,426.14	3,754.05	178.13	2,252.91
Recycle	143.11	156.81	7.44	94.10
Townwide	1,324.65	1,451.43	68.87	871.04
Tioga Fire	329.66	361.21	17.14	216.77
	\$ 5,223.56	5,723.50	271.58	3,434.82

be it therefore

RESOLVED: That a refund of \$14,653.46 be issued to Columbia Gas Transmission, LLC for erroneous payment of the 2010 taxes on these four properties; and be it further

RESOLVED: That the erroneous town tax of \$3,715.99 be charged back to the Town of Tioga, and the erroneous fire tax of \$924.78 be charged back to the Tioga Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$401.46 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$9,611.23 be charged to the proper account in the records of the County Treasurer

ROLL CALL VOTE

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

No – None.

Absent – Legislators McEwen and Quinlan.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:34 P.M.