


<h1 style="font-size: 2em; margin: 0;">Agenda</h1> 	<h2 style="text-align: center; margin: 0;">TIOGA COUNTY LEGISLATURE</h2> <p style="text-align: right; margin: 0;">12/13/2016 6:00 PM EDWARD D. HUBBARD AUDITORIUM RONALD E. DOUGHERTY COUNTY OFFICE BUILDING 56 Main Street Owego NY 13827</p>	
Meeting called by:	Chair Martha Sauerbrey	
Type of meeting:	12 <sup>th</sup> Regular	
Attendees:	Legislator Hollenbeck Legislator Huttleston Legislator Monell Legislator Mullen Legislator Roberts Chair/Legislator Sauerbrey Legislator Standinger Legislator Sullivan Legislator Weston	
<h3 style="margin: 0;">Agenda topics</h3>		
Invocation Pledge of Allegiance Recognition Resolution (2)  Privilege of the Floor Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments Reports Standing/Special Committees	Legislator Weston Legislator Weston Recognizing Judy Westmiller Social Services Recognizing Michele Bogart Sheriff's Office  November 15, 2016	
RESOLUTIONS:	1. Appoint Member Board of Ethics	

2. Reappoint Member to the Tioga County Board of Health
3. Re-Appoint Member to the Tioga County Planning Board
4. Re-Appoint Member to the Tioga County Planning Board
5. Re-Appoint Member to the Tioga County Planning Board
6. Appoint Member to the Tioga County Local Development Corporation (TCLDC)
7. Appoint Member to the Tioga County Local Development Corporation (TCLDC)
8. Acceptance of the application for Firefighter Michael J. Roden to the Tioga County Haz-Mat Team
9. Appropriation of Funds Mental Hygiene
10. Contingency Fund Request and Transfer of Funds Mental Hygiene
11. Request Contingency Funds for Payment of Arbitration Award, Amend Budget and Transfer Appropriation of Funds to Sheriff
12. Appropriation of Funds Mental Hygiene
13. Transfer of Funds Purchase of Equipment County Clerk
14. Amend Budget and Transfer an appropriation of funds Public Health
15. Fix Time of Organizational Meeting
16. Year End Transfers
17. Authorize Treasurer to Encumber Funds
18. Adopt County Budget for 2017, Appropriations and Salary Schedule
19. Town Tax Levy
20. County Tax Levy
21. Award Painting of the Tioga County Court House Court Room
22. Authorizing Application to the New York State Urban Development Corporation and, subject to its approval, establishing the Tioga County Property Development Corporation (TCPDC), a New York Land Bank
23. Resolution to approve a maintenance agreement between the Tioga County Probation Department and AutoMon to provide software and maintenance of the Caseload Explorer Product
24. Resolution to approve a contract between the Tioga County Probation Dept. and The Family and Children's Social to provide adult and juvenile sexual offender treatment services
25. Renew Contract Partners in Safety, Inc. (CDL Drug &

- Alcohol Testing)
26. Authorization to Execute an Intermunicipal Agreement between Tioga and Chemung Counties for the provision of Mass Transportation Services
  27. Resolution to Renew Consultant Contract for Hazard Mitigation Plan Coordinator for 2017
  28. Resolution for Consultant Contract for Ag & Farmland Protection Plan Implementation Services 2017
  29. Authorize Contract Renewal CSEA Employee Benefit Fund
  30. Authorize Contract for Background Checks (Personnel)
  31. Amend Policy 16 County Hours
  32. Amend County Policy 44; Non-Union Benefits
  33. Appointment of Part-Time Information Security Officer Legislative Office
  34. Amend Resolution #309-14; Increase Part-Time, Seasonal and Temporary Rates
  35. Authorize 2017 Salaries (Board of Elections)
  36. Authorize Reappointment of Public Health Director (Public Health)
  37. 2017 Staff Changes (Personnel Department)
  38. 2017 Staff Changes (Real Property)
  39. 2017 Staff Changes (Social Services)
  40. Abolish one (1) Full-Time Typist and Create one (1) Full-Time Administrative Assistant Position Public Health Department
  41. Authorize Abolishment of Vacant Support Investigator; Reclassify Senior Account Clerk Typist to Principal Account Clerk (Social Services)
  42. Appoint Secretary to Commissioner of Social Services; Authorize Non-Union Salary
  43. Adopt Local Law No. 1 of 2016-Administration and Contract Authority for Tioga County Self-Insurance Plan
  44. Adopt Local Law No. 2 of 2016-Amend Rules and Regulations for the administration of the Tioga County Self-Insurance Plan for workers' compensation
  45. Adopt Local Law No. 3 of 2016-Amending Local Law 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -16 RECOGNIZE JUDY WESTMILLER'S  
20 YEARS OF DEDICATED SERVICE  
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Judy Westmiller began her career with the Tioga County Department of Social Services as a Typist on December 18, 1996; and was promoted to Account Clerk Typist on May 4, 1998; and was promoted to Administrative Secretary on August 2, 1999; and was promoted to Executive Secretary on July 22, 2002; and was promoted to Secretary to the Commissioner of Social Services on December 3, 2013; and

WHEREAS: Judy Westmiller has been a dedicated and loyal employee in the performance of her duties for and responsibilities toward the department and the Commissioner of the Tioga County Department of Social Services, having earned the respect of the administrative team, her co-workers at DSS and colleagues in other county departments and agencies with whom she professionally interacted with; and

WHEREAS: Judy Westmiller will retire on December 31, 2016; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Judy Westmiller for her twenty years of dedicated and loyal service to the Tioga County Department of Social Services and its Commissioner; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Judy Westmiller.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -16

RESOLUTION RECOGNIZING  
MICHELE BOGART'S  
27 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY

WHEREAS: Michele Bogart was appointed as a Corrections Officer on 8/12/89; appointed to Corrections Sergeant on 12/31/92; appointed as Deputy Sheriff on 5/6/00; and was promoted to Road Patrol Sergeant on 4/21/12; and

WHEREAS: Michele Bogart has been dedicated and loyal in the performance of her duties and responsibilities during the past 27 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Michele Bogart will retire from the Tioga County Sheriff's Office on November 30, 2016; 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 Michele Bogart for her 27 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, Michele Bogart.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -16 APPOINT MEMBER  
BOARD OF ETHICS

WHEREAS: Alberta Weisz, minority appointment, on the Board of Ethics term passed away on 6/23/2015; and

WHEREAS: Carl Kanoff has agreed to serve on the Board of Ethics; now therefore be it

RESOLVED: That Carl Kanoff, minority appointment, be hereby appointed to the Board of Ethics to complete the new term of office that started April 1, 2016 to March 31, 2019.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -16 REAPPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Thomas F. Nytych, DVM, on the Board of Health expires 12/31/16; and

WHEREAS: Dr. Nytych has agreed to serve for another term; therefore be it

RESOLVED: That Thomas F. Nytych, DVM, be re-appointed to the Board of Health for a term of 1/1/17-12/31/22.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD

WHEREAS: William Dimmick, III's position on the Tioga County Planning Board representing the Village of Waverly expires on 12/31/2016; and

WHEREAS: The Village of Waverly Board of Trustees has nominated William Dimmick, III to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints William Dimmick, III to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.



REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD

WHEREAS: Tim Pollard's position on the Tioga County Planning Board representing the Town of Berkshire expires on 12/31/2016; and

WHEREAS: The Berkshire Town Board has nominated Tim Pollard to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Tim Pollard to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

RE-APPOINT MEMBER TO THE TIOGA  
COUNTY PLANNING BOARD

WHEREAS: Jim Tornatore's alternate at-large position on the Tioga County Planning Board expires on 12/31/2016; and

WHEREAS: The Tioga County Planning Board is desirous of having Jim Tornatore serve another three-year term, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Jim Tornatore to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

APPOINT MEMBER TO THE TIOGA  
COUNTY LOCAL DEVELOPMENT  
CORPORATION (TCLDC)

WHEREAS: Abbey Hendrickson has resigned from the Tioga County Local Development Corporation as of October 13, 2016; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Sonny DeWitt to fill said vacancy and serve the remainder of Abbey Hendrickson's unexpired term effective December 14, 2016 – March 31, 2018.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

APPOINT MEMBER TO THE TIOGA  
COUNTY LOCAL DEVELOPMENT  
CORPORATION (TCLDC)

WHEREAS: Jessica Schillmoeller has resigned from the Tioga County Local Development Corporation as of November 30, 2016; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Christopher Curry to fill said vacancy and serve the remainder of Jessica Schillmoeller's unexpired term effective December 14, 2016 – March 31, 2017.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -16 ACCEPTANCE OF THE APPLICATION FOR  
FIREFIGHTER MICHAEL J. RODEN TO THE  
TIOGA COUNTY HAZ-MAT TEAM

WHEREAS: The Bureau of Fire provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Haz-Mat team member John Scott is deceased, and no longer an active member of the Team; and

WHEREAS: Apalachin Firefighter Michael J. Roden has applied for membership to the County Haz-Mat Team; and

WHEREAS: Firefighter Roden currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; and

WHEREAS: Firefighter Roden would replace Firefighter Scott as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Apalachin Firefighter Michael J. Roden be added to the Tioga County Haz-Mat Team roster to replace Firefighter John Scott.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -16 APPROPRIATION OF FUNDS  
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Ongoing Integrated Supported Employment, Health Home Services, Supported Housing, Warm-Line and Drop-In Center; and

WHEREAS: TCMH has contracted with Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434903 State Aid-CSS Rehabilitation  
\$2,553.00  
To: A4311-540595 Services Rendered(Other)  
\$2,553.00

From: A4310-434970 State Aid-Intensive Case Mgmt \$ 39.00  
To: A4321-540590 Services Rendered(Other) \$ 39.00

From: A4310-434900 State Aid-Mental Health \$ 66.00  
To: A4333-540130 Contracts \$ 66.00

From: A4310-434910 State Aid-Crisis Intervention \$ 120.00  
To: A4333-540130 Contracts \$ 120.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -16 CONTINGENCY FUND REQUEST AND  
TRANSFER OF FUNDS MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a budget modification and transfer of funds from contingency to Mental Health's appropriation account; and

WHEREAS: Transfer of funds and contingency fund requests requires Legislative approval; therefore be it

RESOLVED: That contingency fund use be approved and transferred as follows:

From: A1990 540715 County Contingency Account \$60,593.98

To: A4390 540590 Criminal Psychiatric: Services Rendered \$60,593.98

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -16

REQUEST CONTINGENCY FUNDS FOR  
PAYMENT OF ARBITRATION AWARD,  
AMEND BUDGET AND TRANSFER  
APPROPRIATION OF FUNDS TO SHERRIFF

WHEREAS: The PERB opinion and award of Public Arbitration Panel was issued on 11/08/2016 for the Tioga County Law Enforcement Union, Inc. for the 2013-2014 labor contract; and

WHEREAS: Additional funding is needed to comply with all retroactive increases that have been awarded; and

WHEREAS: The Treasurer's Office has determined the collective amount of additional funding needed for the retroactive increases that include salaries, overtime, shift differential, on call, longevity and all associated employee benefits to TCLEU for the period 2013 through 2016; and

WHEREAS: The Treasurer's Office will be making retroactive payments in December 2016 in accordance with the agreement in the amount of \$575,437.00 and has identified remaining funds in the 2016 Budget within the Contingency account totaling \$276,366.00; and

WHEREAS: The remaining amount will need to be appropriated from the General Operating Fund balance in the amount of \$299,071.00; and

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

RESOLVED: That funding be transferred and appropriated as follows:

From:

A1990 540715	Contingency Account	\$276,366.00
A 390900	General Operating Fund	\$299,071.00

To:

A3110 510010	Sheriff Fulltime Salary	\$428,594.00
A3110 510030	Sheriff Salary Overtime	\$ 24,036.00
A3110 510050	Sheriff Salary –Other	\$ 34,636.00
A3110 581088	Retirement (Pension)	\$ 82,835.00
A3110 583088	FICA & Medicare	\$ 37,276.00
A3110 586088	Health Insurance	\$(31,940.00)



REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -16 APPROPRIATION OF FUNDS  
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has raised money through fund raising, gifts and donations; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

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

RESOLVED: That funding be appropriated as follows:

From: A4322 427051 Gifts and Donations \$ 73.61

To: A4322 540640 Supplies (Not Office) \$ 73.61

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO: -16 TRANSFER OF FUNDS  
PURCHASE OF EQUIPMENT  
COUNTY CLERK

WHEREAS: The County Clerk office has need to increase the number of scanners for the Electronic Records Management System; and

WHEREAS: The County ITCS department has approved the purchase; and

WHEREAS: The County Clerk has money in their budget for the purchase of this scanner and such funds need to be moved into an equipment account; therefore be it

RESOLVED: That the County Clerk be authorized to purchase a scanner at a total amount not to exceed \$200.00 and that the following sums be transferred:

From: A1410 - 540520 Recording/Microfilm \$ 200.00

To; A1410 – 520621 Computer Equipment \$ 200.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -16 AMEND BUDGET AND TRANSFER AN  
APPROPRIATION OF FUNDS  
PUBLIC HEALTH

WHEREAS: The costs of the mandated Education of Handicapped Education program (children 3-5 years of age) are larger than the budgeted 2016 amounts; and

WHEREAS: Additional funding is needed to meet the mandated costs; and

WHEREAS: Public Health has determined the amount of additional funding needed through the balance of 2016; and

WHEREAS: The Treasurer has identified available funds within the Community College Tuition account; and

WHEREAS: The additional costs will result in additional state aid reimbursement; and

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

RESOLVED: That funding be transferred and appropriated as follows:

From:		
A2960 434600	State Aid: Handicapped Education	\$288,332
A2490 540487	Community College Tuition	\$196,260
To:		
A2960 540590	Handicapped Ed: Services Rendered	\$397,302
A2960 540710	Handicapped Ed: Transportation	\$ 87,290

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -16      FIX TIME OF  
ORGANIZATIONAL MEETING

RESOLVED: That the Organizational Meeting of this Legislature be held at 1:00 P.M., Thursday, January 5, 2017.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -16 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.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -16 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, 2016 to allow proper coding of bills for payment in January.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -16 ADOPT COUNTY BUDGET FOR 2017,  
APPROPRIATIONS AND SALARY  
SCHEDULE

RESOLVED: That the tentative budget for Tioga County for the year 2017 submitted by the Budget Officer on November 15, 2016 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2017; 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, 2017; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2017.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -16 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, 2017; 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	35,070	249,937
Newark Valley	5,922	9,900
Nichols	-	144,925
Owego	-	2,071,099
Spencer	19,474	452,868

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	18,632.00
Lockwood Fire Protection	41,132.00
Waverly Joint Fire Protection	269,428.00
Town of Berkshire	
Berkshire Fire District	150,768.00
Town of Candor	
Candor Fire District	434,650.00
Town of Newark Valley	
Newark Valley Fire District	265,128.88



Town of Nichols	
Lounsberry Fire Protection	3,000.00
Nichols Joint Fire Protection	169,990.00
Town of Owego	
Apalachin Fire District	977,519.00
Owego Fire District	1,368,244.00
Newark Valley Fire District	37,781.62
Town of Richford	
Richford Fire District	96,950.00
Town of Spencer	
Spencer Fire Protection District	43,750.00
Town of Tioga	
Tioga Fire District	245,465.00

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	11,740
Water District No. 4/Ext. 15	6,259
Water District No. 4/Ext. 17	22,400
Water District No. 4/Ext. 20	20,200
Sewer District No. 2/Ext. 14	12,514
Sewer District No. 2/Ext. 15	12,538
Lighting District No. 1	5,753
Lighting District No. 2	11,523
Lighting District No. 3	11,403
Lighting District No. 4A	652
Lighting District No. 4B	1,815
Lighting District No. 5	7,277
Lighting District No. 6	14,471
Lighting District No. 7	2,005
Lighting District No. 8	1,336
Lighting District No. 9	596
Lighting District No. 10	830

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 \$311,261.14; be it 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 \$14,100.13; be it 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	200,600	512,500
Berkshire	83,605	338,100
Candor	456,936	736,257
Newark Valley	284,291	352,800
Nichols	64,892	162,450
Owego	885,900	-
Richford	243,616	413,921
Spencer	197,454	257,527
Tioga	243,416	552,306

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.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -16 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 261-16 dated December 13, 2016 adopted a Budget for the fiscal year 2017 and by Resolution No. 261-16 dated December 13, 2016 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 262-16 dated December 13, 2016 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	153,863.01
Berkshire	26,750.75
Candor	100,060.08
Newark Valley	64,693.10
Nichols	58,862.28
Owego	438,192.84
Richford	24,412.76
Spencer	67,152.02
<u>Tioga</u>	<u>89,756.15</u>

Total 1,023,742.99

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 \$22,049,627.80 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	519,616.07
For School Tax Returned	3,626,198.99
For Deficits from prior years' taxes	1.56
For Reimbursement of Erroneous taxes, etc.	1,047.61

All of the forgoing being subject to

credit for excess collection the prior year of

33.31

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. 262-16 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, 2016; and be it further

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

Barton	Out	10.145126
	In	10.145126
Berkshire		8.611668
Candor	Out	8.592739
	In	8.592739
Newark Valley	Out	12.298362
	In	12.298362
Nichols	Out	36.500469
	In	36.500469
Owego	Out	11.320241
	In	11.320241
Richford		6.852557
Spencer	Out	8.989250
	In	8.989250
Tioga		122.937881

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. -16 AWARD PAINTING OF THE TIOGA  
COUNTY COURT HOUSE COURT  
ROOM

WHEREAS: The Court Room at the Tioga County Court House needs to be painted; and

WHEREAS: This work has been included in the NYS Court System Reimbursement Budget for 2016 - 2017; and

WHEREAS: The Tioga County Commissioner of Public Works requested quotes from three different companies; and only one company provided a quote and due to the fact the work needs to be performed during the Holiday shutdown, time is of the essence; and

WHEREAS: The proposal was received as follows:

HD Painting Company	\$12,740.00
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And

WHEREAS: The Commissioner of Public Works reviewed the proposal; therefore be it

RESOLVED: That the Tioga County Legislature award the painting to HD Painting Company, Endicott, NY not to exceed \$12,740.00 to be paid out of A1620 (Org) 540140 (Object).

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO: -16

AUTHORIZING APPLICATION TO THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION AND, SUBJECT TO ITS APPROVAL, ESTABLISHING THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC), A NEW YORK LAND BANK

Pursuant to Article 16 of the Not-For-Profit Corporation Law.

WHEREAS: Addressing the need to strengthen and revitalize local communities, New York State enacted the "Land Bank Act" (Not-For-Profit Corporation Law, Article 16) which authorizes Counties as the Foreclosing Government Unit (FGU) to establish individual or cooperative land banks; and

WHEREAS: Tioga County is a Foreclosing Government Unit and also currently has in place an intergovernmental cooperation agreement with the County Villages to act as their FGU; and

WHEREAS: Land banks are charitable, not-for-profit corporations entitled and authorized to take control and redevelop vacant, abandoned, and/or tax-delinquent properties to rebuild communities and foster local economic development; and

WHEREAS: Vacant and abandoned properties present a danger to the health and safety of local residents, result in costs and loss of revenues to local governments, and discourage further investment in the community; and

WHEREAS: The Tioga County Property Development Corporations' (TCPDC) mission will be to foster economic and community development by acquiring, holding, managing, developing and marketing distressed, vacant, abandoned and underutilized residential and commercial properties; and

WHEREAS: The TCPDC will have the authority to acquire, redevelop, and improve tax delinquent, vacant or abandoned property, thereby providing a mechanism for municipalities to manage blighted properties and convert them to productive uses; and

WHEREAS: Said TCPDC would acquire properties through a variety of means including the conveyance of property directly by the foreclosing governmental unit as part of a tax foreclosure, purchase of the property or purchase the tax lien on a property; and

WHEREAS: The TCPDC shall not have eminent domain powers; and

WHEREAS: Said TCPDC could secure grant funding, issue bonds, enter into contracts, implement programs, projects and activities designed to create or stimulate economic and community development, among other delineated duties and responsibilities, which would allow the foreclosing governmental unit to take a more long-term approach to the disposition of its tax delinquent properties; and

WHEREAS: Pursuant to the Land Bank Act, it is necessary to adopt a resolution establishing the Tioga County Development Corporation, a New York Land Bank on behalf of the County; and

WHEREAS: The bylaws shall provide that any amendments to the bylaws regarding the number, term, or qualifications of members of the Board, shall require the approval of the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize Economic Development and Planning to apply to the New York State Urban Development Corporation for approval of the establishment of a New York Land Bank pursuant to Article 16 of the New York Not-For-Profit Corporation Law; and it is further

RESOLVED: That subject to the approval of the New York State Urban Development Corporation, there is hereby created a land bank on behalf of the County of Tioga, to be known as the "Tioga County Property Development Corporation" (TCPDC), a New York Land Bank; and it is further

RESOLVED: That the Board of Directors shall consist of seven (7) members as follows:

- Martha C. Sauerbrey, Chair of the Legislature (3 yr. term),
- Dale N. Weston, Chair, T.C. Economic Development & Planning Committee (3 yr. term)
- Ralph Kelsey, T.C. Industrial Development Agency Board Member (3 yr. term)
- Steve May, Mayor, Village of Owego Municipal Representative (2 yr. term)

Chris Brewster, Village Trustee, Village of Waverly Municipal Representative (2 yr. term)

Lewis Zorn, Supervisor, Town of Tioga Municipal Representative (2 yr. term)

Stuart Yetter, Supervisor of Town of Newark Valley Municipal Representative (2 yr. term)

and it is further

RESOLVED: That each member shall be a public officer of a municipality (or a member of a County agency) within Tioga County. Each member of the Board of Directors shall be appointed by a majority vote of the Tioga County Legislature.

4. That the Certificate of Incorporation for the TCPDC shall include the names and addresses of the initial Board of Directors as stated above and shall be in substantially the same form as attached to this resolution and hereby approved. The Articles of Incorporation and thereafter the bylaws shall comply with all the legal requirements of the Not-For-Profit Corporation Law relating to land banks.

5. That the bylaws of the TCPDC shall be written by and adopted by the TCPDC Board of Directors following the TCPDC's organizational meeting.

6. To the extent permitted by law, the Tioga County Legislature retains the authority to approve or deny, on a case by case basis, the turnover or transfer of any real property in the portfolio of Tioga County to the TCPDC.

7. That the terms and conditions of such turnover or transfer shall be attached to the resolution of the Tioga County Legislature authorizing such turnover or transfer.

8. That the Legislative Chair, be and hereby is, authorized to execute any and all documentation necessary for filing and incorporation with the State of New York to establish said corporation.

9. That the County Attorney is further directed to conform the applicable documents, including the Certificate of Incorporation, and file this resolution with the Urban Development Corporation pursuant to the provisions of the Land Bank Act, Chapter 257 of the Laws of 2011.



REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -16

RESOLUTION TO APPROVE A  
MAINTENANCE AGREEMENT  
BETWEEN THE TIOGA COUNTY  
PROBATION DEPARTMENT AND  
AUTOMON TO PROVIDE SOFTWARE  
AND MAINTENANCE OF THE  
CASELOAD EXPLORER PRODUCT

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and AutoMon since 2008; and

WHEREAS: AutoMon has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$3,834.99 plus a fee of \$187.81 per user. Probation has 17 registered users of the software so the total cost for the software for 2016 is \$7,027.76; and

WHEREAS: Tioga Probation is enlarging the basic software program in 2017, to include the purchase and maintenance of Ce Assessments in the amount of a one-time set up fee of \$1,000 plus \$5,000 in annual subscription; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC for software and maintenance costs in 2017 for Caseload Explorer software in the amount of \$13,027.76, upon approval of the County Attorney.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -16

RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
COUNTY PROBATION DEPT. AND  
THE FAMILY AND CHILDREN'S  
SOCIETY TO PROVIDE ADULT  
AND JUVENILE 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 and juvenile sex offender treatment in 2016; and

WHEREAS: The Family and Children's Society has agreed to amend their contract with Tioga County and provide a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 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 assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. - 16 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: The FMCSA (Federal Motor Carrier Safety Administration has reduce its random drug testing rate from 50% to 25% and a price reduction from \$43.00 to \$35.00 per employee is reflected in the contract proposal for 2017; 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 \$35.00 Per Employee Per Year

To Include:

- Random Selection of Employees (25% 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):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person

Emergency Service

\$150 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, 2017 through December 31, 2017.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -16 AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES

WHEREAS: Tioga County terminated its contract for the delivery of mass transportation services with First Transit, Inc. effective November 30, 2014; and

WHEREAS: Chemung County and Tioga County have a mutual interest in having mass transportation services provided between the two Counties; and

WHEREAS: Section 119-s of the General Municipal Law of the State of New York authorizes a municipality of the State of New York to act jointly with another municipality to provide a municipal bus system for the performance of mass transportation operations; and

WHEREAS: An Intermunicipal Agreement between Tioga and Chemung Counties for the provision of said mass transportation operations between the two parties was approved by the Tioga County Legislature on December 15, 2015, via Resolution Number 302-15 ; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to extend said Intermunicipal Agreement through December 31, 2017.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

RESOLUTION TO RENEW CONSULTANT  
CONTRACT FOR HAZARD MITIGATION  
PLAN COORDINATOR FOR 2017

WHEREAS: Per resolution 193-12 and resolution 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013 based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2017 budget to cover these expenses, in the amount of \$25,000 from Planning appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2017, not to exceed \$25,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -16

RESOLUTION FOR CONSULTANT  
CONTRACT FOR AG & FARMLAND  
PROTECTION PLAN IMPLEMENTATION  
SERVICES 2017

WHEREAS: Per resolution 125-15, the Tioga County Legislature adopted the County Agricultural and Farmland Protection Plan Update of 2015, which was subsequently approved by the Commissioner of the Department of Agricultural & Markets with encouragement to establish a centralized and coordinated means of implementing the plan, particularly with some kind of Agricultural Economic Development position, and mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department does not have the existing capacity to perform these Plan implementation services; and

WHEREAS: The Tioga County Economic Development & Planning Department has sufficient funds in the 2017 budget to cover these expenses, in the amount of \$25,000 from Economic Development appropriation account A6422 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize said contract with Cornell Cooperative Extension Tioga County, to perform Agricultural & Farmland Protection Plan implementation services from January 1 - December 31, 2017, not to exceed \$25,000 from Economic Development Appropriation account A6422 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE CONTRACT RENEWAL  
CSEA EMPLOYEE BENEFIT FUND

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer Solstice Vision and Dental plans for CSEA and Non-Union employees; and

WHEREAS: The Dental and Vision plans are contractual benefits for CSEA employees, to be continued for 2017; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2017 – December 31, 2017.



REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE CONTRACT FOR  
BACKGROUND CHECKS  
(PERSONNEL)

WHEREAS: The Information Security Policy adopted in October 2015 contains a requirement that all new hires as of January 1, 2016 have a background check conducted; and

WHEREAS: The Personnel Department will coordinate the background checks being conducted pre-employment by an outside agency; and

WHEREAS: There is interest in contracting with a local agency for these services in order to expedite the process and avoid unnecessary delays in the hiring process; and

WHEREAS: Evolution Consulting, LLC (EVOCON) has a proven track record for providing quality service at a reasonable price; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to enter into a contract with EVOCON to continue conducting background checks for 2017 upon approval by the County Attorney; and be it further

RESOLVED: That said contract shall be in effect January 1, 2017 – December 31, 2017.

REFERRED TO:

ADMINISTRATIVE SERVICES  
COMMITTEE

RESOLUTION NO. -16

AMEND POLICY 16  
COUNTY HOURS

WHEREAS: County Policy 16 County Hours needs to be amended due to the Sixth Judicial Court hours changing effective January 3, 2017 from 8:30 a.m. to 4:30 p.m.; and

WHEREAS: County offices located at Court Street will be affected by the change in hours and Policy 16 needs to be amended to reflect those changes; therefore be it

RESOLVED: That Policy 16 County Hours be amended as follows:

“County offices are open from 9 a.m. to 5 p.m. with the exception of the County Offices located at Court Street whose entrance hours to the public are 9:00 a.m. to 4:30 p.m.”

And be it further

RESOLVED: That the remainder of Policy 16 County Hours shall remain in full force and effect.

REFERRED TO

PERSONNEL COMMITTEE

RESOLUTION NO. -16

AMEND COUNTY POLICY 44;  
NON-UNION BENEFITS

WHEREAS: Resolution #204-16 amended Policy 44 based on new Fair Labor Standard Act regulations to take effect December 1, 2016; and

WHEREAS: A temporary nationwide injunction has been placed against the change in FLSA regulations; and

WHEREAS: Policy 44 needs updating to reflect 2017 health insurance contributions as well as a new benefit available as of January 1, 2017; therefore be it

RESOLVED: That the changes made to Policy 44 via Resolution 204-16 are hereby rescinded; and be it further

RESOLVED: That *Section 5: Health & Dental Insurance Employee Contributions* shall have the 2017 column completed to reflect the same percentages as in the 2016 column; and be it further

RESOLVED: That paragraph 10 of Section 5 which addresses the Health Reimbursement Accounts shall be changed to have "For 2012-2016" deleted; and be it further

RESOLVED: That *Section 2C-Sick Time* shall be amended so that the sixth bullet reads:

"Upon retirement directly into the NYS & Local Employees Retirement System, a portion of an employee's accumulated unused sick days may be counted as additional service credit, in accordance with Section 41j of Retirement Law. If upon retirement an employee qualifies to carry Tioga County health insurance into retirement and has more sick days accrued than can be applied under Section 41j, the employee may apply the remaining sick days (whole days only) toward payment of their Tioga County retiree health insurance contributions. For each sick day over the Section 41j allowance, the employee shall receive one credit, and each credit can be used to reduce their contribution by \$100. **The credit otherwise has no cash value.** This credit will be applied toward the retiree's contributions toward health insurance premiums until it has been depleted, at which time the retiree will then become responsible for payment of said contributions in order to continue coverage. This credit can only be

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used toward the health insurance contributions for Tioga County sponsored retiree health care plan and shall cease upon the death of the retiree.”

and be it further

RESOLVED: That all remaining portions of policy 44 remain unchanged.

REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 APPOINTMENT OF  
PART-TIME INFORMATION SECURITY OFFICER  
LEGISLATIVE OFFICE

WHEREAS: Tioga County Policy 43 requires the Legislature to appoint annually, a part-time Information Security Officer who will be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That Susan Haskett shall be appointed to the part-time Information Security Officer position for 2017 and will be compensated at an annual rate of \$5,000 per year.

REFERRED TO:

PERSONNEL COMMITTEE  
LEGISLATIVE COMMITTEE

RESOLUTION NO. -16      AMEND RESOLUTION #309-14; INCREASE PART-  
TIME, SEASONAL AND TEMPORARY RATES

WHEREAS: Resolution #309-14 increased hourly rates for part-time, seasonal and temporary positions in 2015; and

WHEREAS: The County Legislature believes these rates deserve to be adjusted again for 2017; therefore be it

RESOLVED: That resolution #309-14 is hereby amended that effective January 1, 2017 all part-time, seasonal and temporary hourly rates shall be increased by 2%.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE 2017 SALARIES (BOARD OF ELECTIONS)

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

WHEREAS: Non-Union staff have been authorized a salary increase for 2017; therefore be it

RESOLVED: That the 2017 rates of pay for the Board of Elections staff shall be as follows:

	<u>2017 pay:</u>
Commissioners (2)	\$40,953
Deputy Commissioners (2)	\$33,161
Voting Machine Technicians (2)	\$16.52/hr
Election Workers (4)	\$12.64/hr

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE REAPPOINTMENT OF PUBLIC HEALTH  
DIRECTOR (PUBLIC HEALTH)

WHEREAS: Lisa McCafferty was appointed Public Health Director on December 14, 2015 for the balance of the existing 6 year term, which expires January 10, 2017; and

WHEREAS: The Board of Health voted on November 17, 2016 to reappoint Ms. McCafferty for a 6 year term and the County Legislature is in agreement with this decision; therefore be it

RESOLVED: That Lisa McCafferty is hereby reappointed effective January 11, 2017 for a 6 year term to run through January 10, 2023; and be it further

RESOLVED: That Ms. McCafferty's 2017 annual salary shall be \$82,000.



REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 2017 STAFF CHANGES  
(PERSONNEL DEPARTMENT)

WHEREAS: The Personnel Department requested staffing changes as part of the 2017 budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective May 15, 2017 through September 1, 2017:

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact:</u>
Vacant		Clerk (Seasonal) effective 5/15/17-9/1/17	\$5,600

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 2017 STAFF CHANGES  
(REAL PROPERTY)

WHEREAS: Real Property requested staffing changes as part of the 2017 budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2017:

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact:</u>
Vacant	Real Property Tax Service Technician (PT)	Unfunded	-\$14,126

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 2017 STAFF CHANGES  
(SOCIAL SERVICES)

WHEREAS: The Department of Social Services requested staffing changes as part of the 2017 budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2017:

<u>Name:</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact:</u>
Vacant		Caseworker (Grade 11)	\$40,790

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 ABOLISH ONE (1) FULL-TIME  
TYPIST AND CREATE ONE (1)  
FULL-TIME ADMINISTRATIVE  
ASSISTANT POSITION  
PUBLIC HEALTH DEPARTMENT

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

WHEREAS: A Typist position, CSEA salary grade III (\$23,909-\$24,609) has been vacant within the Public Health Department since April 16, 2016; and

WHEREAS: The Public Health Director has submitted a new position duties statement to the Personnel Department for review and classification of the tasks she would like to have assigned to said vacancy; and

WHEREAS: Upon review of said information, the Personnel Officer has determined an appropriate classification; therefore be it

RESOLVED: That the vacant, full-time Typist position shall be abolished and a full-time Administrative Assistant position, CSEA salary grade VII (\$32,697-\$33,397), shall be created effective December 14, 2016.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE ABOLISHMENT OF  
VACANT SUPPORT  
INVESTIGATOR; RECLASSIFY  
SENIOR ACCOUNT CLERK  
TYPIST TO PRINCIPAL ACCOUNT  
CLERK  
(SOCIAL SERVICES)

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

WHEREAS: A Support Investigator position, (CSEA salary grade VII, \$32,697-33,397) has been vacant within the Department of Social Services since November 30, 2016 and there is no intent to fill said vacancy; and

WHEREAS: The Commissioner of Social Services has requested a review of duties for Doreen Holbrook, Senior Account Clerk-Typist (CSEA salary grade V, \$26,713-27,413), and the Personnel Officer has determined that the employee is performing duties outside of her present classification; therefore be it

RESOLVED: That one vacant Support Investigator position be abolished effective December 14, 2016; and be it further

RESOLVED: That Doreen Holbrook shall be reclassified from Senior Account Clerk Typist to Principal Account Clerk (CSEA salary grade VII) from the current civil service eligible list effective December 14, 2016; and be it further

RESOLVED: That said reclassification shall result in an increase of \$5,984 and Ms. Holbrook's new annual salary shall be \$33,413 effective December 14, 2016.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -16 APPOINT SECRETARY TO COMMISSIONER  
OF SOCIAL SERVICES; AUTHORIZE NON-  
UNION SALARY

WHEREAS: Legislative approval is required for all non-union appointments;  
and

WHEREAS: Judy Westmiller will retire as Secretary to Commissioner of  
Social Services effective on December 31, 2016; and

WHEREAS: Heather Quick-Anderson is able and willing to backfill this  
vacancy by promotion from her Principal Account Clerk position (CSEA,  
competitive classification) into a Non-Union, exempt classified position;  
and

WHEREAS: Due to the non-union salary range for secretarial positions at  
this level, Ms. Quick-Anderson would incur a decrease in salary under the  
formula currently used to determine the step from Union to Non-Union  
salary; therefore be it

RESOLVED: That the Commissioner of Social Services be authorized to  
appoint Ms. Quick-Anderson to the position of Secretary to Commissioner  
of Social Services effective January 2, 2017 at the annual salary of \$35,381,  
which is reflective of a \$1,500 increase over her January 2, 2017 salary as a  
Principal Account Clerk.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. -16

ADOPT LOCAL LAW NO. 1 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2016 A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2016.

A Local Law amending Local Law No. 1 of the year 1956 to provide for Administration and Contract authority for the Tioga County Self-Insurance Plan.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1:

Local Law No. 1 of 1956, Sections 3 and 4 are hereby amended to read as follows:

Section 3:

The Tioga County Self-Insurance Plan shall be administered by the Personnel Officer and Benefits Manager, and overseen by the Tioga County Legislature.

Section 4: Contract Authority

The Administrators, subject to approval of the County Legislature, may contract for such services as deemed necessary for the operation and administration of the plan.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

### SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.



REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. -16

ADOPT LOCAL LAW NO. 2 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2016 A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 2 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 2 of the Year 2016.

A Local Law to amend the Rules and Regulations for the Administration of the Tioga County Self-Insurance Plan for Workers' Compensation, which will amend Local Law No. 2 of the Year 1956, as amended by Local Law No. 1 of the Year 1959, as amended by Local Law No. 1 of the Year 1963, as amended by Local Law No. 2 of the Year 1975, as amended by Local Law No. 1 of the Year 1976, as amended by Local Law No. 5 of the Year 1976, as amended by Local Law No. 5 of the Year 1977, as amended by Local Law No. 2 of the Year 1980, as amended by Local Law No. 6 of the Year 1984, as amended by Local Law No. 2 of the Year 1985, as amended by Local Law No. 3 of the Year 1990, as amended by Local Law No. 2 of the Year 2015.

Be It Enacted by the Tioga County Legislature of the County of Tioga, as follows:

**SECTION 1:**

This Section amends the Rules and Regulations for the Tioga County Self-Insurance Plan for Workers' Compensation.

**A. Participation**

In addition to the County, participation in the plan shall be available to the Tioga County Soil and Water Conservation District, all of the towns and villages located within the geographical boundaries of Tioga County, and active volunteer firefighters pursuant to provisions of New York State Workers' Compensation Law Section 63.

**B. Entry and Withdrawal and Payment of Outstanding Liabilities**

New Participants as defined in Paragraph A hereof and other than those in the Plan at the time of its adoption, shall be admitted as of January first, following the date of application for participation; provided, however, that a certified copy of a resolution of the governing body of the applicant shall be filed with the Administrators by the preceding July first.

A participant may withdraw from the plan effective at the end of a fiscal year by filing with the Administrators on or before the preceding July first a certified copy of a resolution of its governing body electing to withdraw from the plan.

As a condition of withdrawal from the Plan, the participant must enter into a withdrawal agreement with Tioga County and must agree to pay in a lump sum or the Administrators may, subject to the approval of the County Legislature, permit such payment to be made in installments, an equitable share of the outstanding liabilities of the Plan as of the date of withdrawal. If payment of the equitable share of the outstanding liabilities of the Plan is to be made in installments, an installment payment plan and other necessary terms and conditions shall be set forth in the withdrawal agreement. For purposes of this paragraph, the phrase "equitable share of outstanding liabilities of the Plan" shall mean all of those current and open compensation cases originating from the participant and included in the Plan on or before the effective January 1<sup>st</sup> of the participant's withdrawal from the Plan, and all those compensation cases originating from the participant which are closed as of the date of withdrawal but which in the judgement of the Administrators are likely to be re-opened after the January 1<sup>st</sup> withdrawal date. The Administrators shall hire an actuary to obtain an actuarial assessment in order to determine the withdrawing participant's equitable share of the outstanding liabilities.

**C. Apportionment of Costs**

Each participant shall be liable to pay their proportionate share of the cost of participation in the Plan, including all administrative costs and expenses, using the following formula:

Thirty-five percent (35%) shall be apportioned to each participant in the proportion that the full valuation of its taxable real property bears to the aggregate full valuation of all participants. The county's proportionate share shall include the total full valuation of all towns within Tioga County including those who may not be participating in the self-insurance plan.

Thirty-five percent (35%) shall be based on the proportion each participant's gross annual payroll bears to the total payroll of all participants, using the total payroll from the last full calendar year immediately preceding issuance of the bills (example, use 2015 payroll for 2017 bills).

Thirty percent (30%) shall be based on the proportion that each participant's claims utilization bears in relation to the aggregate losses of the Plan. Claims utilization includes any payments made related to the claim(s) for a participant's employee(s). A five consecutive year claim utilization average will be used for each participant, to be phased in by using a four consecutive year claim utilization average for 2017 bills. Starting in 2018 and thereafter five consecutive year claim utilization will be used.

**D. Payment by Participants**

Each participant will receive their annual bill for the fiscal year at the start of the fiscal year. Each participant shall pay the County Treasurer half of their annual bill by January 31 of the current year and the remaining half of the bill by July 31 of the current year.

**E. Reserve**

A reserve of \$6,000,000.00 is hereby established for the Plan. Such amount may be accumulated by the inclusion in each annual estimate a sum not exceeding 2% of the total annual estimate, or by the transfer to said reserve of surplus funds in the fund balance, or by the addition to said reserve of income earned from the investment of the funds in such reserve, or by such combination of said methods as the Administrators may deem proper.

When the amount of the reserve is at a maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as Administrators may deem proper.

**F. Duties of Plan Participants**

Participants in the plan hereby established shall be subject to the following standards, conditions, rules and regulations:

1. Participants shall cooperate fully with the Administrators in the administration of the plan, and shall prepare and file with the Administrators such reports and information as may be requested.
2. Each participant shall maintain a record of all injuries received by employees in the course of their employment. Reports of accidents shall be filed promptly to the Administrators of the plan.
3. Participants shall promptly furnish all pertinent information relative to any claim, and shall aid in the investigation of any claim.
4. The Administrators shall report to the Legislature failure of a participant to file required reports and the Legislature may take such action as it deems proper as provided herein.
5. Each participant shall develop and enforce a safety program or programs designed for the reasonable and adequate protection of the lives, health, and safety of employees.
6. The Administrator may submit to the County Legislature a list of positions of employment for which medical examinations shall be required together with medical standards for each position. Each participant shall require an employee appointed to a position on such list to have a medical examination prior to employment, except in an emergency; in which event, a medical examination shall be made as soon after the date of employment as is practical. The cost of such examination shall be an expense of the plan. Employment will be contingent upon successful passing of the medical examination.

**G. Excess or catastrophe insurance**

The Administrators, subject to approval of the County Legislature, may, on behalf of the plan, purchase excess or catastrophe insurance, the cost of such insurance being an administrative expense of the plan.

**H. Expulsion**

The Legislature may by resolution expel a participant for failure to observe the rules and regulations adopted, or for any violation of the provisions of the NYS Workers' Compensation Law. That participant shall be notified in writing, at least 60 days prior to the effective date of expulsion, and such expulsion shall not relieve a participant from paying its share of the outstanding liabilities of the plan at the date of expulsion.

**SECTION 2. SEVERABILITY**

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**SECTION 3. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. -16

ADOPT LOCAL LAW NO. 3 OF 2016

WHEREAS: A public hearing was held on December 7, 2016, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2016 A Local Law amending Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 3 of 2016; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 3 of the Year 2016.

A Local Law amending Local Law No. 3 of 1978 which provides for filling a vacancy in the office of the Tioga County Legislature.

Be It Enacted by the Legislature of the County of Tioga as follows:

**SECTION 1.** In the event of a vacancy in the office of the Tioga County Legislature at any time other than the expiration of a term of office, such vacancy may be filled by appointment made by a majority of the remaining members of the Tioga County Legislature.

**SECTION 2.** Such person appointed by the Tioga County Legislature pursuant to this local law shall enter upon and faithfully discharge the duties of the office until such time as the office is filled as a result of a general election as provided by law.

**SECTION 3. EFFECTIVE DATE:**

This local law shall become effective immediately upon filing with the Office of the Secretary of State.

**SECTION 4. SEVERABILITY:**

If any clause, sentence, paragraph subdivision, section or part of this law or the application thereof to any person, individual corporation, firm, partnership, entity or circumstance shall be adjudged by any court of

competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.