

Twelfth Regular Meeting
December 15, 2009

The Twelfth Regular Meeting of 2009 was called to order by the Chair at 6:01 P.M. All Legislative members were present.

Chair Weston asked Legislator Monell to have a moment of prayer. “Lord, we thank you for the opportunity that we have to serve the County. We pray Lord that you would continue to bless as we endeavor to do the things that would be beneficial to the County and the people at hand. We pray Lord that you would continue to bless those that serve our Country overseas and here. Help us Lord to remember them throughout this Holiday Season as they are separated from their families. We pray Lord that you would bless this evening and all the business that we conduct.”

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

There were 33 people in attendance.

Denis McCann presented employee of the fourth quarter 2009 to Patricia Zorn of the Department of Motor Vehicles. “First of all I would like to thank the Legislature for again supporting the whole process of the Employee Recognition, not just in this award, but the annual events that occur in the Spring. I would like to call up the 4th Quarter Employee, Pat Zorn.

“Pat began her career with the County in early 1980 as a part-time secretary in the Legislative Office. She was hired full-time as a keypunch operator in Data Processing, now known as IT, in April of 1980. Eventually she transferred to Social Services as a data entry operator. Pat returned to the Legislative Office several years later working as a Deputy Clerk for Edward Hubbard and later for General Lyon. In 1986 Pat transferred to the Department of Motor Vehicles where she still works today.

“Pat was born and raised in Tioga County. Pat and her husband Brian reside in Tioga Center and they share a common love of NASCAR. Pat also enjoys playing pitch, working in her flower garden, and spending time with her 10 grandchildren and her newest addition a great granddaughter. She has three children from a previous marriage, Jennifer, Jeffery, and Nicole. She is a member of the Nichols American Auxiliary and of Nichols Methodist Church. Pat brings a human side to the negativity that has long been associated with the DMV. She has a positive work ethic, is very helpful, courteous, and patient with the public. Pat is always ready to give a helping hand to the public and to her coworkers. She also makes an excellent Mac and Cheese that she shares with her coworkers.”

Chris Anthony spoke. "Well every time I think of Employee of the Quarter I think that Pat has been here almost 30 years and I think she probably should have been Employee of the Quarter probably 30 times. Of the 30 I have worked with her 21 years and she has been a lot of help to me. We have been through a lot of changes in the Department. We have been through a lot of employees. We are the only two of the group from when I started there and there is a lot of things that she helps me with. We have such a small department that when you work with someone for 21 years you either love them or you hate them, and I love this girl."

Legislator Sullivan presented a plaque to Pat Zorn. "Pat, this is one of the pleasures of the job and this is just a memento of your accomplishment. I want to thank you for all you do on behalf of myself and the Legislature, well deserved. Thank you Pat."

Pat Zorn spoke. "Thank you everyone."

Chair Weston asked for a unanimous motion and second of the following four recognition resolutions.

Legislator Roberts read the following Recognition Resolution on Darrel French.

REFERRING TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 310-09

*RESOLUTION RECOGNIZING
DARREL FRENCH'S 21 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY*

Adoption moved unanimously,
seconded unanimously.

WHEREAS: Darrel E. French, was appointed to the position of HEO I on December 30, 1988; appointed to HEO II July 31, 1989; appointed to HEO III January 1, 1991; (this position is where he completed his employment); and

WHEREAS: Darrel E. French has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past 21 years to the Department of Public Works/Highway. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. French will retire on December 31, 2009; 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 Darrel E. French for his 21 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, Darrel E. French.

CARRIED UNANIMOUSLY

Gary Hammond, Deputy Commissioner of Public Works, spoke. “Darrel is not retiring until December 31 and I will make sure that he gets this plaque and recognition resolution. He was going to be here this evening, but I guess he was not able to make it. Thank you.”

Chair Weston noted the following recognition on David Gannon.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 311-09 *RESOLUTION RECOGNIZING
DAVE GANNON’S
21 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

Adoption moved unanimously,
seconded unanimously.

WHEREAS: David Gannon was appointed as a Corrections Officer on December 3, 1988; and

WHEREAS: During his tenure, David Gannon has performed supervisory duties as a Sergeant in the Jail; and

WHEREAS: David Gannon has been dedicated in the performance of his duties and responsibilities during the past 21 years to the Sheriff’s Office; and

WHEREAS: David Gannon will retire from the Tioga County Sheriff’s Office on December 31, 2009; 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 David Gannon for his 21 years of dedicated 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 employee, David Gannon.

CARRIED UNANIMOUSLY

Legislator Huttleston read and presented the following Recognition Resolution to Antonia (Toni Laman) Chattin.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 312-09 *RECOGNITION OF
ANTONIA S. CHATTIN'S 13 YEARS OF
DEDICATED SERVICE TO THE TIOGA
COUNTY HEALTH DEPARTMENT*

Adoption moved Legislator
Seconded by Legislator

WHEREAS: Antonia (Toni Laman) Chattin, was appointed to the position of Account Clerk Typist on May 13, 1996 in the Tioga County Hospice Program; promoted to Executive Secretary on January 1, 1998; and promoted to Secretary to the Public Health Director on December 11, 2007; the position she still holds; and

WHEREAS: In January of 2001 Toni was honored as Employee of the First Quarter by her peers in Tioga County; and

WHEREAS: Toni Laman Chattin has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 13 years to the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Chattin will retire on December 31, 2009; 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 Toni (Laman) Chattin for her over 13 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, Toni Laman Chattin.

CARRIED UNANIMOUSLY

Johannes Peeters, Public Health Director, spoke. “I just have a few things that I want to talk about on Toni. Since I came here Toni has been my right hand for about 11 years, so 11 of her 13 years she worked for me. I came to Tioga County not under the best of circumstances. There was some conflict between the old Public Health Director, then Environmental Health Director, and the Commissioner of Health & Human Services. Toni was my lifeline because she was aware of the surroundings in the Health & Health Human Services Department and kept me informed and up-to-date. I now need to thank her for that.

“Toni and I, like any relationship, has its ups and downs. I remember one year Toni got a few points knocked off of her evaluation from a previous year. When she worked at IBM, to her that usually meant the step towards the door. I did everything to indicate that she was doing her job well. I did, however, feel that it was something that made her uncomfortable because of her treatment at IBM. I am saying that not knowing all the facts. Today the evaluations that we have done are a pleasant event for both of us and a good discussion occurs on how we need to work together. When Toni left IBM she started to take exams for County positions and you can tell that she has been promoted up the chain.

“I wanted to thank the County for giving employees the opportunity for staff to advance themselves to improve their standings in the organization. I understand all the problems IBM had at one point with Toni and the problems, but she would always say when I was at IBM this is how we did things. I have to say now Toni that you have gotten where you are today not because of IBM, but because of the efforts that you did to improve your standings in the department and also including work with the Director in assisting him on several fronts. If you are not aware Toni took a lot of exams to get where she went. In public positions that is what you need to do and a lot of people do not understand that that they have to take exams to get promoted and that type of thing.

“Born overseas and not communicating in English until I was almost six years of age, my grammar and spelling and sentence structures left a lot to be desired. Toni seemed to have picked up my way of writing things and she now puts them together and corrects my spelling to make it a very useful and friendly letter or document. This is not something that you can learn as a college course. It is something that you learn by yourself and thank you Toni for that. It will be hard to break somebody in new to do all of that stuff.

“Another valuable trait of Toni’s is the communications that we share with one another. I have worked with Toni through some of our hard times and some of our good times. We seem to share information and consult one another. I will miss her providing me with some mental health counseling without charge. I can go on about all the things that we have done together, however she has decided to change her career track and will be working on putting a home together with her new

husband. I understand that she will be traveling and making a trip south for a visit with family. If you are not aware these changes came about rarely quickly. She got engaged, I think it was December 24, 2008 and got married shortly after New Year's of 2009. Shortest engagement I will ever remember. She has decided to settle down and start planning for her new home. All I can say is that I will miss her and she will leave a hole in my heart. I want to wish her the best in her new career."

Toni Chattin spoke. "Well, my biggest regret is that I did not come from high school and start with the County like some people did. I raised a family for 10 years and then went to IBM after two or three in between jobs. It was not my cup of tea. It was just a little bit more stressful than I was used to. As I said I wish I had come to the County because I could have had a better retirement. There is very little stress here in the County and I have enjoyed it. I have enjoyed working with Hans. He is a family oriented person and he is very understanding of people's problems and we got what he kind of reiterated a little bit about something early on, we had a little bit of a clash and we worked it out and we got to know each other. We have supported each other through our family problems on either side and I appreciate him. I appreciate the County. It has been a wonderful time, but as he said I have a new husband, new home we are about to move in to, and I will kind of have another job. Thank you very much."

Legislator Huttleston spoke. "I would just like to say one thing. Toni also once a month we have a Board of Health meeting at 7:00 a.m. and she usually gets there at 6:30 or 6:45 and I will say she is really just as beautiful early in the morning inside and outside, and I will miss you Toni and wish you a lot of luck."

Legislator Sauerbrey read and presented the following Recognition Resolution to Daryl Williams.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 313-09 *RESOLUTION RECOGNIZING
DARYL D. WILLIAMS' 13 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY*

Adoption moved unanimously,
seconded unanimously.

WHEREAS: Daryl D. Williams was appointed Corrections Officer on 2/3/96; appointed Deputy Sheriff on 2/17/97; and

WHEREAS: Daryl D. Williams has been dedicated and loyal in the performance of his duties and responsibilities during the past 13 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Daryl D. Williams retired from the Tioga County Sheriff's Office on December 4, 2009; 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 Daryl D. Williams for his more than 13 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, Daryl D. Williams.

CARRIED UNANIMOUSLY

Bob Bell had privilege of the floor. Ladies and gentleman of the Legislature taxes are to high and the governments spend and waste to darn much money. I am a farmer and the town line goes through my farm so I receive tax bills from two towns, Barton and Tioga. This is my unpaid 2009 Barton town and county property tax bill. It is increased 118% from last year and I feel like a serf on my own land. Last month the bureaucrats in the Town of Barton passed their 2010 budget and they proudly brag there will be no tax increase. I certainly can understand why after raising people's property assessments last year between 2000 and 3,000%. Next year's Barton budget has increased spending of \$94,000.00. To me that kind of excessive spending is a tax increase. The bureaucrats in the Town of Tioga are just as bad. They granted 3% across the Board pay raises to all elected and appointed Town officials plus employees. Tioga also passed their budget last month with increased spending of \$49,000. So much for fiscal restraint on the part of Town Governments in a tough economy with double digit unemployment.

"Your proposed 2010 County budget will increase 4.5%, 4% for solid waste. I sincerely hope you do not pass this budget tonight because you can and should do better. Now I would like to make a couple of suggestions and the first one I will direct to Legislator McEwen. You sir know more about the finances of this County than anybody. I suggest you get a meat cleaver and trim the fat out of this budget until there is a 0% increase. The second suggestion I will direct to each of you nine people. I think it is time the Tioga County Legislature get a backbone and stand up against the tyranny that comes from Albany and Washington. Let's draw a line in the sand in this County and start to say the word no to any unfunded mandate directive from any Federal or State Agency. If the DEC wants help to enforce their new regulations on burning and natural gas drilling, the answer from Governments in this County should be no.

“Taxes are out of control. We are all riding on a financial titanic. The mountain of debt the democrats and republicans are piling up in Washington and Albany is incomprehensible and something has to be done. Now Governments work best when they are closest to the people. I am begging this Legislature to get a backbone and start to say the word no to more costly government. The citizens in this County will form an army behind you if push comes to shove from Washington and Albany because Tioga County will not bow to their decree. You are looking at one farmer whose pitchfork is sharpened. Believe me that jail up there will not be big enough to hold all of us who will create civil disobedience in support of your leadership. We Americans govern ourselves. We do not bow to a Queen and we do not salute a Dictator yet. The colonists fired the shots at Concord and Lexington over taxation by the British. It was the birth of America. Unless we get leadership against these out of control burdensome property taxes and fees that are constantly being placed on the residents of New York, we are all headed for serf.”

Joseph Albrecht had privilege of the floor. “Thank you for the privilege of being here this evening. I will reiterate a couple of ideas that I had presented before. One is to designate all residents of Tioga County LLC status because I think you pay less taxes under those conditions. I would like you to continue to explore the privilege of protecting family security patterned after the Oklahoma Make My Day Program.

“Relative to what the preceding speaker had to say I think it is significant to identify public service and social service expenditures, especially as they relate to skin in the game and I will leave this to your imagination, but if you have never earned the privilege of participating in the game why is it that you are at the concession stand? I think it is time to identify and quantify all unfunded mandates. Where do they come from? How much are they? What do we do about them and how many of the mandates that are extended to the County ultimately end up on towns and villages?

“I hope based on many of the things that have been said and the passion there is to spend money that we do not have yet that relates to the oil and gas leases, the mineral leases, that the public receive some kind of an education as to the fact that assessments went up in a number of places based on the idea that everybody gets \$1,000 an acre for their land. What many of the people who spend the money do not understand is that these leases are timed. They are either five year or seven year, and if in managing revenues and resources in the County you do not take into account the effect of the reduced value and you count on these expenditures, the money is going to disappear and your life is going to become significantly less pleasant, and I think a little bit of fore planning relative to the effects of the leases and how they affect the value of the property will be to everyone’s benefit.

“I have to apologize for misrepresentation that I made, I said the law had been passed, it penalizes people for nonpurchase of health insurance. Apparently it is an IRS tax of 2.5% of adjusted gross income. If you fail to pay that then you are exposed to an IRS tax evasion prosecution that carries a fine of \$25,000 and a year in jail.

“I appreciate the time and the effort that you folks put in on my behalf for managing local affairs. I thank you very much and I wish you a very pleasant Christmastime and may you have a pleasant and positive next year. Thank you very much.”

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		654.60
A1165	District Attorney		1,938.74
A1172	Assigned Counsel		19,331.75
A1185	Medical Examiners/Coroners		3,375.55
A1325	Treasurer		10,617.50
A1355	Assessments		9,642.92
A1410	County Clerk		1,630.65
A1411	Department of Motor Vehicles		303.31
A1420	Law		206.04
A1430	Personnel		556.70
A1450	Elections		11,262.16
A1460	Records Management		2,447.96
A1490	Public Works Administration		200.86
A1620	Buildings	44.96	58,778.51
A1680	Information Technology		17,380.13
A2490	Community College Tuition		18,183.00
A2960	Education of Handicapped Children		78,813.72
A3020	Public Safety Comm E911 System		5,380.03
A3110	Sheriff	2,531.11	10,438.36
A3110.41	Sheriff-Court Attendants		2,027.54
A3140	Probation	98.00	11.00
A3146	Sex Offender Program		8,766.67
A3150	Jail		35,151.31
A3151	Jail-Alternatives Program		15.96
A3315	Special Traffic Programs	405.00	952.80
A3410	Fire		8,693.49
A3640	Emergency Mgmt Office		353.01
A3654	EMO Grant Buyout		2,080.00
A4010	Public Health Nursing		38,630.20
A4011	Public Health Administration		2,696.93
A4012	Public Health Education		1,160.88

A4042	Rabies Control	1,251.16
A4044	Early Intervention	38,097.48
A4047	Handicapped Education Admin	18.86
A4053	Preventive/Primary Health Services	141.80
A4054	Preventive Dental Services	924.83
A4062	Lead Poisoning Program	471.54
A4064	Managed Care-Dental Services	29,253.37
A4070	Disease Control	6,268.49
A4090	Environmental Health	1,378.64
A4210	Alcohol and Drug Services	12,114.30
A4211	Council on Alcoholism	21,122.66
A4309	Mental Hygiene Co Admin	4,067.48
A4310	Mental Health Clinic	67,816.30
A4315	Mental Retardation	621.24
A4320	Crisis Intervention Services	33,905.67
A4321	Intensive Case Management	2,455.15
A4333	Psycho Social Club	18,277.00
A6010	Social Services Administration	88,314.23
A6141	Energy Crisis Assistance Programs	23,902.00
A6422	Economic Development	390.31
A6510	Veterans' Service	700.00
A6610	Sealer Weights/Measures	219.55
A7310	Youth Programs	125.00
A7310.41	Youth Programs, Refundable	6,806.00
A8020	Planning	368.12
SOLID WASTE FUND		89,051.35
COUNTY ROAD FUND		65,182.02
SPECIAL GRANT FUND		40,855.97
CONSOLIDATED HEALTH FUND		767,176.82
CAPITAL FUND		212,826.04
LIABILITY INSURANCE FUND		68.50
WORKERS' COMP		<u>1,250.00</u>
GRANT TOTAL		\$ 1,890,183.23

Legislator Roberts made a motion to approve the minutes of November 10 and 24, 2009, seconded by Legislator Monell, and carried.

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

REFERRED TO: LEGISLATIVE WORKSESSION

**RESOLUTION NO. 314-09 *FIX TIME OF
ORGANIZATIONAL MEETING***

**Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.**

**RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00
A.M., Monday, January 4, 2010.**

CARRIED

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 315-09 *ADOPT STATE EQUALIZATION REPORTS*

**Adoption moved by Legislator McEwen,
seconded by Legislator Monell.**

**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.**

CARRIED

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 316-09 *YEAR END TRANSFERS*

**Adoption moved by Legislator McEwen,
seconded by Legislator Sullivan.**

**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:

Ayes 09

Noes 00

Absent 00

CARRIED**REFERRED TO: FINANCE COMMITTEE****RESOLUTION NO. 317-09 *AUTHORIZE TREASURER TO
ENCUMBER FUNDS***

Adoption moved by Legislator McEwen,
seconded by Legislator Monell.

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, 2009 to allow proper coding of bills for payment in January.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED**REFERRED TO: FINANCE COMMITTEE****RESOLUTION NO. 318-09 *ADOPT COUNTY BUDGET FOR 2010,
APPROPRIATIONS AND SALARY
SCHEDULE***

Adoption moved by Legislator McEwen,
seconded by Legislator Monell.

RESOLVED: That the tentative budget for Tioga County for the year 2010 submitted by the Budget Officer on November 13, 2009 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2010; 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, 2010; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2010.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 319-09 TOWN TAX LEVY

Adoption moved by Legislator McEwen,
seconded by Legislator Sullivan.

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, 2010; 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	38,486.00	198,275.00
Newark Valley	-	-
Nichols	5,600.00	48,900.00
Owego	-	1,486,000.00
Spencer	36,488.00	322,409.00

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	13,915.00
Lockwood Fire Protection	33,000.00
Waverly Joint Fire Protection	248,335.00
Town of Berkshire	
Berkshire Fire District	91,230.00
Town of Candor	
Candor Fire District	414,489.14
Town of Newark Valley	
Newark Valley Fire District	171,928.77
Town of Nichols	
Lounsberry Fire Protection	3,000.00
Nichols Joint Fire Protection	132,838.00
Town of Owego	
Apalachin Fire District	640,317.00
Owego Fire District	831,191.00
Newark Valley Fire District	25,071.23
Town of Richford	
Richford Fire District	86,955.00
Town of Spencer	
Spencer Fire Protection District	75,000.00
Town of Tioga	
Tioga Fire District	170,200.00

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	11,843.00
Water District No. 4/Ext. 15	7,568.00
Water District No. 4/Ext. 17	19,611.00
Water District No. 4/Ext. 20	17,975.00
Sewer District No. 2/Ext. 14	12,031.00
Sewer District No. 2/Ext. 15	11,708.00
Lighting District No. 1	5,409.00
Lighting District No. 2	12,034.00
Lighting District No. 3	10,505.00
Lighting District No. 4A	626.00
Lighting District No. 4B	1,964.00
Lighting District No. 5	6,396.00
Lighting District No. 6	15,966.00
Lighting District No. 7	2,041.00
Lighting District No. 8	1,324.00
Lighting District No. 9	609.00
Lighting District No. 10	854.00

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 \$188,601.97; 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 \$13,358.98; 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 Newark Valley returned sewer and water rents in the amount of \$0; 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	184,000.00	418,400.00
Berkshire	79,755.00	320,000.00

Candor	412,718.00	675,775.00
Newark Valley	275,366.00	303,700.00
Nichols	125,742.00	222,800.00

Owego	726,000.00	-
Richford	106,609.00	373,184.00
Spencer	307,365.00	143,040.00
Tioga	222,057.00	480,400.00

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:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 320-09 COUNTY TAX LEVY

Adoption moved by Legislator McEwen,
seconded by Legislator Monell.

WHEREAS: This Legislature by Resolution No. 318-09 dated December 15, 2009 adopted a Budget for the fiscal year 2010 and by Resolution No. 318-09 dated December 15, 2009 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 319-09 dated December 15, 2009 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	96,848.25
Berkshire	19,106.66
Candor	90,890.09
Newark Valley	56,045.69
Nichols	42,191.72
Owego	379,626.53

Richford	15,586.24
Spencer	51,851.96
Tioga	<u>76,255.86</u>

Total **828,403.00**

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 \$19,833,317 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	456,247.16
For School Tax Returned	2,743,144.19
For Deficits from prior years' taxes	2.22
For Reimbursement of Erroneous taxes, etc.	24,271.34

All of the forgoing being subject to
 Credit for excess collection the prior year of **\$ 616.66**

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. 319-09 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, 2009; and be it further

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

Barton	Out	7.744
	In	7.744
Berkshire		7.778
Candor	Out	119.201
	In	119.201
Newark Valley	Out	11.800
	In	11.800

Nichols	Out	31.151
	In	31.151
Owego	Out	10.846
	In	10.846
Richford		5.501
Spencer	Out	40.264
	In	40.264
Tioga		119.632

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED**REFERRED TO:****FINANCE/LEGAL COMMITTEE****RESOLUTION NO 321-09**

***RESCIND ACCEPTANCE OF SALE
FOR JOHN & BERTHA GROATS
REAL PROPERTY ACQUIRED FOR
NON-PAYMENT OF TAXES AND
AUTHORIZE REFUND OF BID TO
FRANCINE V. NOTTE***

**Adoption moved by Legislator McEwen,
Seconded by Legislator Oberbeck.**

WHEREAS: Property acquired by Tioga County for nonpayment of taxes in the Town of Owego, Tax Map# 175.00-2-51, was approved by the Legislature for sale at Public Auction, which was conducted on August 8, 2009; and

WHEREAS: At said Auction conducted on August 8, 2009, Francine V. Notte made a bid of \$26,000.00, which was accepted; and

WHEREAS: At that time, Francine V. Notte made a deposit on the property for \$5,300.00; and

WHEREAS: There is a boundary line discrepancy, which renders the property unmarketable as clear title to said property cannot be obtained; and

WHEREAS: Francine V. Notte has requested the deposit in the amount of \$5,300.00 be returned to her and her bid of \$26,000.00 rendered null and void; and

WHEREAS: This body is agreeable to rescinding its acceptance for sale in the amount of \$26,000.00 and refund of deposit in the amount of \$5,300.00, made at Public Auction, as requested by bidder Francine V. Notte, as a boundary line discrepancy renders clear title for this property unobtainable, therefore unmarketable, rendering the property unavailable for re-sale by Francine V. Notte; be it therefore

RESOLVED: That the acceptance for Sale at Public Auction is rescinded and Refund of Deposit in the amount of \$5,300.00 approved for the property hereinafter identified be effective immediately: Town of Owego
Tax Map # 175.00-2-51
Assessed Owner: John & Bertha Groats
Resolution Number

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 322-09 *RE- APPOINT MEMBERS TO THE TIOGA COUNTY EMPIRE ZONE ADMINISTRATIVE BOARD*

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

RESOLVED: That the following members be re-appointed to the Tioga County Empire Zone Administrative Board for a term of two (2) years from January 1, 2010 until December 31, 2011

Appointee:	Representing:	Affiliation:
LDC President	Community Organization	Tioga County Local Development Corp.
Wendy McBride-Solomon	Financial Institution	Tioga State Bank
Stephen Lounsberry	Local Business	Applied Technology Manufacturing Corp
Ray Avery	Local Business	Harvard Custom Manufacturing, Inc.

Michael McMahon Education Institution

Waverly Central School District
CARRIED

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 323-09

*APPOINT MEMBER TO THE
TIOGA COUNTY EMPIRE ZONE
ADMINISTRATIVE BOARD*

Adoption moved by Legislator Roberts,
seconded by Legislator Sullivan.

WHEREAS: Janet Hertzog's term on the Tioga County Empire Zone Administrative Board expires on December 31, 2009; and

WHEREAS: Janet Hertzog currently represents Organized Labor through her affiliation with Broome Community College and does not wish to be re-appointed; and

WHEREAS: Tioga County Economic Development & Planning has found Laura St. George willing and able to fill the Organized Labor representative vacancy through her affiliation with Broome Community College; therefore be it

RESOLVED: That the Tioga County Legislature appoint Laura St. George as the Organized Labor representative on the Tioga County Empire Zone Administrative Board for a term of two (2) years from January 1, 2010 until December 31, 2011.

On roll call vote on the above resolution, six members voted Aye, Legislators Oberbeck, Roberts, and McEwen voting no, and the resolution was adopted.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 324-09

*APPOINT MEMBER TO THE
TIOGA COUNTY EMPIRE ZONE
ADMINISTRATIVE BOARD*

Adoption moved by Legislator Monell,
seconded by Legislator Sullivan.

WHEREAS: Jeffrey Barber's term on the Tioga County Empire Zone Administrative Board expires on December 31, 2009; and

WHEREAS: Jeffrey Barber currently represents Local Resident and does not wish to be re-appointed; and

WHEREAS: Tioga County Economic Development & Planning has found Kevin Millar willing and able to fill the Local Resident representative vacancy; therefore be it

RESOLVED: That the Tioga County Legislature appoint Kevin Millar as the Local Resident representative on the Tioga County Empire Zone Administrative Board for a term of two (2) years from January 1, 2010 until December 31, 2011.

On roll call vote on the above resolution, five members voted Aye, Legislators Oberbeck, Roberts, Sauerbrey, and McEwen voting no, and the resolution was adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 325-09 *APPOINT AT-LARGE MEMBER TO THE
STERPDB REGIONAL BOARD*

Adoption moved by Legislator Monell,
seconded by Legislator Sauerbrey.

WHEREAS: The by laws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or a citizen at-large and 3) the county planning director, and

WHEREAS: Andrea Giovenco currently holds this at-large position; her term expires at the end of December and she does not wish to be re-appointed; and

WHEREAS: Tioga County ED&P has found Patty Porter willing and able to fill this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Patty Porter to Tioga County's at-large position on the Southern Tier East Regional Planning Development Board to a 4-year term of 1/1/2010 – 12/31/2013.

On roll call vote on the above resolution, six members voted Aye, Legislators Oberbeck, Roberts, and McEwen voting no, and the resolution was adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 326-09 *APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD*

**Adoption moved by Legislator Sullivan,
seconded by Legislator Monell.**

WHEREAS: Dot Richter, an alternate member of the Tioga County Planning Board, has resigned; and

WHEREAS: The Tioga County Planning Board has found Patty Porter willing and able to serve Dot Richter's unexpired term, therefore be it

RESOLVED: That the Tioga County Legislature appoints Patty Porter as an alternate, to serve the remainder of Dot Richter's unexpired term from 12/16/09 – 12/31/10.

On roll call vote on the above resolution, seven members voted Aye, Legislators Oberbeck and Roberts voting no, and the resolution was adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 327-09 *APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION*

**Adoption moved by Legislator Monell,
seconded by Legislator Sullivan.**

WHEREAS: Peter Ward's term on the Tioga County Local Development Corporation expires as of March 31, 2010; and

WHEREAS: Peter Ward resigned from the Tioga County Local Development Corporation as of October 31, 2009; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Sandra Layman to fill said vacancy and serve the remainder of Peter Ward’s unexpired term of 1/1/10 – 3/31/10; and be it further

RESOLVED: That the Tioga County Legislature hereby re-appoints Sandra Layman for the three-year term of 4/1/10 – 3/31/13.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Sullivan to change the word “re-appoints” in the last Resolved to “appoints”.

On roll call vote on the above resolution and amendment, seven members voted Aye, Legislators Oberbeck and Roberts voting no, and the resolution and amendment were adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 328-09 *APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION*

Adoption moved by Legislator Monell,
seconded by Legislator Sullivan.

WHEREAS: Ralph Kelsey’s term on the Tioga County Local Development Corporation expires as of March 31, 2010; and

WHEREAS: Ralph Kelsey has expressed his desire to resign from the Tioga County Local Development Corporation as of December 31, 2009; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Marcia Kiechle to fill said vacancy and serve the remainder of Ralph Kelsey’s unexpired term of 1/1/10 – 3/31/10; and be it further

RESOLVED: That the Tioga County Legislature hereby re-appoints Marcia Kiechle for the three-year term of 4/1/10 – 3/31/13.

Legislator Sauerbrey made a motion to amend the above resolution, seconded by Legislator Monell to change the word “re-appoints” in the last Resolved to “appoints”.

On roll call vote on the above resolution and amendment, seven members voted Aye, Legislators Oberbeck and Roberts voting no, and the resolution and amendment were adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -09 *APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION*

Adoption moved by Legislator Roberts,
seconded by Legislator Oberbeck.

WHEREAS: Aaron Gowan's term on the Tioga County Local Development Corporation expires as of March 31, 2011; and

WHEREAS: Aaron Gowan has expressed his desire to resign from the Tioga County Local Development Corporation as of December 31, 2009; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Bob Griffin to fill said vacancy and serve the remainder of Aaron Gowan's unexpired term of 1/1/10 – 3/31/11.

Legislator Roberts made a motion to withdraw the above resolution, seconded by Legislator Oberbeck and carried.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 329-09 *APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION*

Adoption moved by Legislator Sullivan,
seconded by Legislator Monell.

WHEREAS: William Caloroso's term on the Tioga County Local Development Corporation expires as of March 31, 2011; and

WHEREAS: William Caloroso has expressed his desire to resign from the Tioga County Local Development Corporation as of December 31, 2009; and

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

RESOLVED: That the Tioga County Legislature hereby appoints Simon Caudullo to fill said vacancy and serve the remainder of William Caloroso’s unexpired term of 1/1/10 – 3/31/11.

On roll call vote on the above resolution, six members voted Aye, Legislators Oberbeck, Roberts, and McEwen voting no, and the resolution was adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. –09 *APPOINT TIOGA COUNTY REPRESENTATIVE TO FINGER LAKES TOURISM ALLIANCE*

Adoption moved by Legislator Roberts,
seconded by Legislator Sullivan

WHEREAS: Bonnie Jensen’s, Legislative Representative to the Finger Lakes Tourism Alliance, term expires December 31, 2009; and

WHEREAS: The Tioga County Legislature would like to appoint Stella Reschke, Tioga County Tourism Director, as the Legislative Representative to the Finger Lakes Tourism Alliance, now therefore be it

RESOLVED: That the Tioga County Legislature does hereby appoint Stella Reschke, as its Legislative Representative to the Finger Lakes Tourism Alliance effective January 1, 2010 through December 31, 2012.

Legislator Roberts made a motion to withdraw the above resolution, seconded by Legislator McEwen and carried.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 330-09 *RESOLUTION REAPPOINTING MEMBERS TO COMMUNITY SERVICES BOARD*

Adoption moved by Legislator Huttleston,
seconded by Legislator Sauerbrey.

WHEREAS: Paula Guiles' and Vicki Comstock's appointments to the Community Services Board will expire on December 31, 2009; and

WHEREAS: The Community Services Board has recommended reappointment of these individuals; and

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

RESOLVED: That Paula Guiles and Vicki Comstock be reappointed to the Community Services Board, each for a term starting January 1, 2010 and ending March 31, 2014.

CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 331-09 *APPOINTMENT EARLY INTERVENTION
OFFICIAL DESIGNEE*

Adoption moved by Legislator Huttleston,
seconded by Legislator Roberts.

WHEREAS: Terms of office for the Early Intervention Official and Designees were set forth in Resolution #77-00; and

WHEREAS: Lindsey Cioci is no longer employed with the Tioga County Health Department; and

WHEREAS: Carrie Wilson has been selected to fill the position of Early Intervention Official Designee formerly held by Lindsey Cioci; and

WHEREAS: The Tioga County Legislature must approve any and all appointments; therefore be it

RESOLVED: That Carrie Wilson be appointed in Lindsey Cioci's place as Early Intervention Official Designee for a term of 12/15/09-Term of Office.

CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 332-09 *REAPPOINT MEMBER TO THE
TIOGA COUNTY BOARD OF HEALTH*

**Adoption moved by Legislator Huttleston,
seconded by Legislator McEwen.**

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 Rani Kapur-Pado, MD, on the Board of Health expires 12/31/09; and

WHEREAS: Dr. Kapur-Pado has agreed to serve for another term; therefore be it

RESOLVED: That Rani Kapur-Pado, MD, be reappointed to the Board of Health for a term 1/1/10 - 12/31/15.

CARRIED

**REFERRED TO: ADMINISTRATIVE COMMITTEE
INFORMATION TECHNOLOGY**

**RESOLUTION NO. 333-09 *AUTHORIZE CONTRACT FOR HIRE OF
RECORDFUSION TO PERFORM WORK FOR
COUNTY CLERK***

**Adoption moved by Legislator Sullivan,
Seconded by Legislator Monell.**

WHEREAS: The County Clerks office is responsible for the recording, filing and maintaining of public records for Tioga County; and

WHEREAS: The Tioga County Clerk was originally awarded a grant for \$55,300 from New York State Archives Local Government Records Management to scan and index deeds, mortgages, assignment and discharge of mortgage documents into our Electronic Document Management System (EDMS) to preserve these records for public use; and

WHEREAS: New York State has notified the Tioga County Clerk's Office that their original grant award has been reduced by 12.5% with the possibility of future reductions; and

WHEREAS: RecordFusion has been contacted and has agreed to perform the required work needed to complete this task; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Clerk to enter into a contract with RecordFusion to scan and index deeds, mortgages, assignment and discharge of mortgage documents into the Electronic Document Management System (EDMS) with the total payment of said services not to exceed \$55,300 or the final awarded amount.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: INFORMATION TECHNOLOGY
FINANCE COMMITTEE

RESOLUTION NO. 334-09 *AUTHORIZE CONTRACT TO IMPLEMENT
CITRIX ACCESS GATEWAY APPLIANCE*

Adoption moved by Legislator McEwen,
Seconded by Legislator Monell.

WHEREAS: Information Technology and Communication Services Department has determined that it is necessary to obtain professional assistance for implementing the Citrix Access Gateway appliance; and

WHEREAS: The Department after interviewing Consultants has determined Dox Electronics, Inc. as the most qualified and competitive; and

WHEREAS: The Department has budgeted sufficient funds; be it therefore

RESOLVED: That the Tioga County Legislature hereby authorizes Information Technology and Communication Services to retain Dox Electronics, Inc. for the above stated purpose for a fee not to exceed \$3,600.00 to be paid from Information Technology Account A1680.40-140.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: INFORMATION TECHNOLOGY
FINANCE COMMITTEE

RESOLUTION NO. 335-09

***AUTHORIZE CONTRACT TO UPGRADE
DISASTER RECOVERY SOFTWARE ON BOTH
I5 SERIES MACHINES***

**Adoption moved by Legislator Monell,
Seconded by Legislator Sullivan.**

WHEREAS: Information Technology and Communication Services Department has determined that it is necessary to obtain professional assistance for upgrading the disaster recovery software on both i5 Series machines; and

WHEREAS: The Department after interviewing Consultants has determined Robideau & Associates Consulting as the most qualified and competitive; and

WHEREAS: The Department has budgeted sufficient funds; be it therefore

RESOLVED: That the Tioga County Legislature hereby authorizes Information Technology and Communication Services to retain Robideau & Associates Consulting for the above stated purpose for a fee not to exceed \$2,400.00 to be paid from Information Technology Account A1680.40-140.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE
INFORMATION TECHNOLOGY**

RESOLUTION NO. 336-09

***AUTHORIZE TRANSFER OF FUNDS FOR
PURCHASE OF EQUIPMENT FOR THE
COUNTY CLERK'S OFFICE***

**Adoption moved by Legislator Monell,
Seconded by Legislator Sullivan.**

WHEREAS: The County Clerks office is responsible for the recording, filing and maintaining of public records for Tioga County; and

WHEREAS: The current printer is not operational and Information Technology Department is unable to repair it and has recommended replacement due to the age of the equipment; and

WHEREAS: The Tioga County Clerk expense account does not have an existing account for the purchase of this equipment; and

WHEREAS: The Tioga County Information Technology Director has approved the purchase; be it therefore

RESOLVED: That the County Clerk be authorized to purchase a printer not to exceed \$2,346.00 and that the following sums be transferred:

From:	County Clerk Account A1410.40-520	\$2,346.00
To:	County Clerk Account A1410.20-220	\$2,346.00

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: **PUBLIC WORKS COMMITTEE**
FINANCE COMMITTEE

RESOLUTION NO. 337-09 ***APPROPRIATION OF ADDITIONAL REVENUE***

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

WHEREAS: The fee revenue being collected during 2009 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 \$50,000.00 be appropriated to Solid Waste Account B8160.41-140 from the additional tipping fee revenue Account B1221.00.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

**REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE**

**RESOLUTION NO. 338-09 *APPROPRIATION OF ADDITIONAL
REVENUE***

**Adoption moved by Legislator Monell,
seconded by Legislator Roberts.**

WHEREAS: The Hazardous Waste Program has been very successful and program during 2009 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 Solid Waste Contingency Account B1990.40-715 to Solid Waste Account B8160.42-261 to account for the additional amounts of hazardous waste and electronics in 2009.

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

REFERRED TO: PUBLIC WORKS COMMITTEE

**RESOLUTION NO. 339-09 *TRANSFER OF FUNDS BOILER FOR THE
BARTON TRANSFER STATION***

**Adoption moved by Legislator Roberts,
seconded by Legislator Monell.**

WHEREAS: The Solid Waste Department needs to purchase a new boiler for the Barton Transfer Station; therefore be it

RESOLVED: That the sum of \$2,000.00 be transferred from Solid Waste Account B8160.40-93 into Solid Waste Account B8160.20-130; and be it further

RESOLVED: That the Tioga County Legislature authorizes Ellen Pratt, Solid Waste Manager, to purchase a boiler from the Solid Waste Account B8160.20-130 at a cost not to exceed \$2,000.00.

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 340-09 *TRANSFER OF FUNDS*
 RECYCLING BINS FOR THE CURBSIDE
 RECYCLING PROGRAM

Adoption moved by Legislator Roberts,
 seconded by Legislator Sauerbrey.

WHEREAS: The Solid Waste Department needs to purchase more recycling bins for the Curbside Recycling Program; therefore be it

RESOLVED: That the sum of \$7,300.00 be transferred from Solid Waste Account B8160.40-420 into Solid Waste Account B8160.42-640; and be it further

RESOLVED: That the Tioga County Legislature authorizes Ellen Pratt, Solid Waste Manager, to purchase recycling bins from the Solid Waste Account B8160.42-640 at a cost not to exceed \$7,300.00.

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE
 INFORMATION TECHNOLOGY COMMITTEE

WHEREAS: Funds are available in one of the Expense accounts; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1710.40 (450)	\$50,000.00
To: Workers' Compensation Account S1720.40 (370)	\$50,000.00

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**PERSONNEL COMMITTEE
FINANCE COMMITTEE**

RESOLUTION NO. 343-09

***TRANSFER OF FUNDS
CONSOLIDATED HEALTH***

Adoption moved by Legislator McEwen,
seconded by Legislator Oberbeck.

WHEREAS: Due to higher than anticipated health insurance bills a shortfall in the 2009 consolidated health budget is expected; and

WHEREAS: Funds are available in the appropriated reserves of the consolidated health insurance program; therefore be it

RESOLVED: That the following sums be transferred:

From: Appropriated Reserve CH 511	\$578,399.00
To: Consolidated Health Account CH 9060.81 (87)	\$578,399.00

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

**HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE**

**RESOLUTION NO. 344-09 *TRANSFER OF FUNDS*
*PUBLIC HEALTH***

**Adoption moved by Legislator Huttleston,
Seconded by Legislator McEwen.**

WHEREAS: Resolution 249-09 addressed the costs of the mandated Handicapped Education Program (3-5) and Early Intervention (EI) program; and

WHEREAS: In Resolution 249-09, Public Health did not request the entire amount projected as needed for the balance of 2009, with the intent of delaying the request of some of the needed funds until later in 2009; and

WHEREAS: Public Health has determined the amount of additional funding needed for both mandated programs through the balance of 2009; and

WHEREAS: The additional costs of the Handicapped Education and Early Intervention programs will result in additional revenue and state aid reimbursement, decreasing the amount needed from County contingency funds; and

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

RESOLVED: That funds be transferred as follows:

From: A1610.16	Handicapped Education Fees	\$ 15,000
A1610.17	Early Intervention Fees	\$ 35,000
A3460.00	State Aid: Handicapped Education	\$ 157,550
A1990.40-715	County Contingency Account	\$ 152,450
To: A2960.40-590	Handicapped Education- Contractual Services	\$ 290,000
A4044.40-140	Early Intervention- Contracting Services	\$ 70,000

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

**RESOLUTION NO. 345-09 *AMEND RESOLUTION NOS. 385-90,
102-00, AND 150-07*
AMENDING FEES
*REAL PROPERTY OFFICE***

Adoption moved by Legislator Sullivan,
Seconded by Legislator Oberbeck.

WHEREAS: Resolution Nos. 385-90, 102-00, and 150-07 established and modified schedules of charges; and

WHEREAS: The cost of supplies and services have increased; and

WHEREAS: The Real Property Tax Service Agency has recommended that the fee schedules be revised and established for new services, be it therefore

RESOLVED: That Resolution Nos. 385-90, 102-00, and 150-07 be hereby amended and that the fees for Real Property Administrative services be and hereby are established and modified as follows:

Preparation of school district and village tax bills, per bill	.60
Tax map 30x42 all individuals, attorneys or private corporations	6.00
Tax map 30x42 Assessors, 1 st copy no charge, thereafter per copy	2.50
Tax map 30x42 all Village, Town & Schools per copy	2.50
Tax map 17x21 all individuals, attorneys or private corporations	4.00
Tax map 17x21 Assessors, per copy	.75
Mailing a single map	2.00
Assessment rolls & indexes printed, all towns other than Owego, per town	30.00
Assessment rolls & indexes printed, town of Owego	55.00
Assessment roll indexes, all towns other than Owego, per town	10.00
Assessment roll indexes, town of Owego	15.00
GIS map, 8 ½ x 11 (color)	2.50
GIS map, 8 ½ x 11 (blk & wht)	1.50
GIS digital maps on CD	600.00
Additional layers included on CD, per layer	50.00
RPS data files on CD or e-mailed, rps160d1, rps155p1, rps150p1, etc., per	50.00
Printed custom reports, minimum	15.00
Aerial photo or DOQQ, 8 ½ x 11 or Topo.	12.00
Aerial photo or DOQQ, 30x42	25.00
Printed address labels, per page of 30 (minimum)	2.00
RPS Database (scrubbed)	300.00
Screen prints, each	.30
.pdf tax map files, e-mailed, per map	1.00
.pdf tax map files, quantity, min of 3	2.00
Sales report (one year)	30.00
Area map with coordinates, up to 12 pts., 8 ½ x 11	4.00

Roll Call:

**Ayes 09
Noes 00
Absent 00
CARRIED**

REFERRED TO: INFORMATION TECHNOLOGY

**RESOLUTION NO. 346-09 AMEND POLICY 5
FIXED ASSET INVENTORY**

**Adoption moved by Legislator Monell,
Seconded by Legislator Sauerbrey.**

WHEREAS: Policy 5 Fixed Asset Inventory needs to be amended to remove Purchasing Coordinator and change to Information Technology Department; therefore be it

RESOLVED: That Policy 5 Fixed Asset Inventory is amended to reflect the above change throughout the entire policy and is attached herewith.

FIXED ASSET INVENTORY

Sec.

I. Fixed Asset Inventory (Rules & Regulations for Implementation and Maintenance)

I. FIXED ASSET INVENTORY (RULES AND REGULATIONS FOR IMPLEMENTATION AND MAINTENANCE)

- A. The County Legislature gives the Information Technology Department the responsibility not only to purchase, but also to inventory, dispose of and/or transfer supplies, materials and equipment.
- B. Each department head shall be responsible for designating one employee to be responsible for maintaining the fixed assets inventory for that department, (called Fixed Asset Steward), in accordance with rules and regulations as developed by the Information Technology Department, under the direction of the Information Technology Director, approved by the County Legislature and including reporting the acquisition or disposal of all fixed assets for the department. Necessary copies of acquisition or disposal forms as furnished by the Information Technology Department shall be completed in detail, signed by the Fixed Asset Steward and returned to the Information Technology Department for updating the official inventory.
- C. Minimum standards to be considered for inclusion in the fixed asset inventory are as follows:
 - 1. Only items costing two hundred and fifty dollars (\$250.00) or more will be inventoried with the exception of computer equipment. All computer

- equipment purchased through Information Technology will be inventoried regardless of cost.
2. All items under two hundred and fifty dollars (\$250.00) cost shall be considered supplies and inventory control managed within the department.
 3. Estimated useful life of the item(s) shall be one (1) year or more.
 4. The physical characteristics of the assets shall not be appreciably affected by use or consumption.
- D. Each department has an assigned Fixed Asset Steward who is responsible for tagging all new assets. Tags are necessary to provide positive identification of an asset; it also provides a quick and accurate method of identifying assets during the annual physical inventory. Upon receipt of an asset valued over \$250.00 or computer or computer-related equipment, the Information Technology Department will issue a numbered inventory tag that will be attached to the new asset. The department will receive a Tioga County Equipment Inventory Input Document form which must be completed and returned before receiving an inventory tag.. If a tag is lost or damaged the department Fixed Asset Steward should contact the Information Technology Department for a replacement tag.
- E. The only exception to this procedure will be for computer or computer related equipment that will be maintained and tagged by the Information Technology and Communication Department. Information Technology will track all computer or computer related items regardless of dollar value and maintain a database for all items including those awaiting assignment and disposal. Information Technology will record transfers of equipment and obsolete computer equipment shall be disposed of by the Information Technology Department.
- F. Each Department Head has the ultimate responsibility to conduct and maintain the individual inventory pertaining to that department. It is also the responsibility of the department head to evaluate on a continuing basis the suitability and need of materials, supplies and equipment. If they should become obsolete by reason of age, wear or technical advancement or should become surplus, unnecessary for the operation of his/her department, the department Fixed Asset Steward should complete a Tioga County Equipment Inventory Disposition Document and forward it to the Information Technology Department.
- G. On an annual basis, each department shall be furnished with an updated electronic inventory records spreadsheet for comparison to departmental records. All computer or computer-related equipment and only those non-computer fixed assets with a value of \$250.00 or more will be inventoried. It is the responsibility of the employee designated as Fixed Asset Steward to compare this spreadsheet with the department records and report any discrepancies to the Information Technology Department for adjustment.
- H. All forms and tags for maintaining the fixed asset inventory shall be supplied by the Information Technology Department.
- I. The Information Technology Department shall be responsible for generating the required State and local periodic reports.
- J. The Information Technology Department, under the direction of the Director of Information Technology, has the authority to develop additional rules and regulations necessary for the maintenance of the fixed asset inventory as the need arises.

Roll Call:**Ayes 09****Noes 00****Absent 00****CARRIED**

REFERRED TO: FINANCE COMMITTEE

**RESOLUTION NO. 347-09 *AMEND POLICY 11*
*TRAVEL POLICY AND PROCEDURES***

**Adoption moved by Legislator McEwen,
Seconded by Legislator Sauerbrey.**

WHEREAS: Policy 11 Travel Policy and Procedures Section VII. Meal Allowances needs to be revised; therefore be it

RESOLVED: That Policy 11 Travel Policy and Procedures Section VII. Meal Allowances be revised as follows:

VII. MEAL ALLOWANCES

- A. The County will pay a total per diem including gratuity, only for travel requiring an overnight stay, based upon the General Services Administration travel reimbursement allowance chart as shall be in effect at the time of any authorized travel, for meals during travel outside of Tioga County. (The applicable GSA meal reimbursement allowance chart, as may be periodically updated by the GSA, will be provided by the Treasurer’s Office and be made available in the office of the Legislative Clerk.)**

- B. Based on GSA rates in effect at time of travel.**
 - 1. Meals will be allowed as follows:**
 - a. Breakfast – When the time of departure from home at the beginning of the trip necessarily occurs before 7:00 am.**
 - b. Lunch – When the employee is away from his/her office for more than one-half of the employee’s normal work day.**
 - c. Dinner – When the time of return home at the conclusion of a trip necessarily occurs after 7:00 pm.**

 - 2. Breakfast, lunch, and dinner under Section VII.B.1. will be reimbursed at an amount not to exceed the GSA rate.**

Meal costs, which are part of a package conference fee, will be allowed even if they exceed these guidelines.

- C. Extended training of five days or more – With the prior approval of the Legislative Chair special consideration may be made for extended training of five consecutive days or more, excluding modifications to the allowance rate.**

- D. Meals included in airline fare or conference registration fee must not be claimed a second time.**

And be it further

RESOLVED: That the remainder of Policy 11 Travel Policy and Procedures shall remain in full force and effect.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PUBLIC WORKS COMMITTEE
INFORMATION TECHNOLOGY COMM
FINANCE COMMITTEE

RESOLUTION NO. 348-09 *AMEND POLICY 23*
PROCUREMENT POLICY

Adoption moved by Legislator Roberts,
Seconded by Legislator McEwen.

WHEREAS: Policy 23 Procurement Policy needs to be revised; therefore be it

RESOLVED: That Policy 23 Procurement Policy be amended as follows:

SECTION I – Procurement Procedures. Change the following sentence:

“Pursuant to General Municipal Law 104-b (2) (f), Suzanne Horton, Information Technology Director, is the responsible person for overseeing the administrative details of Tioga County’s purchasing program.”

SECTION IV – Determining the Necessity for Competitive Bidding. In the table change the following:

Purchase and Contracts for Public Works – Change #3 from \$20,000 to “\$35,000”.
Purchase and Contracts for Public Works – Change #4 from \$20,000 to “\$35,000”.

SECTION V – Methods of Procurement not covered by Bidding. The whole table should be replaced with the following table:

Procurements	Verbal Quotes		Written Quotes		RFP	Formal Bid	Other
	0	3	3	≥3*			
Commodities (Equipment, Materials & Supplies)							
\$500	X						
\$500 - \$1,499		X					
\$1,500 - \$4,999			X				
\$5,000 - \$9,999				X			
\$10,000 & over						X	
Public Works and Contracted Services							
\$10,000	X						
\$10,000 – \$19,999		X					
\$20,000 - \$34,999			X				
\$35,000 & over						X	
Over \$35,000 – sealed bids in conformance with GML, Section 103.						X	
Emergencies GML 103(4)							a.
Insurance							a.
Professional Services GML 104-b					X		
True Leases (other than school districts)				X			
Second-Hand Equipment from Other Governments							a.
Sole Source (i.e., patented or monopoly item)							a.

*A minimum of 3 quotes are required but may be greater than 3 quotes as determined by the Information Technology Department.

(a) – Competitive bidding is not required based on Exceptions to the Requirements of GML, §103 and §104.

Verbal Quotes – use form 14.8F or equivalent; Originator Department to obtain quotes and submit with draft order.

Written Quotes – use form 14.9F or equivalent; Originator Department to obtain quotes and submit with draft order.

Formal Bids and RFP’s are issued by the Information Technology Department or the Originator Department; specifications are provided by Originator Department.

SECTION V – Methods of Procurement not covered by Bidding. The following sentence “a” after the table should be deleted:

a. The methods of solicitations for these types of procurements may vary depending on the circumstances encountered. Contact the Purchasing Coordinator for additional information.

and be it further

RESOLVED: That the remainder of Policy 23 Procurement Policy shall remain in full force and effect.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: FINANCE COMMITTEE
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 349-09 *AMEND POLICY 39*
ASSIGNMENT & USE OF
COUNTY VEHICLES

**Adoption moved by Legislator McEwen,
Seconded by Legislator Monell.**

WHEREAS: Policy 39 needs changes made to Section X Taxable Value; therefore be it

RESOLVED: That Policy 39 Assignment & Use of County Vehicles Section X Taxable Value be amended as follows:

TAXABLE VALUE

- A. All employees assigned a County vehicle shall have the value for the commute use benefit reflected in the employee's gross pay accounting at the allowable rate of the IRS, except for those employees assigned a vehicle which is considered by the IRS to be a Qualified nonpersonal-use vehicle. See IRS Publication 15-B.

And be it further

RESOLVED: That the remainder of Policy 39 Assignment & Use of County Vehicles shall remain in full force and effect.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 350-09 *AMEND POLICY 43*
TIOGA COUNTY’S NETWORK
POLICIES AND PROCEDURES

**Adoption moved by Legislator Roberts,
Seconded by Legislator Monell.**

WHEREAS: Policy 43 needs changes made to the section on Cellular Phones and other Wireless Devices; therefore be it

RESOLVED: That the section on Cellular Phones and other Wireless Devices be amended as follows:

CELLULAR PHONES AND OTHER WIRELESS DEVICES

It is Tioga County’s policy to have employees use cellular phones as an effective communication tool which enhances the personal safety/security of field employees and carries the potential to enhance employee productivity by providing another communications link with County employees and customers.

Cellular phone service, like other means of communication, is to be used to support County business. Employees may use cellular telephones to communicate outside of the County government when such communications are related to legitimate business activities and are within their job assignments or responsibilities. Employees will not use cellular telephones for illegal, disruptive, unethical or unprofessional activities, or for personal gain, or for any purpose that would jeopardize the legitimate interest of Tioga County. Further, County issued cellular telephones may not be used for personal use. Department Heads are required to review all cellular telephone statements for compliance with this policy. Any use not in accordance with this policy may result in disciplinary action in addition to reimbursement to the County for any and all costs associated with non-compliance.

Cellular phones or other mobile devices should not be used while operating a motor vehicle.

And be it further

RESOLVED: That the remainder of Policy 43 Tioga County's Network Policies and Procedures shall remain in full force and effect.

On roll call vote on the above resolution, eight members voted Aye, Legislator Monell voting no, and the resolution was adopted.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 351-09 *CREATE COUNTY POLICY 54:
PURCHASE OF FOOD, BEVERAGE &
SUPPLIES*

Adoption moved by Legislator Monell,
seconded by Legislator Sullivan.

WHEREAS: In the absence of a policy, some County departments have utilized tax-payer dollars to purchase food items for staff with which the County Legislature was not in agreement; and

WHEREAS: There are certain occasions for which the County Legislature agrees it is appropriate for food and drinks to be provided and wishes to clarify those acceptable occasions; therefore be it

RESOLVED: That "County Policy 54: Purchase of Food, Beverages and Supplies" be adopted effective January 1, 2010; and be it further

RESOLVED: That County Policy 54 shall read as follows:

The purpose of this policy is to contain the spending of tax-payer dollars on food and beverages for County employees. In recognition of the time and effort devoted by volunteer members of Boards and Committees, food and beverages may be offered at scheduled meetings of those bodies; County employees present at such meetings are also welcome to imbibe. The parameters are to be applied to all local meetings which do not require travel and/or fall under County Policy 11.

Events for which such purchases are allowable:

- Recognition ceremonies organized by the County's Employee Recognition Program;
- Board of Health and Community Services Board meetings;

- Business meetings with non-County business associates;
- Foster Parent Training classes;
- Lunch during required all-day staff trainings.

Events for which such purchases are prohibited:

- Office luncheons
- Staff meetings
- Office coffee & supplies
- Staff birthdays
- “Working lunches” comprised of County staff
- Half-day trainings

- Employee picnics
- Employee Recognition ceremonies not a part of the County’s Employee Recognition Program
- Office drinking water (See also County Policy 51)
- “Team” meetings
- Extended work hours

Food/beverages for the above-listed “prohibited” events may be offered; however, *may NOT be purchased with tax-payer dollars.*

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO:

**PUBLIC SAFETY COMMITTEE
 PERSONNEL COMMITTEE**

RESOLUTION NO. 352-09

***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***

**Adoption moved by Legislator Sauerbrey,
 seconded by Legislator McEwen.**

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 2010; 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.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 353-09 *AUTHORIZE CONTRACTS FOR
2010 SADD SCHOOL ASSOCIATES
(STOP DWI Program)*

Adoption moved by Legislator Sauerbrey,
Seconded by Legislator McEwen.

WHEREAS: It is the desire of the STOP DWI program to appoint six SADD School Associates which are defined as independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to fill the six SADD School Associate positions for the calendar year 2010 with the following individuals: Matt Gelder to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Michelle McNamara to serve the Spencer VanEtten School District; Janice Barto to serve the Tioga Central School District and Katie Carter-Benetiz to serve the Waverly School District; and

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

RESOLVED: That these six contracts for SADD School Associate work be authorized for the 2010 calendar year at a rate of One Hundred Dollars per month for ten months.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 354-09 *AUTHORIZE CONTINUATION OF HEALTH INSURANCE*

Adoption moved by Legislator Oberbeck,
seconded by Legislator Sauerbrey.

WHEREAS: County Policy 3, Section IV.B1f allows for the Legislature to waive the age 55 requirement for an employee retiring under Disability Retirement to continue health insurance into retirement; and

WHEREAS: Deputy Sheriff Daryl Williams has been approved for Disability Retirement by the NYS Retirement System; and

WHEREAS: The Tioga County Legislature wishes to allow Deputy Williams to continue his health insurance coverage despite not being 55 years of age; therefore be it

RESOLVED: That Daryl Williams will be allowed to continue carrying the County's health insurance following his retirement in December, 2009; and be it further

RESOLVED: That for the purpose of calculating what percentage of the monthly health insurance premium Daryl Williams is responsible for paying, Deputy Williams is considered to have completed 14 years of full-time service.

Roll Call:
Ayes 09
Noes 00
Absent 00

CARRIED**REFERRED TO: PERSONNEL COMMITTEE****RESOLUTION NO. 355-09** *RENEW SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

Adoption moved by Legislator Oberbeck,
seconded by Legislator Sullivan.

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy through Safety National Casualty Corp expires December 31, 2009; and

WHEREAS: The Tioga County Self-Insurance Plan's employers' liability insurance policy through United States Liability Insurance Co. expires December 31, 2009; 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. is an A.M. Best rated "A (Excellent), IX" insurance company and United States Liability Insurance Co. is an A.M. Best rated "A++ (Superior), IX" insurance company 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, 2010 through December 31, 2010 to be paid for out of the 2010 Tioga County Self-Insurance budget account S1722.40; 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, 2010 through December 31, 2010 to be paid for out of the 2010 Tioga County Self-Insurance budget account S1710.40-270

Roll Call:

Ayes 09

Noes 00

**Absent 00
CARRIED**

REFERRED TO: PERSONNEL COMMITTEE

**RESOLUTION NO. 356-09 *AUTHORIZE PURCHASE OF SPECIFIC AND
AGGREGATE STOP-LOSS FOR
CONSOLIDATED HEALTH INSURANCE
PROGRAM***

**Adoption moved by Legislator Oberbeck,
seconded by Legislator Sullivan.**

WHEREAS: The Tioga County Consolidated Municipal Health Insurance Program's (TCCMHIP) specific and aggregate stop-loss policies expire December 31, 2009; 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 stop-loss, subject to review by the County Attorney, with \$175,000 deductible and 125% aggregate stop-loss from First Great West Life & Annuity Insurance Company or from a company who can provide the same level of coverage at a better value but not to exceed a cost of \$345,000 dependent on enrollment, for the Tioga County Consolidated Municipal Health Insurance Program for the period of January 1, 2010 through December 31, 2010.

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

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

**RESOLUTION NO. 357-09 *AMEND RESOLUTION 303-09
SEASONAL CLERK POSITIONS
SOCIAL SERVICES***

Adoption moved by Legislator Huttleston,
Seconded by Legislator Monell.

WHEREAS: The first “Resolved” of Resolution 303-09 entitled “Create and Fill Seasonal Clerk Positions” incorrectly states the rate of \$8.15 per hour for the Seasonal Clerk positions; and

WHEREAS: The correct rate is \$8.25 per hour; therefore be it

RESOLVED: That the first “Resolved” of Resolution 303-09 be amended to read “That the Department of Social Services be hereby authorized to create and fill up to six (6) Seasonal Clerk positions at the rate of \$8.25 per hour (minimum wage, plus \$1) effective December 1, 2009 through January 31, 2010.”

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 358-09 *STAFF CHANGES FOR 2010
(VARIOUS DEPARTMENTS)*

Adoption moved by Legislator Sauerbrey,
seconded by Legislator Sullivan.

WHEREAS: The Tioga County Legislature reviewed requests from various departments regarding staff changes for 2010; and

WHEREAS: These requests were considered during the 2010 Budget preparation process; and

WHEREAS: Departments were directed by the County Legislature to reduce their budgets by 3%, which necessitated staff changes in some departments; therefore be it

RESOLVED: That the following position changes are effective January 1, 2010 unless noted otherwise:

<u>Name:</u>	<u>Current Title/ Salary Grade:</u>	<u>New Title/ Salary Grade:</u>	<u>Budget Impact:</u>
<u>DEPARTMENT OF SOCIAL SERVICES</u>			
Vacant	Social Welfare Examiner (Grade 6)	Abolish	- \$25,480
Vacant	Account Clerk Typist (Grade 4)	Abolish	- \$22,375
K. Robinson	Account Clerk Typist (Grade 4)	Abolish	- \$22,375
Vacant	Caseworker (Grade 11)	Unfunded	- \$35,176
<u>DISTRICT ATTORNEY</u>			
D. Hines	Typist P.T.	Abolish	- \$ 2,500
<u>ECONOMIC DEVELOPMENT & PLANNING</u>			
Vacant	Deputy Director (Non-Union)	Unfunded	- \$44,000
<u>INFORMATION TECHNOLOGY</u>			
A. Schrader	Purchasing Coordinator (Non-Union)	Abolish	- \$42,987
T. Stanton	Computer Maintenance Technician (Gr. 10)	Sr. Computer Maintenance Technician (Gr. 11)	+\$ 1,438
<u>LEGISLATIVE OFFICE</u>			
A. Howe	Deputy Clerk to the Legislature (Non-Union)	Reduced to P.T.	- \$16,706
<u>MENTAL HYGIENE</u>			
Vacant	Typist, P.T. (\$11.221/hr.)	Abolish	- 0
<u>PUBLIC HEALTH</u>			
Vacant	Dental Hygienist P.T. (\$16.239/hr.)	Abolish	- 0

New Position	Director of Administrative Services (Non-Union)	+ \$46,840
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New Position	Director of Dental Health Services (Non-Union)	+ \$42,000
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PUBLIC WORKS

Vacant	Working Supervisor (Grade 1)	Abolish	- \$37,887
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REAL PROPERTY

Vacant	Clerk (P.T.) (\$10.732/hr.)	Real Property Tax Service Technician (P.T.) (\$15.344/hr.)	+ \$ 4,077
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SHERIFF'S OFFICE

Vacant (4)	Deputy Sheriff	Unfunded	- \$154,000
K. Burrell	Clerk P.T.	Unfunded	- \$ 5,093
P. Whittemore	Clerk P.T.	Unfunded	- \$ 5,093

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED**REFERRED TO: PERSONNEL COMMITTEE**

RESOLUTION NO. 359-09 *AMEND RESOLUTION 262-04 AS
AMENDED BY RESOLUTION NO.
206-04 TITLED A RESOLUTION TO
DECLARE WORK DAY STATUS OF
COUNTY LEGISLATORS FOR THE
NEW YORK STATE EMPLOYEE'S
RETIREMENT SYSTEM*

**Adoption moved by Legislator McEwen,
Seconded by Legislator Sullivan.**

WHEREAS: Resolutions 206-04 and 262-04 reflected that the "work day" for members of the Tioga County Legislature for New York State and Local Retirement System/Employees' Retirement System purposes be found and determined to be six

hours, with approximately twelve such work days worked on the average month;
and

WHEREAS: The New York State Retirement System requires that each Legislator be reported independently of the others based on hours reported by each member of the Tioga County Legislature; therefore be it

RESOLVED: That Resolutions 206-04 and 262-04 be hereby amended to reflect that the “work day” for members of the Tioga County Legislature for New York State and Local Retirement System/Employees’ Retirement System purposes be calculated according to New York State and Local Retirement System Regulation 315.4, and as such, it will be determined based on hours worked per Tioga County Legislator and that this resolution be effective January 1, 2010.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

The meeting was adjourned at 6:50 P.M.