

*Ninth Regular Meeting  
September 15, 2015*

The Ninth Regular Meeting of 2015 was held on September 15, 2015 and was called to order by the Deputy Chair at 6:00 P.M. Eight Legislative members were present, Legislator Sauerbrey being absent.

Deputy Chair Case asked Legislator Huttleston for a moment of prayer. "As I was driving here today for this special occasion and wonderful example of democracy, which many countries are unable to enjoy, I said to myself, "this is as good as it gets". I thought isn't it great to be an American. We are so lucky and blessed to be born in a great caring, loving, free country that gives us freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let us take the time to thank the many people from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our leaders and military forces who are making many sacrifices to ensure and protect our freedom. Let us pray that the entire world will someday be able to live in peace and all people will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to guide and bless this Legislative body, our Department Heads, and all our employees."

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

There were 6 people in attendance.

Amy Poff of the Employee Recognition Committee presented Employee of the 3<sup>rd</sup> Quarter 2015 to William Kenville, Safety Officer. "I am here along with Barb Riley on behalf of the Employee Recognition Committee to recognize the Employee of 3<sup>rd</sup> Quarter who is Bill Kenville, our Safety Officer. I would like to again thank the County Legislature for their support of the Employee Recognition Committee and the programs that we have. I think it gives everybody a better opportunity to understand the good work that the County employees do.

"Bill started with Tioga County as a Safety Officer on August 26, 2013 and within a short time period it was clear that he was the right person for the job! As the Safety Officer, Bill must ensure that departments are in compliance with rules and procedures, which sometimes can be met with resistance as the safest way is not always the easiest or fastest way! However, Bill's ability to communicate with employees in a diplomatic, non-threatening manner ensures cooperation and achieves the desired goals and objectives.

“Bill works closely with the Tioga County liability carrier, NYMIR, and largely due to Bill’s conscientious performance of his duties, the county received the NYMIR Risk Management Award in 2014. Bill also works with the NYS Department of Labor PESH consultant and has been able to obtain free training, which helps provide employees with the proper tools to do their jobs safely. He has taken a fresh look at the county policies that involve safety issues and has been involved in making needed revisions.

“He is very knowledgeable and willing to assist whenever he can. Recently he assisted the County Attorney in developing her portion of the Continuity of Operations Plan (COOP) by researching COOP templates in other jurisdictions. In his role as the ADA Coordinator, Bill developed brochures for handicap parking education. He has also improved ways to bring safety instruction to county personnel and researched other resources to expand safety topics for departments to access.

“The position of Safety Officer is a part-time position and Bill has established regular working hours, which brings consistency to his availability for county personnel. At the same time when the needs of the county require flexibility, he willingly accommodates, often rearranging his own time for the needs of the county. Bill has genuine concern for the safety and wellbeing of people and is always looking for new ways to improve upon how things are done.

“Bill lives in Binghamton with his wife Vickie and has two children. He is a retired Endicott Fire Captain who served in the Village of Endicott Fire Department for 25 years. In his free time, what little he may have, you might find Bill out on the golf course.

Legislator Hollenbeck spoke and presented a plaque to Bill. “Bill is the reason we take all those tests.”

County Attorney Judith Quigley spoke. “Bill started working for the County two years ago and has proven to be a very valuable asset and resource for the safety and risk management requirements and concerns of the County. He works politely and cooperatively with other county departments and employees, and has a good working relationship with the New York State Department of Labor PESH consultant and the NYMIR representative. He stays on top of OSHA changes and regulations, which can involve changes in County policies and procedure to ensure the County is in compliance.

“In addition to his ongoing regular duties, which include driver safety training, annual safety and workplace violence training, and facilitating random

drug testing, during Bill's short tenure with the County he has taken on responsibilities that were once overlooked and handled situations that past Safety Officers did not. When a new situation presents itself, he researches the matter so that it is handled correctly, efficiently, and effectively, which often involves him taking on extra work. Because of his calm and diplomatic way of handling complaints and problems, possibly contentious situations have been avoided. Bill has sacrificed his own time by rearranging his established work hours to accommodate the needs of the County.

“Bill performs all of his duties with professionalism and genuine concern for the safety needs of the County, its personnel and the public. Because of his personable and patient demeanor, Bill has successfully met many necessary and desired goals that otherwise may not have been attained. The County has and will continue to benefit from Bill's knowledge and work ethic, and is fortunate to have him in their employ.”

Bill Kenville spoke. “I want to say thank you very much to Barb and Amy, and all the Employee Recognition Team members. Thanks to the Legislature for supporting the program and for always supporting our safety program. Thanks to the people who spoke kindly of me when they nominated me. Thank you to the Law Department staff, Diane Stephens who helps me with a lot of report writing and spreadsheets, and proofreading and makes every workday fun. To my boss, Judy Quigley who is actually great to work with and who is always there for me when it comes to support or if I need any guidance. Thank you to everybody.”

There was no privilege of the floor.

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		230.19
A1165	District Attorney		1,415.28
A1170	Public Defender		1,977.28
A1172	Assigned Counsel		14,424.90
A1185	Medical Examiners/Coroners		850.00
A1325	Treasurer		3,262.49
A1355	Assessments		2,461.53
A1410	County Clerk		80.26
A1420	Law		3,162.51
A1430	Personnel		2,549.30
A1450	Elections	593.19	4,311.94
A1460	Records Management		185.32
A1490	Public Works Administration		24.98
A1620	Buildings	1,381.02	48,960.24

A1621	Buildings		30,889.65
A1680	Information Technology		5,273.88
A2490	Community College Tuition		55,259.90
A2960	Education of Handicapped Children		63,994.60
A3020	Public Safety Comm E911 System		4,429.07
A3110	Sheriff		18,304.72
A3140	Probation		86.00
A3142	Alternatives to Incarceration		120.00
A3146	Sex Offender Program		10,320.00
A3150	Jail		50,936.02
A3359	SHSP2013	3,380.76	
A3410	Fire		2,298.79
A3415	State Interoperable Comm Grant	150,206.13	1,266.50
A3640	Emergency Mgmt Office		296.08
A4011	Public Health Administration		2,225.77
A4042	Rabies Control		1,603.11
A4050	Healthy Neighborhood Program		1,622.25
A4064	Managed Care-Dental Services	804.50	16,266.45
A4070	Disease Control		3,218.33
A4090	Environmental Health		428.29
A4210	Alcohol and Drug Services		11,054.37
A4211	Council on Alcoholism		12,643.73
A4309	Mental Hygiene Co Admin		14,508.71
A4310	Mental Health Clinic		92,407.76
A4320	Crisis Intervention Services		23,990.42
A4321	Intensive Case Management		849.83
A6010	Social Services Administration		100,401.13
A6422	Economic Development		700.00
A6510	Veterans' Service		2,238.80
A9060	Health Insurance		3,651.37
SOLID WASTE FUND			99,197.21
SPECIAL GRANT FUND			2,407.19
LIABILITY INSURANCE FUND			14,150.00
COUNTY ROAD FUND			72,990.23
CAPITAL FUND			580,266.16
SELF-INSURANCE FUND			<u>1,300.00</u>
GRAND TOTAL			\$ 1,541,858.14

Legislator Monell made a motion to approve the minutes of August 6 and 11, 2015, seconded by Legislator Hollenbeck, and carried.

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 203-15                      *ERRONEOUS ASSESSMENT  
TOWN OF CANDOR*

WHEREAS: An application for refund of 2014 Town/County tax indicates that property no. 1297, assessed to Jackie L Gutshall on the Town of Candor 2014 tax roll is erroneous in that a survey changed acreage, thereby lowering the assessment from 102,300 to 100,200; and

WHEREAS: The 2014 tax bill for property no. 1297 in the Town of Candor was paid to the Candor tax collector on 1/28/14; be it therefore

RESOLVED: That a refund of \$34.61 for taxes paid be issued to Jackie L Gutshall by the Tioga County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$12.24 be charged back to the Town of Candor; and the erroneous fire tax of \$3.44 be charged back to the Candor Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$.79 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$18.14 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 204-15

*ERRONEOUS ASSESSMENT  
TOWN OF BARTON*

WHEREAS: An application for credit and refund of property corrected tax roll for property no. 11201 assessed to Bradley & Sarah Rayle on the 2015 tax roll of the Town of Barton indicates that Veterans exemptions were not applied due to a clerical error; and

WHEREAS: That bill no. 3092 for parcel no. 11201 in the Town of Barton was paid to the Town of Barton Tax Collector on 1/31/15; be it therefore

RESOLVED: That a refund of \$690.85 for overpayment of the 2015 taxes be issued to Bradley & Sarah Rayle by the Tioga County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$115.35 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$25.46 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$550.04 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY/PROBATION & DWI  
FINANCE/LEGAL  
INFORMATION TECHNOLOGY

RESOLUTION NO. 205-15 *MOVEMENT OF FUNDS TO COVER  
COST OF MONITORS*

WHEREAS: New York State Probation Departments and in particular the Tioga County Probation Department were advised in January 2015, after the 2015 budget had been finalized by the Legislature, that in September of 2015 AutoMon Corporation would be upgrading Caseload Explorer software and this upgrade would require counties to upgrade servers, software and hardware. Caseload Explorer is the computer software system that controls the Department's data base, case management and financial programs; and

WHEREAS: The Probation Director has advised the Public Safety Committee of the required enhancements on several occasions during monthly meetings; and

WHEREAS: AutoMon Corporation has sent out notification that the Tioga County Probation Department is scheduled to be upgraded to CE. Version 5.3 on September 28, 2015; and

WHEREAS: On 8/13/15, the Information Technology Department provided the Probation Director with a quote for the purchase of 18, 24" monitors for the Department at a cost of \$2,519.82; and

WHEREAS: The current balance in budget line A3140.20.200 Office Equipment is \$1,501.00, thus requiring the movement of monies to cover the purchase, therefore be it

RESOLVED: That the Probation Director is approved to request the Treasurer's Office move \$1,200 from Budget Line A3142.40.140 Contracting Services to Budget Line A3140.20.200 Office Equipment to cover the cost of the upgrade monitors.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY/PROBATION & DWI  
FINANCE/LEGAL

RESOLUTION NO. 206-15 *MOVEMENT OF FUNDS TO COVER  
COST OF ALTERNATIVE TO INCARCERATION*

WHEREAS: Budget Officer Rita Hollenbeck has directed that Probation Director submit a budget modification resolution requesting a transfer of funds to cover the cost of personal services to operate two Alternative to Incarceration programs; and

WHEREAS: Tioga County Jail is allowed to have reduced housing classifications, if the county has a DCJS/OPCA approved Alternative to Incarceration programming, thus saving the County significant money in housing prisoners; and

WHEREAS: The amount of funding the County receives from DCJS/OPCA to provide Pre-Trial Release and Community Service ATI Programming has remained consistent for over ten years at a maximum of \$8,569, if all program goals are met; and

WHEREAS: The amount of cost to the County to provide staffing for this programming, specifically 15% of a Probation Officer and a Probation Assistant's salary is a total of \$11,372.40; therefore be it

RESOLVED: That the Probation Director is approved to request the Treasurer's Office move \$2,803.40 from Budget Line A3140.10.10 to Budget Line A3142.10.10 to cover the cost of operating two ATI Programs.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 207-15 *TRANSFER OF FUNDS AND BUDGET MODIFICATION  
TO PURCHASE HISTORICAL MARKER  
HISTORIAN DEPARTMENT*

WHEREAS: The Historian needs to purchase a historical marker located in Lounsberry, NY, Tioga County; and

WHEREAS: The Tioga County Historian's objective is to preserve historical landmarks and promote historical sites throughout the county; and

WHEREAS: It is to replace a marker that was originally installed in the 1930s to show the history of Lounsberry, but was destroyed by a car in the 1970s; and

WHEREAS: The total cost of the Historical Marker is \$1,055.00; and

WHEREAS: The Historian does not have the budgeted funds needed to purchase the historical marker and is requesting contingency funds; therefore be it

RESOLVED: That the following sums be transferred:

From: Contingency Account A1990.40.715	\$1,055.00
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To: Historian Account A7510.40-640 Supplies (Not Office)	\$1,055.00
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## ROLL CALL VOTE

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

No – Legislators Roberts and Sullivan.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 208-15      *APPROPRIATION OF FUNDS–BUDGET  
MODIFICATION  
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional state aid funding for the purpose of funding a Single Point of Access (SPOA) Parent Partner; and

WHEREAS: TCMH has contracted with Central New York Services, Inc. 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: A3490.00	State Aid Mental Health Programs	\$ 23,358.00
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To: A4320.40-140	Crisis Programs: Contracting Services	\$ 23,358.00
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 209-15      *APPROPRIATION OF FUNDS-BUDGET  
MODIFICATION  
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of establishing a Warm Line program and a Drop-In Center; and

WHEREAS: TCMH has contracted with Rehabilitative Support Services (RSS) 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: A4391.00	State Aid Community Support	\$ 40,200.00
To: A4333.40-130	Psycho Social Club: Contracting Services	\$ 40,200.00

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 210-15      *REQUEST FOR RESERVE FUNDS AND  
BUDGET MODIFICATION/TRANSFER  
SAFETY OFFICE*

WHEREAS: Chapter 497 of the New York State Law of 1999 requires every county to establish a separate handicapped parking and education program with the purpose of providing education to increase the awareness of handicapped parking laws; and

WHEREAS: Implementation of this plan is dependent upon revenue generated from a mandatory thirty-dollar handicapped parking fine surcharge which the New York State Law of 1999 requires will be used for activities such as public service announcements, public education and awareness campaigns, distribution of literature and other activities with such purpose; and

WHEREAS: There was no budgeted line item in the general fund for these expenditures and Legislative approval is needed to access funds from a reserve account as well as to modify the budget; therefore be it

RESOLVED: That funds to cover the cost of a public service announcement and 500 educational brochures be allocated as follows:

From: A 889.04 Reserve for Handicapped Parking Education    \$450.00

To:    A2989.40-10 Other Education/Handicapped Parking    \$100.00  
       A2989.40-485 Other Education/Handicapped Parking    \$350.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
FINANCE

RESOLUTION NO. 211-15 TRANSFER FUNDS FOR BOX CULVERTS  
PUBLIC WORKS

WHEREAS: The Department of Public Works purchased two box culverts out of the 2014 budget; and

WHEREAS: The budget is short of funds for materials for installation of the culverts; and

WHEREAS: The Department of Public Works submitted a request for \$100,000 for culvert replacement in 2015 budget; and

WHEREAS: The funding was omitted without the department being aware of it; and

WHEREAS: The budget is short of funds for installation: therefore be it

RESOLVED: The Tioga County Legislature authorizes the following transfer and budget modification:

From Capital Reserve	H878.07	\$61,058
To: Culvert Replacement	H2013.04	\$61,058

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
FINANCE

RESOLUTION NO. 212-15 TRANSFER FUNDS  
PUBLIC WORKS

WHEREAS: November 10, 2014 Resolution 251-14 was approved; and

WHEREAS: This resolution appropriated \$2,025,000 for the East River Road Bridge Project BIN 3335410; and

WHEREAS: The funds were appropriated as follows:

East River Rd. Bridge Account	H2009.02	\$1,377,629.53
Public Improvement Bond 2013	H878.06	\$ 647,370.47

And

WHEREAS: This is a FHWA funded project as follows:

Federal	80%
State	15%
Local	5%

And

WHEREAS: The Public Improvement Bond 2013 should not have been appropriated out of the Bond Account as this is an FHWA Project and the funds were never put in the 2015 Budget; therefore be it



RESOLVED: That the Tioga County Legislature authorizes a transfer from the bond account in the amount of \$85,000 to H2015.04 Park Settlement Rd. Bridge Emergency Repair Account.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 214-15                      *APPROVE CHANGE ORDER FOR  
BRIDGE PREVENTIVE MAINTENANCE  
PROJECT    PIN: 9753.83*

WHEREAS: The Bridge Preventive Maintenance Project PIN: 9753.83 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

FEDERAL:    80%  
STATE:        15%  
LOCAL:        5%

and

WHEREAS: Dycon Construction was awarded the Construction Contract on Resolution 102-15; and

WHEREAS: A change order was submitted to cover additional costs for diluted tack coat and cold milling of bituminous concrete pavement in the amount of \$4,046.72; therefore be it

RESOLVED: That the Tioga County Legislature approves the change order in the amount of \$4,046 to be paid out of D5110.40 use code 50; and be it further

RESOLVED: That the Tioga County Legislature authorizes and approves the following transfer and budget modification:

FROM:	Federal-aid Account	D4502	\$3,237.38
	State-aid Account	D3502	\$ 607.01
TO:	Bridge Preventive Maintenance		
	Account D5110.40.50		\$3,844.39

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 215-15 *AUTHORIZE THE SUBMISSION OF 2015 NYS MEMBER ITEM GRANT - SHERIFF'S OFFICE*

WHEREAS: NYS Senate 51<sup>st</sup> District Office has announced Member Item grant funding for the Tioga County Sheriff's Office in the amount of \$10,000; and

WHEREAS: An application of these monies has to be submitted no later than September 4, 2015; and

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

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

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 216-15 *NOTIFICATION OF GRANT APPLICATION*

WHEREAS: The Federal Help Americans Vote Act (HAVA) of 2006 provided funds to compensate counties for expenses relating to transitioning from Lever to Electronic Voting systems; and

WHEREAS: New York State has held these funds in reserve until all counties had fully transitioned to Electronic Voting systems and just recently all counties complied; and

WHEREAS: The County Boards of Elections must apply for reimbursement and part of the application process is notifying the County Legislature that grants are being applied for; therefore be it

RESOLVED: That the Tioga County Legislature accepts this GOVERNING BODY GRANT APPLICATION NOTIFICATION from the Tioga County Board of Elections in regard to applying for reimbursement for County expenditures for which the County is entitled to reimbursement under the provisions of HAVA.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 217-15 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2016 County taxes among the several Towns are hereby established as follows:

Town of Barton	88.00
Town of Berkshire	90.00
Town of Candor	98.50
Town of Newark Valley	66.50
Town of Nichols	23.00
Town of Owego	77.00
Town of Richford	98.00
Town of Spencer	97.00
Town of Tioga	6.80

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 218-15 AMEND RESOLUTION NOS. 385-90, 102-00, 150-07, AND 345-09 AMENDING FEES REAL PROPERTY OFFICE

WHEREAS: Resolution Nos. 385-90, 102-00, 150-07, and 345-09 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, 150-07, and 345-09 be hereby amended and that the fees for Real Property Administrative services be and hereby are established and modified as follows effected as of 01/01/2016:

Preparation of school district and village tax bills, per bill	.65
Tax map 30x42 all individuals, attorneys or private corporations	10.00
Tax map 30x42 Assessors, 1 <sup>st</sup> copy no charge, thereafter per copy	3.00
Tax map 30x42 all Village, Town & Schools per copy	3.00
Tax map 17x21 all individuals, attorneys or private corporations	5.00
Tax map 17x21 Assessors, per copy	1.00
Mailing a single map	3.00
Assessment rolls & indexes printed, all towns other than Owego, per town	50.00
Assessment rolls & indexes printed, town of Owego	80.00
Assessment roll indexes, all towns other than Owego, per town	15.00
Assessment roll indexes, town of Owego	20.00
GIS map, 8 ½ x 11	2.00
GIS digital maps on CD	600.00
Additional layers included on CD, per layer	50.00
RPS data files on CD, e-mailed,rps160d1,rps155p1,rps150p1, per tax entity	150.00
Printed custom reports, minimum	30.00
Aerial photo, topo, or DOQQ, 8 ½ x 11	15.00
Aerial photo, topo, or DOQQ, 17 x 21	20.00
Aerial photo, topo, or DOQQ, 30x42	30.00
Printed address labels, per page of 30 (minimum)	2.00
RPS Database (scrubbed) (county)	300.00
Screen prints, each	.50
.pdf tax map files, e-mailed, per map	1.00
Sales report (one year)	30.00
Area map with coordinates, up to 12 pts., 8 ½ x 11	10.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 219-15 *AUTHORIZE EXTENSION OF TIOGA COUNTY OFFICE BUILDINGS GARBAGE COLLECTION/DISPOSAL SERVICES CONTRACT*

WHEREAS: Taylor Garbage was awarded Tioga County Office Buildings Garbage Collection/Disposal Services contract for a three year period commencing January 1, 2013, said bid being \$8,988 per year. Bid specifications also included an optional two (2) year extension with the price at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the previous three (3) years; and

WHEREAS: Taylor Garbage is interested in extending the program for two (2) years at the adjusted rate according to the CPI; and

WHEREAS: The current compounded CPI will be calculated from January 1, 2013 through December 31, 2015; however, the December 31, 2015 CPI will not be released until early 2016. The 2013 CPI was 2.3%; the 2014 CPI was 2.5%; and the first half 2015 semiannual CPI was 2.5%; therefore be it

RESOLVED: That the Tioga County Legislature extend the Tioga County Office Buildings Garbage Collection/Disposal Services contract with Taylor Garbage for a two (2) year period at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the said dates and commencing January 1, 2016.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 220-15

*AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE PIN 9753.83 SUPPLEMENTAL AGREEMENT #2*

WHEREAS: A Project for the Tioga County Bridge Maintenance pin 9753.83 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

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

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

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

RESOLVED: That the sum of \$16,017 is hereby appropriated from Maintenance, Roads and Bridges Account D5110.40 use code 50 and made available to cover the increased cost of participation in the above phase of the Project; and be it further

RESOLVED: That the Tioga County Legislature authorizes the following transfer of funds:

FROM: Federal Aid Projects Account D4502	\$12,813.60
State Aid Project D3502	\$ 3,203.40
TO: Bridge Maintenance Project Account D5110.40-50	\$16,017.00

And be it further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

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

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 221-15

*AUTHORIZATION TO EXECUTE  
ENGAGEMENT LETTER FROM  
COUGHLIN & GERHART, LLP  
TO PROVIDE SERVICES REGARDING IN THE MATTER  
OF OTERO BANKRUPTCY*

WHEREAS: Jose Otero and Nancy Otero have brought a motion in Federal Bankruptcy Court against Tioga County; and

WHEREAS: Tioga County wishes to retain the services of Coughlin and Gerhart LLP to defend the action; and

WHEREAS: Coughlin and Gerhart LLP has set forth the services they will provide in an engagement letter; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes Legislative Chair Martha Sauerbrey to sign said engagement letter from Coughlin and Gerhart LLP for said services retroactive to August 27, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 222-15

*APPROVE THE BUREAU OF FIRE TO  
CONTRACT WITH DR. AARON  
DAGGY AS MEDICAL DIRECTOR  
TO OVERSEE THE BUREAU OF FIRE  
EMS TRAINING PROGRAMS*

WHEREAS: The New York State Department of Health requires that each organization providing EMS training to Fire and EMS units have a Medical Director to oversee such training programs; and

WHEREAS: The Tioga County Bureau of Fire provides such EMS Education to the Fire Departments, Emergency Squads and other organizations in Tioga County; and



RESOLVED: That the Director of Community Services be authorized to abolish one (1), full-time Account Clerk-Typist position effective at the close of business on September 18, 2015; and be it further

RESOLVED: That the Mental Hygiene Department's 2015 authorized full-time headcount figure will be reduced by 1 (from 33 to 32) effective September 18, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 224-15      *AUTHORIZE APPOINTMENT OF  
ACCOUNTANT  
TREASURER'S OFFICE*

WHEREAS: A vacancy currently exists for an Accountant position in the Tioga County Treasurer's office; and

WHEREAS: After conducting interviews, the Treasurer has identified a qualified candidate for this position; and

WHEREAS: The Treasurer has determined said candidate's experience to be equivalent to the former incumbent's and would like to offer similar compensation to his selected candidate; therefore be it

RESOLVED: That the Tioga County Treasurer is hereby authorized to provisionally appoint Thomas Blumenthal to the position of Accountant retroactive to September 14, 2015, at an annual non-union salary of \$42,000, pending the outcome of a civil service examination; and be it further

RESOLVED: In accordance with Policy 44, Mr. Blumenthal shall not receive a salary increase on January 1, 2016, and instead he will be evaluated within 6 months in order to determine any salary increase at that time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

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

REFERRED TO:

LEGISLATIVE COMMITTEE

RESOLUTION NO. 225-15

*AUTHORIZE APPOINTMENT OF 1<sup>st</sup>  
ASSISTANT DISTRICT ATTORNEY  
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: The 1<sup>st</sup> Assistant District Attorney has announced his resignation effective September 18, 2015; and

WHEREAS: In order to maintain office efficiencies, the District Attorney seeks to immediately fill this vacancy by promoting the 2<sup>nd</sup> District Attorney to the position; therefore be it

RESOLVED: That the Tioga County District Attorney is hereby authorized to appoint Cheryl A. Mancini to the position of 1<sup>st</sup> Assistant District Attorney at an annual salary of \$60,000 effective September 21, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 226-15 TRANSFER OF FUNDS  
LIABILITY FUND

WHEREAS: The Treasurer's Office received invoices for Flood Insurance renewal for several buildings and expects to receive additional invoices; and

WHEREAS: The Unallocated Insurance Account CI1910.40 has limited unexpended funds of \$2,210.13 from the 2015 budget and is unable to process current invoices and those not yet billed; and

WHEREAS: The funding is available in the Insurance Judgement and Claims account CI1930.40; and

WHEREAS: The Renewal Premiums have increased and are due and payable when billed and such policies will expire on 10/30/15; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfer:

FROM: CI1930.40-270	Judgements and Claims	\$10,103.87
TO: CI1910.40-270	Unallocated Insurance	\$10,103.87

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:19 P.M.