

*Seventh Regular Meeting*  
July 15, 2014

The Seventh Regular Meeting of 2014 was held on July 15, 2014 and was called to order by the Chair at 12:06 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for our many blessings and the fact that we live in a free country, the United States of America. Please guide us as we conduct government for the citizens of the County."

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

Legislator Standinger read and presented the following Proclamation to William Chandler.

Legislator Standinger spoke. "In the interest of full disclosure I will say that I am a Veteran of the Army. I first met Mr. Chandler when he was responsible for getting the Vietnam Memorial here. It is called the Moving Wall and I will tell you I was moved by it. I have a lot of respect for Mr. Chandler. He put a lot of work and dedication into honoring the Veterans of this County and the United States. On behalf of the Legislature, I am reading this Proclamation."

PROCLAMATION

William Chandler

WHEREAS: William (Bill) Chandler approached the Tioga County Legislature in late 2013 to ask for a contribution for the Tioga County Veterans Monuments located at the County Courthouse; and

WHEREAS: Mr. Chandler wanted to have an additional monument located to list all the names of the County's fallen World War II veterans. He also wanted to have a monument for the fallen veterans of the wars in Iraq and Afghanistan and a recognition for the four Civil War veterans from Tioga County; and

WHEREAS: Mr. Chandler, a member of the Vietnam Veterans of America 480 and VFW Post 1371 in Owego, launched a fundraising initiative in hopes of raising around \$30,000 to upgrade the park; and

WHEREAS: Mr. Chandler was successful in raising more than \$31,000 from various municipalities, veterans organizations, individuals and businesses of Tioga County; and

WHEREAS: Mr. Chandler spent approximately three weeks with a small group of workers erecting the new monuments and they were unveiled on Memorial Day; and

WHEREAS: Mr. Chandler had obtained this idea for the new monuments after he was approached by someone from the County Veterans Association about the Medal of Honor recipients; now therefore

THE TIOGA COUNTY LEGISLATURE hereby recognizes, honors, proclaims, and designates on behalf of our County and citizens to take this day to honor

William Chandler

and asks all county residents and community agencies to join in recognizing William Chandler and his dedication to all Veterans of Tioga County.

Legislator Standinger spoke. "I just want to give you my sincere thanks. I appreciate it. As far as I am concerned, you have done a lot more than anybody else I have ever met on the issue of Veterans and I am grateful for that."

Bill Chandler spoke. "Thank you all very much for everything. When I first approached you and everything, I got to thinking afterwards what the heck did I get myself into this time and everything. The money in January when I first started going door to door to everybody was coming in very slow and I am thinking oh my gosh if I get the Medal of Honor done by Memorial Day I will be very lucky. It was not until the Owego Pennysaver put an article out and everything that the ball started rolling. I was on my way down that day when the article came out in the paper to Maryland. I got a call from Neil Lewis stating that Steve May had stepped up to the plate and paid for the World War II monument in full, and it was like from that day forward the money just started rolling in.

"Then I was asked by the news people, what are you going to do if you go over the designated amount needed? I have always supported the Angels Over Iraq and Afghanistan. The girls have always done a good job and for the last six years since I started the Route 38 ride and everything, I have always made sure they have gotten money and everything from it. That was one of the people that I thought about. So come time towards the end there and construction and stuff, I had my brother Johnnie, him and I were there just about every day doing the demolition and getting everything prepped. Then Justin Hulslander stepped in and helped do all the concrete work. He made the Medal of Honor stamp in front of the Medal of Honor monument. It is stamped into concrete. C&C and Barney and Dickinson donated all the concrete for the project. I was very blessed with what I had for help and everything.

"Then the Wednesday we set the monuments of course it poured like crazy, but we stayed right out there and got the monuments placed and everything, and that Saturday before Memorial Day we were there, the small group of us, getting everything scrubbed down and seeded and mulched, and then of course Memorial Day came and we had the unveiling. I presented the Angels Over Iraq and Afghanistan a check for \$5,000 at that point. That will help with care packages for our troops. I gave the Master Gardeners a check for \$1,000 because I never knew nothing about them until this project, that everything they do is strictly volunteer and donations, so this will help assist in buying new plants and everything for the Village parks and stuff. That will be a help for them.

"I also donated \$1,500 to the VFW's kids picnic that will be coming up over in Marvin Park here. Our bounce gym was getting bad and we needed a new bounce gym. I gave them a check for \$1,500 to buy a new bounce gym for that. I have been trying for a long time to get the VFW to get on board for younger Veterans, to bring younger Veterans into the Club, and I finally got their blessing to create a cyber-lounge in the VFW. I am getting the Internet hooked up downstairs. We have no internet access downstairs, so I am putting a router downstairs. I purchased a leather couch, two leather reclining chairs, two end tables and a coffee table, a 60 inch flat screen TV that they can hook the computer up to if they need to for presentations or whatever. I also bought a computer desk and chair, and a stationary computer that has got adult sites blocked out of it and everything. This way if a young person or anybody wants to go down that is a member of the VFW, wants to go down and just sit and relax and you do not have to do the bar scene and stuff, you can just sit and relax in a nice comfortable space, and use your computer or use our computer.

"Fortunately with all the fund raising and all the great response of all the people in Tioga County, I have been able to do this and everything. I thank you all for helping out with the project and everything. A week from Saturday is the Vietnam Veterans Memorial Highway ride and that will be our sixth year doing it. That has turned into a good thing. We have installed over 40 signs along Route 38 since the five of us guys started it. It costs no money to the taxpayers. We put the signs up ourselves. I guess we will see what happens next. Thank you again very much, I appreciate it."

Chair Sauerbrey spoke. "When I called Bill and I told him, I really tried to guilt him into coming because I said you are a really good example of what a volunteer is for our community and we need to recognize and appreciate our volunteers so that they will continue on and take care of the needs that are not met. Thank you."

Chair Sauerbrey noted the following recognition resolution for Anne Austin of the Public Health Department.

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

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 140-14 *RECOGNITION OF  
ANNE AUSTIN'S 12 YEARS OF  
DEDICATED SERVICE TO THE TIOGA COUNTY  
DEPARTMENT OF HEALTH*

WHEREAS: Anne M. Austin was appointed to the position of Home Health Aide on April 29, 2002, in the Tioga County Department of Health; the position she still holds; and

WHEREAS: Anne M. Austin has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 12 years to the Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Austin will retire on June 29, 2014; 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 Anne M. Austin for her over 12 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, Anne M. Austin.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

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		235.11
A1165	District Attorney		1,791.35
A1170	Public Defender		2,035.80
A1172	Assigned Counsel		27,401.45
A1173	ILS Grant		3,283.24
A1185	Medical Examiners/Coroners		3,883.48
A1325	Treasurer		17,232.50
A1355	Assessments		2,913.76
A1362	Tax Advertising and Expense		652.40
A1410	County Clerk		644.44
A1411	Department of Motor Vehicles		176.25
A1420	Law		1,097.00
A1430	Personnel		1,606.45
A1450	Elections		8,373.89
A1460	Records Management		219.00
A1490	Public Works Administration		64.80
A1620	Buildings		29,491.62
A1621	Buildings		11,874.85
A1680	Information Technology		4,253.07
A2490	Community College Tuition		34,335.34
A2960	Education of Handicapped Children		180,622.20
A3020	Public Safety Comm E911 System		4,894.31
A3110	Sheriff		13,659.78
A3140	Probation		336.00
A3146	Sex Offender Program		9,240.00
A3150	Jail		21,892.33
A3315	Special Traffic Programs		62.25
A3410	Fire	190.00	2,146.12
A3412	NYS Tech Rescue Grant	7,332.00	
A3640	Emergency Mgmt Office		434.79
A3641	Emergency Mgmt Grant Prog		132.55
A4010	Public Health Nursing		2,881.34
A4011	Public Health Administration		2,250.07
A4042	Rabies Control		1,450.08
A4044	Early Intervention		592.40
A4054	Preventive Dental Services		43.76
A4064	Managed Care-Dental Services		1,233.97
A4070	Disease Control		3,532.39
A4090	Environmental Health		709.94
A4210	Alcohol and Drug Services		7,825.38
A4211	Council on Alcoholism		10,990.33

A4309	Mental Hygiene Co Admin	249.99	6,282.70
A4310	Mental Health Clinic		52,154.38
A4311	Rehabilitation Support Services		1,854.00
A4320	Crisis Intervention Services		5,693.34
A4321	Intensive Case Management		7,992.79
A4333	Psycho Social Club		25,000.00
A4390	Criminal Psychiatric Expenditures		53,725.85
A5630	Bus Operations		109,876.69
A6010	Social Services Administration		46,004.06
A6510	Veterans' Service		124.00
A6610	Sealer Weights & Measures		229.84
A8020	Planning		4,227.50
SOLID WASTE FUND			91,100.98
SPECIAL GRANT FUND			4,508.52
LIABILITY INSURANCE FUND			99.30
COUNTY ROAD FUND			13,606.37
CAPITAL FUND			474,347.15
HEALTH INSURANCE FUND			1,167.25
SELF-INSURANCE FUND			<u>2,163.00</u>
GRAND TOTAL			\$ 1,324,425.50

Legislator Hollenbeck made a motion to approve the minutes of June 10, 2014, seconded by Legislator Case, and carried.

Chair Sauerbrey made the following appointments:

Information Technology Steering Committee  
 Representative from Probation  
 Representation from Real Property

Non Union Salary Committee  
 Secretary to the Sheriff who replaces Secretary to the Commissioner of Social Services

Chair Sauerbrey stated that standing committees and special committees are on file with the exception of the Information Technology Committee meeting, which has not yet been filed, but will be soon.

Chair Sauerbrey spoke. "This is an opportunity when I get a chance to share some of the activities of the Chair of the Legislature and so I will share that I was fortunate to attend a Lockheed Martin event celebrating the rescue helicopter and more jobs for Tioga County. During the last month we also had a Department Head meeting where we discussed various issues for the County

and the Department Heads contributed to the manner of that meeting. Also, I would like to report that we are moving forward with our Financial Management Accounting Software. Demonstrations are being held today of different vendors and we will get an opportunity to look at those and chose and make a decision for the future."

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 141-14

*RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE SENATE TO RELEASE INDIVIDUAL SCHOOL DISTRICTS FROM MANDATING VETERANS REAL PROPERTY SCHOOL TAX EXEMPTIONS, AND ENSURING THAT NEW YORK STATE WILL IMMEDIATELY AND FOREVER REIMBURSE ALL SCHOOL DISTRICTS, ANNUALLY, FOR VETERANS REAL PROPERTY SCHOOL TAX EXEMPTIONS*

WHEREAS: On December 18, 2013, Governor Andrew Cuomo signed into law, Bill S01199, an act to amend the real property tax law, in relation to authorizing certain exemptions from school district real property tax for veterans; and

WHEREAS: This amendment to the real property tax law allows for School Districts to extend a real property tax exemption for School Taxes to Veterans in their respective districts; and

WHEREAS: This amendment places the responsibility for enacting any Veterans real property tax exemption for School Taxes onto the respective districts' school boards; and

WHEREAS: This amendment does not specify an entity fiscally liable for the potential tax burden created upon any School District's enactment of such resolution allowable by this amendment; and

WHEREAS: Tioga County School Districts have presumed from the language of this amendment that any additional tax burden must be absorbed by the School Districts, or shifted to the non-Veteran real property owners of the respective School Districts; and

WHEREAS: Governor Andrew Cuomo and the numerous New York State Senatorial sponsor and co-sponsors of Bill S01199 publicly stated their desire and intent in enacting this bill for the benefit of New York State Military Veterans; and

WHEREAS: RPTL Section 458, enacted before the year 1896, and subsequent amendments until now, includes General Municipal Taxes unless disallowed by local option; now therefore be it

RESOLVED: That the Tioga County Legislature hereby calls upon Governor Andrew Cuomo and the New York State Senate to enact further legislation removing the burden of mandating this exemption from the individual School Districts, and release the School Districts including the non-Veteran real property owners, from any tax burden imposed, when School Districts provide this benefit to Veterans as per the New York State Real Property Tax Law Veterans Tax Exemption; and be it further

RESOLVED: That the Tioga County Legislature hereby calls upon Governor Cuomo and the New York State Senate to enact legislation ensuring that New York State will immediately and forever reimburse each School District the definitive total of the Veterans Real Property Tax Exemption each fiscal budget year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 142-14 EMERGENCY MEDICAID TRANSPORTATION

WHEREAS: Medicaid funding for transportation for people to get to medical appointments has constituted a substantial portion of the funding stream of the public bus systems of many rural upstate New York counties; and

WHEREAS: New York State changed its method of managing and funding Medicaid transportation trips in 2013 for New York counties; and

WHEREAS: This change has already resulted in drastic decreases in revenue for many counties including Tioga, Schuyler, Cortland, Chemung, Otsego, Chenango, and Ontario Counties; and

WHEREAS: The loss of revenue has already resulted in service reductions, fare increases, and cessation of public transportation in some rural counties, thereby creating hardship for people who need public transportation to live full, decent lives; and

WHEREAS: New York State will realize savings due to Medicaid redesign; now therefore be it

RESOLVED: That the Tioga County Legislature asks the New York State Department of Health to recognize the considerable public benefits of rural public transit services to Medicaid clients, people with disabilities, seniors, and the general public to have basic access to health care, shopping, commuting to work or school, and other travel sustaining community livability; and be it further

RESOLVED: That Tioga County urges the New York State Department of Health to expend State aid, as allocated in this year's New York State budget, to assist rural public transit providers as expeditiously as possible to forestall immediate, severe reductions in rural public transit services; and be it further

RESOLVED: That Tioga County asks New York State to pay rates for Medicaid patients' use of rural public transit services that represent the full cost of providing such services; and be it further

RESOLVED: That Tioga County encourages the Governor and Legislature to restart the state interagency coordinating committee on rural public transportation to enable new public policies be implemented to increase public benefits and avoid collateral damage to rural public transportation services; and be it further

RESOLVED: That copies of this resolution shall be sent to Governor Cuomo; the Commissioner of the New York State Department of Health; the Commissioner of the New York State Department of Transportation; Senator Dean Skelos and Senator Jeffrey Klein, Senate Republican Conference Majority Leaders; Senator Andrea Stewart-Cousins, Senate Democratic Conference Leader; Assemblyman

Sheldon Silver, Majority Leader; Assemblyman Brian Kolb, Assembly Minority Leader; Senator Thomas Libous and Assemblyman Christopher Friend.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 143-14 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 the GOVERNING BODY GRANT APPLICATION NOTIFICATION from the Tioga County Board of Elections dated June 20<sup>th</sup>, 2014 in the amount up to \$16,240.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 144-14 *AUTHORIZATION TO APPLY FOR ADVANCING  
TOBACCO FREE COMMUNITIES GRANT  
HEALTH DEPARTMENT*

WHEREAS: The Broome County Health Department received a multi-county grant for Advancing Tobacco Free Communities from New York State, and has released a competitive grant opportunity for the Tioga County portion; and

WHEREAS: The Tioga County Department of Health (TCDOH) desires to pursue this grant opportunity as it falls within their Vision, Mission and Values to ensure a healthier community for residents; and

WHEREAS: The amount of the grant funding is not yet determined, yet could be as much as \$70,000 per year for five years; and

WHEREAS: If awarded the grant, TCDOH will submit a resolution to appropriate the funds at that time; and

WHEREAS: Although this grant does not require matching funds, it will require the signature of the Chief Elected Official if awarded; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require either matching/in-kind costs or the signature of the Chief Elected Official; therefore be it

RESOLVED: That the Tioga County Department of Health is authorized to submit a grant application to the Broome County Health Department.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Case introduced Local Law Introductory No. B of 2014-A Local Law providing for the collection of a hotel and motel tax in Tioga County.

County of Tioga

Local Law No. of the Year 2014.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

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

SECTION 1: TITLE

This Local Law shall be known as the "Hotel/Motel Tax Law".

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

SECTION 4: TAX

(A) A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

(B) Said tax shall be paid by the person occupying the room who shall be liable therefore to the owner of the hotel or motel room occupied or to the person entitled to be paid the rent or charge for the hotel or motel room occupied. Said tax shall be paid for and on account of the County of Tioga.

(C) Such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax. Such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel or motel room, or in respect to non-payment of the tax by the person occupying the hotel or motel room, as if the tax were a part of the rent or charge; provided, however, that the Tioga County Treasurer shall be joined as a part in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.

(D) The filing of returns and the payment of the tax shall be paid to the Tioga County Treasurer on a quarterly basis by such means and in such manner as may be directed by the Tioga County Treasurer.

#### SECTION 5: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Tioga County Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

#### SECTION 6: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 7: JUDICIAL REVIEW

Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

(A) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(C) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Tioga County Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 8: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 9: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 10: EFFECTIVE DATE

This local law shall become effective December 1, 2014 and shall remain in effect until November 30, 2017.

SECTION 11: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 145-14      *SCHEDULE PUBLIC HEARING  
LOCAL LAW INTRODUCTORY  
NO. B OF 2014*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2014 A Local Law providing for the collection of a hotel and motel tax in Tioga County in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, August 7, 2014 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.



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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 147-14 TRANSFER OF FUNDS  
DISTRICT ATTORNEY

WHEREAS: The District Attorney’s Office has a need to purchase file cabinets; and

WHEREAS: The District Attorney’s budget does not have an equipment account to purchase file cabinets; therefore be it

RESOLVED: Resolved that the following sums be transferred within the District Attorney’s budget to cover the purchase of file cabinets:

From: A1165.40-40-District Attorney \$400.00

To: A1165.20-150-District Attorney \$400.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 148-14 ERRONEOUS ASSESSMENT  
TOWN OF OWEGO

WHEREAS: A Supreme Court decision and demand for refund on two properties assessed to West Bay Star, LLC on the 2014 and prior year tax rolls of the Town of Owego reduces the 2010-2013 assessments for the two parcels as follows;

Account #12324 reduced from \$50,900 to \$32,000  
Account #12325 reduced from \$518,100 to \$144,300

and

WHEREAS: The 2011-2014 tax bills relating to the 2011-2013 assessment years for the above properties assessed to West Bay Star LLC in the Town of Owego have been paid; be it therefore

RESOLVED: That a refund of \$58,701.26 be issued by the Tioga County Treasurer's Office to Levene Gouldin & Thompson, LLP as attorneys for West Bay Star LLC, for overpayment of 2011-2014 taxes on properties #12324, and 12325; and be it further

RESOLVED: That the erroneous town tax of \$5,271.35 be charged back to the Town of Owego, and the erroneous Fire Tax of \$2737.61 be charged back to the Owego Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$735.53 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$30,915.26 be charged back to the Owego-Apalachin School District; and be it further

RESOLVED: That the erroneous county tax and school penalties of \$19,041.51 be charged to the proper accounts in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 149-14      *AUTHORIZE SALE OF COUNTY  
OWNED PROPERTIES ACQUIRED  
FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the following properties be sold at public auction to be held in the Edward D. Hubbard Auditorium in the Tioga County Office Building, 56 Main Street, Owego, New York on July 31, 2014 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

146.00-1-9, Lucas A Chaffee  
112.00-2-1, Edith & Letha A Gregor  
144.00-1-11.21, Loco Holdings, LLC  
122.18-1-14, Loco Holdings, LLC  
134.00-1-56.20, Alfred Madigan

Town of Berkshire

23.00-3-4.131, Loco Holdings, LLC

Town of Candor:

61.09-1-28, Kristen Baker

Town of Newark Valley:

64.15-1-10, Gordon Cressman

Town of Nichols:

158.00-3-22, Roy L Williams

Town of Owego:

118.17-1-21.2, Eileen A Bundy, Etal  
118.17-3-1.2, Eileen A Bundy, Etal  
128.08-1-43, William E Foster  
85.00-1-35, Thomas J Harris

117.19-2-5, Eleanor B Howard  
117.19-2-10, Polly Jane Jones  
131.16-1-18, Steven Kitchin  
128.08-2-19, L Margaret, LLC  
128.08-1-8, Kenneth & Stacey Nixon  
117.19-2-37, Oak Mountain Properties, LLC  
153.05-1-22, Sheri Pabon  
142.07-1-7, Roger Philpott  
130.00-2-74, Franklin B Resseguie  
130.00-2-75, Franklin B Resseguie  
118.18-1-1.1, Karen Schumacher  
129.05-1-10, Ronda K Steigler  
128.08-1-1.125, Mark & Febb Traver  
128.07-1-8, Daniel R & Janet Truesdail  
110.00-1-17.4, Dominica J Vojtisek  
164.00-3-32.1, Lisa Weaver  
129.06-2-6, Karen & Vern Woodburn

Town of Richford:

12.00-1-15.12, Edward D & Lynda J Hart  
14.00-1-8, Gail & David E Klinger  
5.00-1-36.21, Raymond L Predmore

Town of Tioga

125.00-1-15.22, Federal Home Mortgage Corp

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 150-14      *ACCEPTANCE OF THE APPLICATION FOR  
FIREFIGHTER CURTIS DANIEL TO THE  
TIOGA COUNTY HAZ-MAT TEAM*

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

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

WHEREAS: Haz-Mat team member David Martinichio is no longer an active member of the Team; and

WHEREAS: Campville Firefighter Curtis Daniel has applied for membership to the County Haz-Mat Team; and

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

WHEREAS: Firefighter Daniel would replace Waverly Firefighter Martinichio as an active member of the Haz-Mat Team; therefore be it

RESOLVED: That Campville Firefighter Curtis Daniel be added to the Tioga County Haz-Mat Team roster to replace Firefighter David Martinichio effective July 16, 2014s.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS  
 RESOLUTION NO. 151-14 AWARD BID FOR RECONSTRUCTION OF CORPORATE DRIVE

WHEREAS: The Commissioner of Public Works appropriated funds in the 2014 budget for this project; and

WHEREAS: On June 10, 2014 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products Vestal, NY	\$184,000
Dycon Construction Northeast Pine City, NY	\$264,540
Economy Paving Co., Inc. Cortland, NY	\$226,810
DeNinis Construction Binghamton, NY	\$221,440
Procon Construction Vestal, NY	\$216,000

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder Broome Bituminous Products, Vestal, NY not to exceed \$184,000 to be paid out of Corporate Drive Pave account H2014.05.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 152-14                      *AWARD RECONSTRUCTION CONTRACT  
FOR ALLYN RD. BRIDGE  
BIN: 2218960*

WHEREAS: The County bonded for a program for rehabilitation of various bridges within the county; and

WHEREAS: Funding is available for the construction of the Allyn Rd. Bridge (BIN: 2218960) over Pipe Creek; and

WHEREAS: On June 30, 2014 the Department of Public Works received sealed bids from the following contractors:

Silverline Construction Burdett, NY	\$395,448.00
Dycon Construction Northeast Pine City, NY	\$414,248.00
Economy Paving Co., Inc. Cortland, NY	\$373,865.47
R. DeVincentis Construction Binghamton, NY	\$476,000.00
Procon Construction Vestal, NY	\$366,000.00
Vector Construction Cicero, NY	\$442,610.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder Procon Construction, Vestal, NY not to exceed \$366,000.00, to be paid out of Allyn Rd. Bridge account H2014.03.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 153-14

*AWARD CONSTRUCTION CONTRACT FOR  
PENN. AVE. BRIDGE OVER DEERLICK CREEK  
BIN: 3335490*

WHEREAS: The County bonded for a program for rehabilitation of various bridges within the county; and

WHEREAS: Funding is available for the construction of the Penn. Ave., Bridge (BIN: 3335490) over Deerlick Creek; and

WHEREAS: On July 3, 2014 the Department of Public Works received sealed bids from the following contractors:

R. DeVincentis Construction Binghamton, NY	\$574,000.00
New Century Construction Watervliet, NY	\$612,000.00
Vector Construction Cicero, NY	\$587,489.50

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder R. DeVincentis Construction, Binghamton, NY not to exceed \$574,000.00, to be paid out of Penn. Ave. Bridge account H2014.02.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 154-14                      *AWARD CONSTRUCTION  
INSPECTION TO C & S ENGINEERS  
FOR PENN. AVE. BRIDGE OVER  
DEERLICK CREEK BIN: 3335490*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funds are available for the inspection of these bridges as part of the Bond Issue; and

WHEREAS: The Penn. Ave. Bridge over Deerlick Creek (BIN: 3335490) is one of the bridges in the program; and

WHEREAS: C & S Engineers, Syracuse, NY did the design phase for this project; and

WHEREAS: The Commissioner of Public Works received a proposal for the inspection services for the Penn. Ave. Bridge over Deerlick Creek Project (BIN: 3335490) in the amount of \$90,000; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to C & S Engineers, Syracuse, NY not to exceed \$90,000, to be paid out of the Penn. Ave. Bridge Project Account H2014.02.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 155-14      *AUTHORIZE AGREEMENT WITH  
KEYSTONE ENVIRONMENTAL SERVICES*

WHEREAS: Tioga County is in the process of bidding the project to Restore Flood Damaged Records; and

WHEREAS: It appears necessary to have the records tested to determine if any level of protection is needed in handling the records; and

WHEREAS: Keystone Environmental Services has provided a proposal to test the records; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed, retroactive to July 2, 2014, to execute an agreement with Keystone Environmental Services to perform environmental sampling services at a cost not to exceed \$7,240.00; and be it further

RESOLVED: That payment therefore shall be made for such services from the Records Mitigation Account H1624.20-403.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 156-14      *SETTLEMENT AGREEMENT WITH  
ACTUATE CORPORATION*

WHEREAS: Tioga County and Actuate Corporation have been in a dispute regarding a software licensing agreement that had been entered into between Xenos Group Inc. (as predecessor in interest to Actuate Corporation) and Tioga County on April 19, 2005; and

WHEREAS: Tioga County and Actuate Corporation have resolved the dispute; and

WHEREAS: A Settlement Agreement and Release has been drafted setting forth the terms and conditions of the resolution; and

WHEREAS: The Settlement Agreement and Release calls for Tioga County paying to Actuate Corporation a settlement amount of \$35,000.00; therefore, be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized and directed, retroactive to June 23, 2014, to sign the Settlement Agreement and Release between Tioga County and Actuate Corporation; and it is further

RESOLVED: That upon execution by both parties of the Settlement Agreement and Release by authorized representatives of Tioga County and Actuate Corporation, the Treasurer is authorized, retroactive to June 23, 2014, to make payment to Actuate Corporation in the amount of \$35,000.00 to fully and final resolve the dispute, and to come out of Judgment & Claims Account A1930.40-270.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 157-14 AMEND POLICY 26 – ETHICS LAW

WHEREAS: The Tioga County Board of Ethics revised its Regulation for Public Inspection of Annual Statements of Financial Disclosure, Inspection and Notice of Subjects of Request for Public Inspection under the Tioga County Ethics Law (Policy 26 pages 26.32 and 26.33); and

WHEREAS: Policy 26 Ethics Law needs to be amended to reflect those changes; therefore be it

RESOLVED: That Policy 26 be amended as follows:

Section V-Requests for Public Inspection and Section VI-Inspection have been combined into Section V as follows:

Section V – Requests for Inspection or Copy of Annual Statement

- A. Members of the public shall be permitted to inspect or obtain a copy of an Annual Statement by submitting in writing a request on a form provided by the Board for such purposes.
- B. The request shall be filed with the Statements Access officer at 56 Main Street, Suite 204, Owego, New York 13827 or such other address as the Board shall designate.
- C. (1) The Statements Access Officer shall respond to a request as soon as possible, but no later than five (5) business days after the day of the receipt of the request.  
  
(2) If more than five (5) business days are required to fulfill a request, the Statements Access Officer shall issue an acknowledgment of the receipt of the request within five (5) business days after the request is received. The acknowledgement shall include an estimate of the date that the Annual Statement shall be available.
- D. A request shall contain the name of the individual whose Statement is sought; and

- (1) The local agency/department by which the officer or employee is employed or with which he or she is affiliated; or
- (2) The local elected office held; or
- (3) The local political party office held; or
- (4) The local elected office for which the individual is a candidate.

E. The Statements Access Officer shall delete from public inspection the categories of value or amount contained in the Annual Statement and any other item of information required to be deleted from the Statement in accordance with state, federal, and local laws.

F. No original Annual Statement shall be removed from the custody of the Board or the Statements Access Officer.

Section VII – Notice of Subjects of Request for Public Inspection has been changed to Section VI as follows:

#### VI. – Notice of Subjects of Request for Public Inspection

Any person who wishes to know if he or she has been the subject of a request for inspection or copy may request from the Board notification of whether such a request has been filed; and be it further

RESOLVED: That the remainder of Policy 26 – Tioga County Ethics Law shall remain in full force and effect.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 158-14      *AMEND RESOLUTION 147-09;  
HIRING DELAY*

WHEREAS: Resolution No. 147-09 established a Hiring Delay of 60 days; and

WHEREAS: Resolution No. 224-10 as amended by Resolution No. 269-10 amended Resolution No. 147-09 to reflect a 90-day hiring delay through December 31, 2011; and

WHEREAS: Resolution No. 93-11 amended Resolution No. 147-09 to expand on the list of exceptions to include vacancies resulting from termination during probationary period; and

WHEREAS: The County Legislature would like to further expand on said list of exceptions to include those instances when a provisional appointee must be terminated in accordance with Tioga County Civil Service Rules; therefore be it

RESOLVED: That Resolution No. 147-09 be amended to include "vacancies resulting from termination either during probation or during provisional appointment" in the first Resolved.

ROLL CALL VOTE

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

No – Legislator Huttleston.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 159-14 *AUTHORIZE SALARY: DIRECTOR OF  
EMPLOYMENT AND TRANSITIONAL SUPPORT  
(SOCIAL SERVICES)*

WHEREAS: The position of Director of Employment and Transitional Support became vacant as of April 25, 2014; and

WHEREAS: The Commissioner of Social Services had interviewed candidates and selected an internal candidate for promotion; and

WHEREAS: The calculation typically applied to determine the salary when a promotion occurs cannot be used in this instance because Non-Union salary ranges have not been adjusted since 2009; and

WHEREAS: Based upon what the additional duties and responsibilities will mean for the new Director of Employment and Transitional Support appointee, a salary increase of \$5,000 has been determined to be appropriate; therefore be it

RESOLVED: That effective July 21, 2014 Darlene Weidman shall be promoted to the title of Director of Employment and Transitional Support with an annual salary of \$64,093.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 160-14 REALLOCATE VACANT POSITION (SOCIAL SERVICES)

WHEREAS: As the result of a promotion, the position of Coordinator of Child Support Enforcement will become vacant as of July 21, 2014; and

WHEREAS: Over the past few years, the number of staff supervised by this position has been reduced from 12 to 7; and

WHEREAS: The Coordinator position also has less responsibility due to the recent transfer of responsibility for collecting and distributing support payments to the State; therefore be it





## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 163-14      *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-  
BUREAU OF FIRE*

WHEREAS: Resolution 278-13 extended the 90-day hiring delay through December 31, 2014; and

WHEREAS: Effective August 7, 2014, a part-time Account Clerk Typist position will become vacant due to the incumbent's resignation; and

WHEREAS: The County's Fall Fire and EMS programs, which begin August 20<sup>th</sup> and end in early December, and the revenues that these programs generate depend on the Account Clerk Typist being present to initiate, maintain, and report on these important programs; now therefore be it

RESOLVED: That the County Fire Coordinator is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the part-time Account Clerk Typist position at an hourly rate of \$11.98 effective August 7, 2014.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 164-14 RECLASSIFY VACANT POSITION  
BUILDINGS & GROUNDS

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: One Maintenance Mechanic III position became vacant on June 28, 2014, due to the retirement of an incumbent; and

WHEREAS: Tioga County desires to decrease budgetary costs; and

WHEREAS: The Commissioner of Public Works has advised the Personnel Department that his current Maintenance Mechanic II and III staffing is adequate to accommodate reclassification to an entry level; now therefore be it

RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant full-time Maintenance Mechanic III position (CSEA Grade 3) to a full-time Maintenance Mechanic I position (CSEA Grade 5) effective July 16, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY &  
COMMUNICATION SYSTEMS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 165-14 *AUTHORIZE RETROACTIVE CREATION AND FILL OF  
TEMPORARY, PART TIME RECORDS MANAGEMENT  
OFFICER INFORMATION TECHNOLOGY &  
COMMUNICATION SYSTEMS*

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

WHEREAS: Due to the Federal Emergency Management Administration (FEMA) Document Recovery program, there is a need for Tioga County to create a temporary, part-time position to complete tasks associated with this project; and

WHEREAS: Said temporary position will be utilized until such time all related documents have been collected by the document representative vendor, which is expected not to last beyond September 30, 2014; now therefore be it

RESOLVED: That the Director of Information Technology & Communication Services is hereby authorized to create and fill one (1) temporary, part-time Records Management Officer at an hourly rate of \$14.79 with the appointment of Lila Hall retroactive to July 7, 2014; and be it further

RESOLVED: That said temporary appointment shall conclude upon such time that the document representative vendor has retrieved all necessary items, but no later than September 30, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 166-14

*AUTHORIZE SALARY FOR CHIEF  
ACCOUNTANT AND AUTHORIZE  
APPOINTMENT OF BUDGET OFFICER  
(TREASURER'S OFFICE AND LEGISLATIVE  
OFFICE)*

WHEREAS: The full-time position of Chief Accountant and the part-time position of Budget Officer became vacant on May 30, 2014; and

WHEREAS: Both positions were duly posted and advertised, then an Interview Committee appointed by the Legislature conducted interviews of select candidates; and

WHEREAS: The County Treasurer and Legislature worked collaboratively in hopes of finding a candidate capable of performing the full spectrum of duties; and

WHEREAS: The County Treasurer has selected Rita Hollenbeck for the Chief Accountant position, and the Interview Committee recommends the same individual for the Budget Officer position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to offer the annual salary of \$60,000 to the Chief Accountant to begin working on July 28, 2014; and be it further

RESOLVED: That Rita Hollenbeck is hereby appointed by the Legislature to the part-time position of Budget Officer effective July 28, 2014 at an annual salary of \$15,000; and be it further

RESOLVED: That the appointment to the Chief Accountant position is provisional pending the outcome of the upcoming civil service examination.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

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

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 167-14      *EXECUTE PROFESSIONAL SERVICES  
AGREEMENT WITH INFO ADVANTAGE*

WHEREAS: The Tioga County Information Technology Department has need of professional services to secure external access to the SharePoint System and to set up the App Store; and

WHEREAS: The Tioga County Information Technology Department has selected Info Advantage as the vendor to provide said services at a cost of \$140 per hour for an estimated 8 to 12 hours of work; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized and directed to execute a Professional Services Agreement with Info Advantage to provide the services outlined in the Agreement at the cost set forth therein and to be paid for out of Information Technology Account A1680.40-140.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

## RESOLUTION ADOPTED.

The meeting was adjourned at 12:31 p.m.