



**RESOLVED:** That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Cheryl Tortorello.

**CARRIED UNANIMOUSLY**

Chair Weston read and presented the following Proclamation on Employee Recognition and Appreciation Week:

**PROCLAMATION**

**WHEREAS:** The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

**WHEREAS:** The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

**WHEREAS:** The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

**WHEREAS:** Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

**WHEREAS:** The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30 or 35 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Jeffrey Anderson	Sheriff's Office	35
Christie Walker	Social Services	30
Karla Harding	Social Services	30
Patricia Zorn	DMV (County Clerk)	30
Michael Maratea	Probation	25
Sue E. Hall	DSS	25
Kimberly Clark	DSS	25

**NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate the week of May 10-14, 2010 as**

**EMPLOYEE RECOGNITION AND APPRECIATION WEEK**

**in the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.**

**Chair Weston spoke. “Thank you very very much for all that you have done. I would like to say though that I have been involved with the County now for six years. For 18 years I was with the Spencer Town Board and I always used to hear the people complaining about that the Tioga County employees, you know, what do they do, what is this, well I will tell you that it has been an enlightening experience to be working with all these people and all of you people that are employed by Tioga County because you do a fine fine job and I am proud of the service and I appreciate everything that has been done for the County through you people. Thank you very much.”**

**Legislator Monell read and presented the Senior of the Year Proclamation to Neil Hall.**

***PROCLAMATION***

**WHEREAS:** Neil Hall leads by example with integrity, sincerity and generosity, people respect him and readily seek him out for guidance; and

**WHEREAS:** Neil Hall was born and raised in the Tioga Center and Nichols area his entire life, graduated from Owego Free Academy and has been married to the former Louise Orsbourn for the past 45 years, has two children, two grandchildren and three great grandchildren; and

**WHEREAS:** Neil Hall was instrumental as one of the founders of the Tioga Center Alumni Association ensuring that the class reunion which includes all graduates is organized each year; and

**WHEREAS:** Neil Hall has been a long time member of the Lounsberry Methodist Church serving in a variety of positions such as Lay-Leader, Chair of Stewardship Committee, Pastor Parish Relations Committee, Men’s Group, Nominating Committee, and assisted with a variety of fund raisers, including food drives; and

**WHEREAS:** Neil Hall has also served as President on the Riverside Cemetery Association since 1994 and on the Board of Directors since 1988; and

**WHEREAS:** Neil Hall has been a dedicated volunteer with the Community Care Network of Nichols (CCNN) since 2005 serving on the Board of Directors, is a reliable, dedicated volunteer who provides transportation for CCNN clients, and facilitates the organization of volunteers who help assemble 1,200 CCNN newsletters every three months; and

**WHEREAS:** Neil Hall works with the Girl Scouts from the Tioga Center-Nichols Service Unit in a host of community service projects one of these being the annual Hospice Tree lighting during the holidays, devotes his time to various committees such as the annual Share-a-Thon and the “Teens in Action” program; and

**WHEREAS:** Neil Hall represents the true spirit of voluntary service and unselfishly commits and works tirelessly for our community, usually behind the scene, he’s a humble person without any thought of gaining recognition or notability; and

**WHEREAS:** Neil Hall has been selected as the 2010 Senior Citizen of the Year in Tioga County; now therefore

**THE TIOGA COUNTY LEGISLATURE** does hereby proclaim and designate May 19, 2010

***NEIL C. HALL, JR. DAY***

In the County of Tioga, New York, and commend this observance to our citizens.

Legislator Huttleston presented the following Proclamation on Older American's Month and Senior Citizens' Day to Mary Ellen Gage, Director of Office of the Aging.

**PROCLAMATION**

**WHEREAS:** Tioga County is home to over nine thousand older adults who support Older Americans Month, the annual observance that gives recognition to the immeasurable contributions made by older citizens throughout our County, State and Nation; and

**WHEREAS:** Seniors in Tioga County devote their time, energy and wisdom to making their communities better places to live; and

**WHEREAS:** The experiences, knowledge, skills and aspirations of Tioga County's seniors are vital to the continued progress of our State and its quality of life; and

**WHEREAS:** Our society must champion choices for individual independence for all senior citizens; and

**WHEREAS:** We support the U.S. Administration on Aging (AoA) in helping our nation prepare for a larger aging population that is relying on a balance of important elements to maintain dignity and independence for as long as possible; and

**WHEREAS:** As America grows older, each community must strive to understand and address the evolving challenges and needs of our older citizens and the people who care for them; and

**WHEREAS:** It is especially fitting for Tioga County to pay special tribute to seniors across this State, Nation and around the world in support of the special events and activities being held during the month of May; now therefore

**THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate May 2010 as**

***OLDER AMERICANS' MONTH***

**And May 19, 2010 as**

***SENIOR CITIZENS' DAY***

in the County of Tioga, New York, and call upon our citizens to take the time to honor older citizens of Tioga County, especially our senior volunteers, for the contributions they have made and continue to make to our society.

**Mary Ellen Gage, Director of Office of the Aging, spoke. “The only thing I really want to say and this is the opportunity that I get once a year to come face-to-face and thank you for your support of our programs at Tioga Opportunities Department of Aging. Thank you very very much.”**

**Chair Weston noted the following two Proclamations on Foster Care and Elder Abuse.**

**PROCLAMATION**

WHEREAS: The Tioga County foster family serves as a source of love, identity, self-esteem and support for children in Tioga County; and

WHEREAS: There are 34 children in foster care in Tioga County, 25 of these children are in foster homes, and 1 child is in a Glove House Therapeutic foster home; and

WHEREAS: We have 20 certified foster homes, and 15 Glove House Therapeutic foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public’s awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim May 2010 as

**FOSTER CARE RECOGNITION MONTH**

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

### **PROCLAMATION**

**WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and**

**WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and**

**WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and**

**WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and**

**WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and**

**WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and**

**WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and**

**WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect and it is our duty as citizens to reach out to people in need; now therefore**

**THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2010 to be**

#### **Elder Abuse Prevention Month**

**in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.**

Joseph Albrecht had privilege of the floor. “Somewhere between here and here lies the Patient Protection and the Affordable Healthcare Reform Act of 2010. I am not in favor of surprises and although our President indicates that information may be an inconvenience, I will disagree with that. I will share the following with you and I hope it makes more sense to you than it makes to me.

“There is a page very early in the Healthcare Reform Act which indicates a summary of benefits and coverage, and I will share that with you. The standard shall ensure that the summary is presented in a culturally and linguistically appropriate manner and utilizes terminology understandable by the average plan enrollee. There are 10 sections that have to be indicated in this summary of benefits.

“The standards shall ensure that the summary of benefits and coverage is presented in a uniform format that does not exceed four pages in length that does not include print smaller than 12 point font. That must be significant about what I know. Now the areas in the timeline for this Act for the year 2010 and this is where the County Legislature may have an input. The 2010 calendar includes young adults on parent plans and that is 26 and childless. If I saw the trailer on the news last night it is 0.7% possible increase in costs. A prohibition of existing conditions, exclusions for children that comes into effect in six months. A prohibition against recession, that is six months. Prohibition against lifetime benefit caps, that is six months. There is a section of small business tax credits. There is a national high risk pool for preexisting conditions and that involves subsidized coverage. This is where we may end up subsidizing something we do not know about. That goes into effect in 90 days.

“If you are uninsured for six months there is a temporary high risk pool established. In 2010 there is a basic quantity of 5 billion dollars allocated to do that. It does not take a mathematical genius to ask the question. If there are 32 million uninsured they have obviously been uninsured for more than six months and if you are going to cover that with 5 billion dollars I do not think there is a great deal of coverage there, but again I do not like surprises.

“There is a State option to expand Medicaid eligibility and I am sure we will all grasp that since the State has absolutely no funds available. There will be a limit on the share of a private premium insurers can spend on nonmedical costs, do not understand that one. In 2010 plans must be reported that involve rebates and I do not know if I am correct in my thoughts that Tioga County is a self-insured entity. I had that impression, but I am not sure so I leave this to you. If it involves rebates from the plan this too may be an interesting cost.

“There will be annual review of premium increases and again if the County is self-insured I do not know where we stand on that. Rebates for Medicare Part D enrollees and the doughnut hole elimination of cost sharing for preventive care in Medicare and Private Plans, and that is about it for 2010.

“The one thing that I would like to make people aware of and this is for people who have children who are involved in this Participation in Government situation. In 2010 there is a required minimal essential coverage part of this Reform Act that goes into effect, and the reason that I bring it up for the Participation in Government, the graduating class from high school of 2010 will participate in three of the most important elections that will ever be held in the United States. It is my firm hope that all of them will take time to become informed. Now I do not have a secret source of information, but if you can avoid the emotional garbage that is put out by the talk show hosts and they all do it, and listen carefully for the ideas presented and the factual basis of what they say, you may begin to get a clearer picture of what is actually happening. I thank you for this opportunity to speak. I will be back again, hopefully I can eliminate more of this and utilize more of this as this Healthcare Reform Act becomes clearer.”

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		316.11
A1165	District Attorney		476.86
A1172	Assigned Counsel		16,117.57
A1325	Treasurer		111.35
A1355	Assessments		2,010.18
A1410	County Clerk		250.00
A1411	Department of Motor Vehicle		236.73
A1420	Law		3,257.25
A1430	Personnel		836.74
A1450	Elections		68.65
A1460	Records Management		50.70
A1490	Public Works Administration		298.28
A1620	Buildings		74,212.89
A1680	Information Technology		9,211.74
A2490	Community College Tuition		264,068.27
A2960	Education of Handicapped Children		223,262.23
A3020	Public Safety Comm E911 System		3,610.18
A3110	Sheriff	3,509.62	22,304.62
A3111	Step Grant PT-5400171	2,155.00	
A3140	Probation		1,770.51
A3142	Alternatives to Incarceration		1,050.90
A3146	Sex Offender Program		8,766.67



A3150	Jail	49.97	41,880.76
A3315	Special Traffic Programs		600.00
A3410	Fire		4,098.36
A3640	Emergency Mgmt Office		1,188.26
A3647	LEPC Grant C837942		15.00
A4010	Public Health Nursing		46,166.66
A4011	Public Health Administration		14,120.15
A4012	Public Health Education		3,298.80
A4042	Rabies Control		284.34
A4044	Early Intervention		55,662.84
A4053	Preventive/Primary Health Services		198.53
A4054	Preventive Dental Services		800.20
A4062	Pre-Natal Care and Assistance		603.54
A4064	Managed Care-Dental Services		14,907.21
A4070	Disease Control		3,551.47
A4090	Environmental Health		1,412.55
A4210	Alcohol and Drug Services		844.50
A4309	Mental Hygiene Co Admin	232.00	6,241.63
A4310	Mental Health Clinic		16,981.77
A4315	Mental Retardation		621.24
A4320	Crisis Intervention Services		434.59
A4321	Intensive Case Management		1,109.11
A6010	Social Services Administration		86,412.24
A6141	Energy Crisis Assistance Programs		13,361.02
A6422	Economic Development		343.59
A6620	Sealer Weights/Measures		623.54
A8020	Planning		71.51
A9060	Health Insurance		1,537.34
SOLID WASTE FUND			70,887.27
COUNTY ROAD FUND			27,493.14
SPECIAL GRANT FUND			16,543.70
CONSOLIDATED HEALTH FUND			18,116.92
CAPITAL FUND			129,714.93
LIABILITY INSURANCE FUND			296.65
WORKERS' COMP			<u>1,764.51</u>
GRAND TOTAL			\$ 1,220,422.89

Legislator Sauerbrey made a motion to approve the minutes of April 13, 2010, seconded by Legislator Oberbeck, and carried.

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

**REFERRED TO:** ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

**RESOLUTION NO. 115-10** *MORTGAGE TAX DISTRIBUTION*

Adoption moved by Legislator McEwen,  
seconded by Legislator Roberts.

**RESOLVED:** That the mortgage tax report for the period October 1, 2009 to March 31, 2010 be and it hereby is accepted; further

**RESOLVED:** That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 18,965.15
Village of Waverly	5,040.15
Town of Berkshire	2,848.45
Town of Candor	20,235.92
Village of Candor	1,142.24
Town of Newark Valley	12,104.26
Village of Newark Valley	1,478.55
Town of Nichols	8,565.80
Village of Nichols	653.99
Town of Owego	92,459.09
Village of Owego	6,882.15
Town of Richford	2,755.36
Town of Spencer	8,675.81
Village of Spencer	1,029.47
Town of Tioga	<u>13,368.21</u>
	\$196,204.60

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC WORKS**

**RESOLUTION NO. 116-10                      *TRANSFER FUNDS FOR CLEANING CONTRACT***

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

**WHEREAS: The County has eliminated four (4) positions saving the County approximately \$75,000 for the remainder of the year; and**

**WHEREAS: The Department of Public Works needs approximately \$35,000 more to pay for the new cleaning contract; therefore be it**

**RESOLVED: That the Tioga County Legislature authorizes the transfer of \$35,000 from Buildings & Grounds Personnel Services A1620.10 use code 10 to Buildings & Grounds Contracting Services account A1620.40 use code 140.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: LEGISLATIVE WORKSESSION**

**RESOLUTION NO. 117-10                      *APPOINT MEMBER BOARD OF ETHICS***

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

**WHEREAS: Andrew Fagan, minority appointment, on the Board of Ethics term has expired as of 12/31/09; and**

**WHEREAS: Valarie Kranz has agreed to serve as his replacement on the Board of Ethics; now therefore be it**

**RESOLVED: That Valarie Kranz, minority appointment, be hereby appointed to the Board of Ethics for a term of 5/12/10 to 12/31/12.**

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 118-10**      *ACCEPTANCE OF APPLICATION FOR  
FIREFIGHTERS MIKE GEORGE AND  
RAYMOND STANDISH TO THE TIOGA  
COUNTY HAZ-MAT TEAM*

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

**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 members Rob Blasch and Joseph Morey are no longer active members of the Team; and

**WHEREAS:** Apalachin Firefighters Mike George and Raymond Standish have applied for membership to the County Haz-Mat Team; and

**WHEREAS:** Firefighters George and Standish currently possess training and skills needed by the Tioga County Haz-Mat Team; and

**WHEREAS:** Firefighters George and Standish would replace Rob Blasch and Joseph Morey as active members of the Haz-Mat Team; therefore be it

**RESOLVED:** That Apalachin Firefighters Mike George and Raymond Standish be added to the Tioga County Haz-Mat Team roster to replace Rob Blasch and Joseph Morey.

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 119 10**      *ALLOW THE COUNTY FIRE  
COORDINATOR TO ENTER INTO AN  
EQUIPMENT MEMORANDUM OF  
AGREEMENT FOR HAZ-MAT TEAM*

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

**WHEREAS: The Tioga County Haz-Mat Team is included in the 9 County Central New York Hazardous Materials Consortium; and**

**WHEREAS: Hazardous materials response equipment is extremely expensive and not frequently used by each team member at the same time; and**

**WHEREAS: County members of the Consortium are eligible to apply for highly technical laboratory chemical identification equipment for use by the Grant Submitting Partner and the use of the Non-Submitting Team Partners through a Memorandum of Agreement between those Consortium members and the New York State Mutual Aid Agreement; therefore be it**

**RESOLVED: That pending approval of the Memorandum of Agreement by the Tioga County Law Department, the Tioga County Fire Coordinator be able to enter into an agreement for training and use of an Ahura TruDefender granted to the Tioga County Haz-Mat Team.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 120-10                      *AUTHORIZE THE SUBMISSION OF  
MITIGATION GRANT APPLICATION  
EMERGENCY MANAGEMENT***

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

**WHEREAS: Tioga County currently has a Federal Emergency Management Agency (FEMA) approved all hazards plan; and**

**WHEREAS: The current plan is scheduled to be updated and rewritten by 2011;  
and**

**WHEREAS: The FEMA requirements have changed since the original plan was written; and**

**WHEREAS: FEMA has given the State Emergency Management Office (SEMO) monies for local government to utilize these monies for the purpose of writing mitigation grants; and**

**WHEREAS:** Tioga County is eligible for these monies in the form of a 75-25% grant; and

**WHEREAS:** The Tioga County Emergency Management Office has money in account 3641.20.240 that could be applied toward this grant; therefore be it

**RESOLVED:** That the Tioga County Emergency Management Office apply for a grant up to \$20,000 for the sole purpose of writing an all hazards mitigation plan.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES**

**RESOLUTION NO. 121-10**      *AWARD BID FOR TRANSPORTATION SERVICES TO EARLY INTERVENTION AND PRESCHOOL SPECIAL EDUCATION CHILDREN'S PROGRAM SOCIAL SERVICES*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator McEwen.

**WHEREAS:** Bids have been received for the Provision of Transportation Services to Early Intervention and Pre-School Handicapped Children; and

**WHEREAS:** The bids (pricing based on a one-way trip) were received and opened on April 12, 2010 and the bid results were as follows:

- |   |                                    |
|---|------------------------------------|
| 1) Serafini Transportation Corp.  | Zone 1 - \$24.67; Zone 2 - \$28.49 |
| (With a stipulation that this price would be adjusted to \$25.98 for both zones if awarded the bid for both zones). |                                    |
| 2) Tioga Transport, Inc.  | Zone 1 - \$30.00; Zone 2 - \$30.00 |
| 3) Yellow Medi-Van and Taxi, Inc.   | Zone 1 - \$22.50; Zone 2 - \$22.50 |

and

**WHEREAS:** Funds have been included in the Public Health Department budget for this service; and

**WHEREAS:** Serafini Transportation Corp. has been determined to be the responsible bidder proposing the lowest unit price per child based on a one-way transportation cost, and whose proposal complies with all provisions to render it formal and legal and whose proposal is considered to be in the best interest of Tioga County; and

**WHEREAS:** The Public Transportation Coordinator and the Director of Public Health are in agreement with this determination in the provision of transportation of Tioga County’s most vulnerable young citizens; now therefore be it

**RESOLVED:** That the Tioga County Legislature authorize the Department of Social Services to enter into a contract with Serafini Transportation Corp. for the Provision of Transportation Services to Early Intervention and Pre-School Handicapped Children based on stated stipulated cost of \$25.98 per one-way trip for Zones 1 and 2 for the period of July 1, 2010 through June 30, 2013.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 122–10** *AMEND COUNTY POLICY 11:  
TRAVEL POLICIES & PROCEDURES*

Adoption moved by Legislator Oberbeck,  
seconded by Legislator Sauerbrey.

**WHEREAS:** The Tioga County Legislature is looking at any and all means of reducing costs; and

**WHEREAS:** Policy 11, Section VII indicates that payment for meals will be in accordance with the General Services Administration (GSA) allowances; and

**WHEREAS:** Said allowances are generous and typically more than cover the cost to the employee; and

**WHEREAS:** Reducing the meal allowances will result in noticeable savings; therefore be it

**RESOLVED:** That County Policy 11, Section VII A and B shall be revised as follows:

***VII. MEAL ALLOWANCES***

- A. The County will pay a total per diem rate for travel requiring an overnight stay. The per diem rate shall be based upon the General Services Administration (GSA) reimbursement chart in effect at the time the travel takes place. Tioga County will reimburse the GSA rate minus 30%, rounded to the nearest dollar, for meals during travel outside of Tioga County. (The GSA meal allowance chart may be periodically updated by GSA and will be provided by the Treasurer's Office and available from the Clerk of the Legislature or the Intranet. Departments will be informed when changes are made.)
- B. Based on GSA rates in effect at time of travel.
1. Meals will be allowed as follows:
    - a. Breakfast – When the time of departure from home at the beginning of the trip necessarily occurs before 7:00 am.
    - b. Lunch – When the employee is away from his/her office for more than one-half of the employee's normal work day.
    - c. Dinner – When the time of return home at the conclusion of a trip necessarily occurs after 7:00 pm.
  2. Breakfast, lunch, and dinner under Section VII.B.1. will be reimbursed at an amount not to exceed the GSA rate minus 30% rounded to the nearest whole dollar.

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

**And be it further**

**RESOLVED:** That, said change is effective for any qualifying travel taking place on or after June 1, 2010.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**



**REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE**

**RESOLUTION NO. 123-10      *STANDARD WORK DAY AND  
REPORTING RESOLUTION  
CORONER, TREASURER,  
DISTRICT ATTORNEY, AND PUBLIC  
DEFENDER OFFICES***

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

**RESOLVED:** That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (hrs/day)	Term Begins/Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
<b>Elected Officials</b>					
Coroner	Thomas Hyde	6	1/1/2010-12/31/2013	Y	1 per call
Coroner	Neil Lewis	6	1/1/2010-12/31/2013	Y	1 per call
Treasurer	James McFadden	7	1/1/2010-12/31/2013	Y	20
<b>Appointed Officials</b>					
District Attorney, Stenographer, PT	Diane Stephens	7	10/2/2009-TERM OF OFFICE	Y	5
Public Defender	George Awad	7	1/1/2010-12/31/2011	Y	15.34

**And be it further**

**RESOLVED:** That the Tioga County Legislature does hereby attest that the above elected and appointed officials have submitted their three-month log of activities and such are on file with the Legislative Clerk.

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO:** LEGISLATIVE WORKSESSION  
 PERSONNEL COMMITTEE

**RESOLUTION NO. 124-10** *AMEND RESOLUTION NO. 111-10  
 STANDARD WORK DAY AND  
 REPORTING RESOLUTION  
 DISTRICT ATTORNEY'S OFFICE*

Adoption moved by Legislator McEwen,  
 Seconded by Legislator Oberbeck.

**WHEREAS:** Resolution No. 111-10 reported the days/month (based on record of activities) for the 3<sup>rd</sup> Assistant District Attorney as 4.73, which was biweekly, when in actuality it should have been reported monthly at 9.46; therefore be it

**RESOLVED:** That Resolution No. 111-10 be amended to reflect days/month (based on record of activities) for the 3<sup>rd</sup> Assistant District Attorney as 9.46.

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO** ADMINISTRATIVE SERVICES  
 PERSONNEL COMMITTEE

**RESOLUTION NO. 125-10** *ABOLISH TITLE OF DIRECTOR OF  
 REAL PROPERTY TAX SERVICES I AND  
 CREATE TITLE OF COUNTY DIRECTOR OF  
 REAL PROPERTY TAX SERVICES*

Adoption moved by Legislator Monell,  
 Seconded by Legislator Oberbeck.

**WHEREAS:** Legislative approval is required for the abolishment and creation of job titles within Tioga County; and

**WHEREAS:** In 2009, the New York Office of Real Property Tax Services amended Part 188-4 of the State Board’s Rules with regards to the minimum qualification requirements of County level Director titles effective October 1, 2013; and

**WHEREAS:** Said changes will result in modifications to the current classification’s job title; however, there will be no fiscal impact on the budget; and

**WHEREAS:** There is a desire to make all necessary amendments to Tioga County’s classification prior to the 2013 effective date; therefore be it

**RESOLVED:** That the Tioga County Legislature authorizes abolishment of the title Director of Real Property Tax Services I and the creation of the title County Director of Real Property Tax Services effective May 12, 2010; and be it further

**RESOLVED:** That Elizabeth Hawken is appointed to the title of County Director of Real Property Tax Services effective May 12, 2010, and shall continue to serve as such for the remainder of the current term which will end September 30, 2013.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** PUBLIC WORKS  
PERSONNEL

**RESOLUTION NO. 126-10** *ABOLISH CLEANER II POSITION  
PUBLIC WORKS DEPARTMENT*

Adoption moved by Legislator Roberts,  
seconded by Legislator Monell.

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

**WHEREAS:** Joan Nuzzo, Cleaner II for the Court Annex, has submitted her retirement papers and whose last day of employment will be June 30, 2010; and

**WHEREAS:** The Commissioner of Public Works has identified a cost savings to the County by not backfilling this position; therefore be it

**RESOLVED:** That the Tioga County Legislature approves the abolishment of the vacant Cleaner II position, effective July 1, 2010.

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

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

**RESOLUTION NO. 127-10** ***AUTHORIZE FILL/ABOLISH POSITION***  
***(MENTAL HYGIENE DEPARTMENT)***

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

**WHEREAS:** The position of Director of Administrative Services was created and funded in the 2010 County budget; and

**WHEREAS:** The Director of Community Services has found a candidate eligible and willing to accept said position; and

**WHEREAS:** Due to current budgetary strain, the Legislature has requested that the Director of Community Services consider abolishing a vacant position in exchange for authorization to fill the Director of Administrative Services position; therefore be it

**RESOLVED:** That the Legislature authorizes the Director of Community Services to fill the Director of Administrative Services position at an annual salary of \$51,000, effective May 12, 2010; and be it further

**RESOLVED:** That the vacant position of Clinical Program Director be abolished, effective May 12, 2010.

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**Legislator McEwen made a motion to have the following late-filed resolution considered, seconded by Legislator Oberbeck and carried.**

**REFERRED TO:**

**FINANCE COMMITTEE**

**RESOLUTION NO. 128-10**

***ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY***

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

**WHEREAS: An application for corrected tax roll indicates that property no. 995 assessed to FA Star Group LLC (purchased by Brian Oliver 4/09) on the 2010 tax rolls of the Town of Newark Valley is erroneous in that the assessor used incorrect information when figuring the assessment and has since determined that the 2010 taxable value should be lowered from \$175,000 to \$132,000; and**

**WHEREAS: The 2010 tax bill of \$3,303.07 for property no. 995 was paid to the Town of Newark Valley tax collector on 1/13/2010 by Brian Oliver; be it therefore**

**RESOLVED: That the Town of Newark Valley tax collector issue a refund of \$824.36 to Brian Oliver for overpayment of the 2010 taxes; and be it further**

**RESOLVED: That the erroneous town tax of \$221.33 be charged back to the Town of Newark Valley and the erroneous fire tax of \$63.37 be charged back to the Newark Valley Fire District; and be it further**

**RESOLVED: That the erroneous solid waste tax of \$21.64 be charged back to the Solid Waste Fund; and be it further**

**RESOLVED: That the erroneous county tax of \$518.02 be charged to the proper account in the records of the County Treasurer**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**The meeting was adjourned at 1:56 P.M.**