

*Tenth Regular Meeting
October 13, 2015*

The Tenth Regular Meeting of 2015 was held on October 13, 2015 and was called to order by the Chair at 12:11 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell for a moment of prayer. "Lord we thank you for this another time that we can meet together. We pray that you would be with each one that is here today. We thank you Lord for the opportunity that we have to serve our constituents of this County and we pray that you would be with the decisions that we make. Help us to do so in a manner that would be pleasing to you and to our constituents."

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

There was 1 person in attendance.

Chair Sauerbrey noted the following two Proclamations:

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: A woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U.S., other than skin cancers; and

WHEREAS: Through research and advocacy, significant advances have been made in the fight against breast cancer, including an increase in five-year relative survival rates for localized breast cancer from 74 percent to 98 percent; and

WHEREAS: The 2.5 million breast cancer survivors living in the U.S. today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected; and

WHEREAS: Various organizations are spreading breast cancer awareness to both women and men through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and the County of Tioga would like to support and encourage these ongoing efforts on behalf of our citizens, and

WHEREAS: Throughout the month of October, women are encouraged to make a renewed commitment to following recommended screening guidelines and to make a mammogram appointment; and

WHEREAS: Throughout the month of October, organizations and health practitioners in Tioga County are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms; and

WHEREAS: Public officials and citizens of Tioga County are urged to observe this month with appropriate activities and programs that encourage annual mammograms; and

WHEREAS: The County of Tioga recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of October 2015 as

BREAST CANCER AWARENESS MONTH

and urges all residents to take steps to get life-saving mammograms and educate themselves, their families, and the community about breast cancer.

PROCLAMATION

WHEREAS: Tioga United Way continues to service the needs of the community through funding of 31 agencies within Tioga County, benefiting all segments of Tioga County's population; and

WHEREAS: The Waverly Community Chest continues to service the needs of the community through funding of 15 agencies, benefiting the residents of Waverly and surrounding communities; and

WHEREAS: Without this support of Tioga United Way and Waverly Community Chest, these agencies would not be able to continue the support to our community; and

WHEREAS: The goal for the 2016 United Way Campaign is \$287,000; and

WHEREAS: The goal for the 2016 Waverly Community Chest is \$31,000; and

WHEREAS: The employees of the Tioga County Government represent a potentially substantial number of contributors for this campaign; and

WHEREAS: The Tioga County Legislature supports the work of the Tioga United Way; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the month of October

TIOGA COUNTY UNITED WAY MONTH
AND
WAVERLY COMMUNITY CHEST MONTH

In the County of Tioga, New York, and call upon all of its employees and all members of the community at large to support this effort.

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		126.19
A1165	District Attorney		314.09
A1170	Public Defender		1,980.66
A1172	Assigned Counsel		7,784.00
A1185	Medical Examiners/Coroners		2,792.62
A1325	Treasurer		348.17
A1355	Assessments		2,461.53
A1364	Expense of County Owned Property		41.94
A1410	County Clerk		852.68
A1411	Department of Motor Vehicles		135.72
A1420	Law		4,122.20
A1430	Personnel		8,907.50
A1450	Elections		142.66
A1620	Buildings	76.11	42,451.29
A1621	Buildings		17,121.20
A1680	Information Technology		13,996.13
A2490	Community College Tuition		8,981.32
A2960	Education of Handicapped Children		126,856.50
A3020	Public Safety Comm E911 System		4,429.64
A3110	Sheriff		9,619.24
A3140	Probation		11.00
A3146	Sex Offender Program		10,320.00
A3150	Jail		71,669.73
A3315	Special Traffic Program		500.00
A3410	Fire		2,722.23
A3640	Emergency Mgmt Office		292.49

A4011	Public Health Administration		3,650.33
A4012	Public Health Education		7.50
A4042	Rabies Control		1,184.62
A4044	Early Intervention		1,208.76
A4050	Healthy Neighborhood Program		937.03
A4064	Managed Care-Dental Services	50.47	16,986.59
A4070	Disease Control		3,349.48
A4090	Environmental Health		225.57
A4210	Alcohol and Drug Services		1,269.18
A4309	Mental Hygiene Co Admin	99.99	4,423.52
A4310	Mental Health Clinic		7,221.21
A4320	Crisis Intervention Services		460.74
A4321	Intensive Case Management		561.05
A5630	Bus Operations		26,600.86
A6010	Social Services Administration		72,247.04
A6422	Economic Development		250.00
A6510	Veterans' Service		51.63
A6610	Sealer of Weights and Measures		317.58
A7180	Snowmobile Grant Program		10,936.76
A8020	Planning		50.00
A9060	Health Insurance		3,053.97
SOLID WASTE FUND			199,557.06
SPECIAL GRANT FUND			8,481.69
LIABILITY INSURANCE FUND			25,766.30
COUNTY ROAD FUND			42,868.11
CAPITAL FUND			1,106,522.02
SELF-INSURANCE FUND			<u>1,350.00</u>
GRAND TOTAL			\$ 1,878,745.90

Legislator Hollenbeck made a motion to approve the minutes of September 15, 2015, seconded by Legislator Monell, and carried.

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

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

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 227-15

*ABOLISH LEGISLATIVE COMMITTEES (3):
PROFESSIONAL ADVISORY/UTILIZATION REVIEW
FOR CERTIFIED HOME HEALTH AGENCY, LONG-
TERM HOME HEALTH CARE PROGRAM, &
LICENSED HOME CARE SERVICES AGENCY
HEALTH DEPARTMENT*

WHEREAS: The Professional Advisory/Utilization Review Committee (PAC/UR) for the Certified Home Health Care Agency (CHHA) and the Long Term Home Health Care Program (LTHHCP) were formed per Section 763.11 (12-14-3b) of Title 10 of New York State Codes Rules and Regulations; and

WHEREAS: The Public Health Department ceased operations of the CHHA and the LTHHCP in August of 2014; and

WHEREAS: The remaining Licensed Home Care Services Agency (LHCSA) is not governed by the above Codes Rules and Regulations; and

WHEREAS: The LHCSA PAC/UR is being re-organized as a Quality Assurance/Quality Improvement Committee with oversight by the Tioga County Board of Health; therefore be it

RESOLVED: That the following Legislative Committees be abolished effective October 14, 2015:

Professional Advisory/Utilization Review Committee
Certified Home Health Agency

Professional Advisory/Utilization Review Committee Long
Term Home Health Care Program

Professional Advisory/Utilization Review Committee Licensed
Home Care Service Agency

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 228-15

*REQUEST FOR TRANSFER OF FUNDS
DISTRICT ATTORNEY*

WHEREAS: The District Attorney's Office has a need for three (3) new office chairs; and

WHEREAS: The District Attorney's budget does not have funds in their equipment account; therefore be it

RESOLVED: That the following sums be transferred from within the District Attorney's budget to cover the costs of the chairs:

From: A1165.40-280 District Attorney (Investigations) \$250.00

To: A1165.20-70 District Attorney (chairs/office furniture) \$250.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 229-15 TRANSFER FUNDS FOR ROAD SALT
PUBLIC WORKS

WHEREAS: Due to the low fuel costs the Road Machinery account DM5130.40 use code 220 (Automobile Fuel) has a surplus; and

WHEREAS: The County Road Fund account D5110.40 use code 602 (Road Salt) is short of funds due to the severe weather in the beginning of the year; and

WHEREAS: Our road salt supply is low due to the severe weather in the beginning of the year; therefore be it

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

FROM:	DM5130.40-220 Road Machinery (auto fuel)	\$15,000
TO:	DM9901.91 Transfer to County Road Fund	\$15,000
FROM:	D5031 Interfund Transfer	\$15,000
TO:	D5110.40-602 County Road Fund (cinders/salt)	\$15,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 230-15 ADOPT LOCAL LAW NO. 6 OF 2015

WHEREAS: A public hearing was held on August 6, 2015, following due notice thereof to consider the adoption of Local Law Introductory No. E of the Year 2015 A local law repealing Local Law No. 1 of 1968, enacted May 27, 1968, as amended, which imposed sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, such taxes being repealed to be recodified and reimposed by a resolution that shall be adopted on the same date that this repealer Local Law is adopted and such resolution shall take effect on the same date that this repealer Local Law takes effect.

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 6 of 2015; therefore be it

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

County of Tioga

Local Law No. 6 of the Year 2015.

A Local Law repealing Local Law No. 1 of 1968, enacted May 27, 1968, as amended, which imposed sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, such taxes being repealed to be recodified and reimposed by a resolution that shall be adopted on the same date that this repealer Local Law is adopted and such resolution shall take effect on the same date that this repealer Local Law takes effect.

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

SECTION 1: Local Law No. 1 of 1968, enacted May 27, 1968, which imposed sales and compensating use taxes, as amended, is hereby REPEALED.

SECTION 2: Notwithstanding the repeal of such Local Law No. 1 of 1968 by this Local Law, all provisions of such Local Law No. 1 of 1968, in respect to the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of taxes imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such taxes, the secrecy of returns, the disposition of revenues, and the civil and criminal penalties applicable to the violation of the provisions of such Local Law, shall continue in full force and effect with respect to all such taxes accrued up to December 1, 2015; all actions and proceedings, civil or criminal, commenced or authorized to be commenced under or by virtue of any provision of such Local

Law No. 1 so repealed, and pending or able to be commenced immediately prior to the taking effect of such repeal, may be commenced, prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed; and the provisions of the resolution effective December 1, 2015, recodifying and reimposing the taxes imposed by such Local Law No. 1, shall be construed as a continuation of the provisions of Local Law No. 1, modified or amended according to the language employed, and not as an enactment of new taxes, other than the additional one percent rate of such taxes imposed for the period commencing December 1, 2015, and ending November 30, 2017.

SECTION 3: This enactment shall take effect December 1, 2015.

And be it further

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

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 231-15

RESOLUTION OF THE LEGISLATURE OF TIOGA COUNTY, RECODIFYING AND REIMPOSING GENERAL SALES AND COMPENSATING USE TAXES IMPOSED AT THE RATE OF THREE PERCENT BY LOCAL LAW NO. 1 OF 1968, ENACTED MAY 27, 1968, AS AMENDED, AND ALSO IMPOSING AN ADDITIONAL ONE PERCENT RATE OF SUCH TAXES FOR A PERIOD OF TWO YEARS, PURSUANT TO THE AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

BE IT ENACTED by the Legislature of Tioga County, as follows:

SECTION 1: Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent, for the period commencing December 1, 2015, and ending November 30, 2017.

SECTION 2: Local options - Application of special provisions. Notwithstanding any contrary provision of this enactment or other law:

(a) Motor fuel and diesel motor fuel described in subdivision (m) of section eleven hundred eleven of the Tax Law shall not be taxed at a rate of cents per gallon.

(b) The clothing and footwear exemption described in paragraph thirty of subdivision (a) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(c) The residential solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ee) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(d) The commercial solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ii) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(e) The empire zone refund and credit described in clause six of subdivision (a) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(f) The qualified empire zone enterprise refund and credit described in subdivision (d) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(g) Residential energy sources and services described in paragraph three of subdivision (a) of section twelve hundred ten of the Tax Law shall be subject to the taxes imposed by this enactment at the rate of three percent, but exempt from the additional taxes imposed at the rate of one percent.

SECTION 3: Taxes in addition to others. The taxes imposed by this enactment are in addition to any and all other taxes authorized or imposed under any other provision of law.

SECTION 4: Administration of taxes. The taxes imposed by this enactment shall be administered and collected by the State Commissioner of Taxation and Finance as provided in Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 5: Applicability of state law to taxes imposed by this enactment. The provisions of Articles Twenty-eight and Twenty-nine of the Tax Law and any provision of the Tax Law or other law that applies to Article Twenty-eight or Twenty-nine, relating or applicable to the taxes imposed by this enactment, including the applicable definitions, transitional provisions, limitations, special provisions, exemptions, exclusions, refunds, credits, and administrative provisions, so far as those provisions can be made applicable to the taxes imposed by this enactment, shall apply to the taxes imposed by this enactment with the same force and effect as if those provisions had been incorporated in full into this enactment and had expressly referred to the taxes imposed by this enactment, except to the extent that any of those provisions is either inconsistent with or not relevant to the taxes imposed by this enactment.

SECTION 6: Allocation and distribution of net collections. Pursuant to section 1262 of the Tax Law:

(a) The county shall set aside for county purposes two-thirds of the net collections from the taxes imposed by this enactment at the rate of three percent.

(b) The county shall set aside for educational purposes none of the net collections from the taxes imposed by this enactment.

(c)(1) The county shall allocate quarterly to the towns in the county one-third of the net collections from the taxes imposed by this enactment at the rate of three percent. Such net collections shall be allocated to the towns in proportion to their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to

section twenty of the New York General Municipal Law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.

(2) The amount so allocated to the towns shall be applied first to reduce county taxes levied upon real property in the towns. Any balance remaining shall then be applied to reduce general town taxes levied upon real property in the towns.

(3) Any town, by local law, ordinance or resolution, however, may provide that all or any specified part of the amounts which would be so applied to reduce the county taxes and general town taxes levied upon real property in such town shall be paid directly to such town to be used for any town purpose.

(4) If any village, by local law, ordinance or resolution shall so provide, the amounts which would be so applied to reduce the county and general town taxes levied upon real property in such village shall be paid directly to such village in lieu of such tax reduction. Where any village has elected to be paid directly as provided in this subdivision, the amount to be paid to such village shall be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town.

(5) If a village wholly or partially within a town has so elected to be paid directly, but the town in which such village is located has not so elected, the amount allocated to the town in which such village is wholly or partially situated shall be applied to reduce county taxes and general town taxes in the area of the town outside such village. If the amount allocated to a town exceeds the amount of the county taxes and general town taxes levied upon real property in the town, the excess shall be apportioned between the town and each village, if any, wholly or partially situated therein, in the ratios that the full valuation of real property in each such village or portion thereof within the town, and the full valuation of real property in the portion of the town outside of such village or villages, respectively, bear to the aggregate full valuation of the entire town. The share of each such village shall be paid directly to such village. The share of the town shall be applied, first, to reduce taxes levied for part-town activities, and any balance remaining shall be paid directly to the town, to be used only for part-town activities.

(6) If a town and all the villages therein shall have elected to be paid directly as provided in this subdivision, the share of such town shall be applied to reduce taxes levied for part-town activities, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce general town taxes, county taxes levied in the area of the town outside of such villages or may be used for part-town activities, or any combination thereof.

(7) If a town containing more than one village shall have elected to be paid directly and one or more but not all of the villages shall have also elected to be paid directly, the share of the town shall be applied to reduce general town taxes levied in the area of the town outside of the village or villages that

have so elected, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce county taxes levied in the area of the town outside of such village or villages.

(8) The amount to be applied in reduction of county taxes and general town taxes in each town shall be determined on the basis of the respective populations of the several towns in the county, determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the General Municipal Law, completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.

(9) Any local law, ordinance or resolution enacted by a town or village pursuant to this subdivision shall only be effective for the calendar year or years subsequent to its enactment and, further, shall only be effective if it is mailed by registered or certified mail to the chief fiscal officer of the county before the first day of September preceding the calendar year for which the election is made by such local law, ordinance or resolution. Such local law, ordinance or resolution shall remain in effect for subsequent calendar years until rescinded by local law, ordinance or resolution, but the enactment shall rescind the election only if it is mailed, in the same manner already provided for in this subdivision, to the chief fiscal officer of the county before the first day of September preceding the calendar year for which the rescission is to apply.

(10) The foregoing provisions notwithstanding, where the county imposes a sales and use tax to be effective on a date after the adoption of its budget but within the fiscal year for which such budget has been adopted, and the estimated revenues from such tax include an amount not set aside for county purposes or educational purposes, and such amount has not been included in budget revenues for such fiscal year for allocation in reduction of taxes on real property as provided in this subdivision, a local law, ordinance or resolution enacted by a town or village pursuant to this subdivision shall be effective as of the effective date of such tax if mailed by registered or certified mail to the chief fiscal officer of the county within thirty days after the enactment by the county of the local law, ordinance or resolution imposing such tax.

(d) The county shall set aside for county purposes one hundred percent of the net collections from the taxes imposed by this enactment at the additional rate of one percent.

(e) As used in this enactment the following terms shall mean or include:

(1) Net Collections. The moneys collected from the taxes imposed by this enactment, after deducting therefrom expenses of administration and collection and amounts refunded or to be refunded as described in Tax Law section twelve hundred sixty-one (b).

(2) General town taxes. Taxes levied for any town purpose, including highways, upon the entire area of a town.

(3) Full valuation of real property. The assessed valuation of real property divided by the equalization rate as determined in accordance with Article Eight of the New York Real Property Tax Law.

(4) Part-town activities. Activities of town government, including highway programs, which are chargeable to the area of the town outside of villages, exclusive of special district purposes, unless such special district is a fire protection district coterminous with the area of a town outside of villages.

SECTION 7: Deposit and use of revenues. Except as otherwise provided by this enactment or other law, net collections received by the county from the taxes imposed by this enactment shall be paid into the treasury of the county and shall be credited to and deposited in the general fund thereof and, unless restricted by local law, ordinance, or resolution to a specified purpose or purposes, shall be available for any county purpose of the county. Notwithstanding the foregoing, the county shall deposit one-half of the net collections from the additional one percent rate of sales and compensating use taxes imposed by this enactment in a capital reserves fund, and the county shall make disbursements from such capital reserves fund solely for the purposes of capital projects and repaying any debts incurred for such capital projects in the county. Expenditures from the proceeds of any such taxes shall not be considered as part of the cost of government within the meaning of any limitation on expenditures contained in any general, special, or local law applicable to this county.

SECTION 8: Severability. If any provision of this enactment or the application thereof, for any reason, shall be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this enactment, but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered and the application of that provision to other persons or circumstances shall not be affected by that judgment.

SECTION 9: Effective date. This enactment shall take effect December 1, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 232-15 APPROVE 2016 STOPDWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2016 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2016 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$33,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$11,000
Administration	<u>\$ 5,450</u>
	\$94,877

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 233-15 AUTHORIZE 2016 TAX MAP MAINTENANCE CONTRACT

RESOLVED: That the Chair of the Tioga County Legislature, hereby is authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2016 for an annual charge of \$31,000. Payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 234-15

*AUTHORIZE PURCHASE OF
PROPERTY FROM LOU ETTA RUSSELL AT 465
STATE RTE. 96 TOWN OF TIOGA
FOR \$1.00*

WHEREAS: The Tioga County Highway Dept. would like to develop a safer exit for tandem dump trucks to use at the Tioga Highway Department garages, located at 477 State Rte. 96, Town of Tioga; and

WHEREAS: Two parcels of land that border the Tioga Highway Department garages have become available and could be used for such an exit; and

WHEREAS: The property located at 461 Rte. 96 has been acquired by Tioga County through a tax foreclosure proceeding; and

WHEREAS: Lou Etta Russell has offered to sell to Tioga County her parcel located at 465 State Rte. 96, Town of Tioga for \$1.00; and

WHEREAS: The acquisition of the both of these parcels serves a lawful County purpose; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of the property at 465 State Rte. 96 in the Town of Tioga from Lou Etta Russell for \$1.00.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 235-15 AMEND COUNTY POLICY 1;
SECTION VIII: FILLING VACANCIES

WHEREAS: County Policy 1, Section VIII: Filling Vacancies outlines the process required when filling full-time and part-time vacancies under various circumstances; and

WHEREAS: The Personnel Department conducts new hire orientations, the scheduled dates of which are established and shared with all departments at the beginning of each calendar year; and

WHEREAS: Over the past several years while the Hiring Delays were in effect, Personnel has accommodated requests for orientations to be conducted outside the normal schedule; and

WHEREAS: The orientations are very time consuming and require significant coordination, and now that the Hiring Delay has been lifted Personnel prefers that orientations be done only on the scheduled dates, to the extent possible; and

WHEREAS: It is recognized that circumstances may arise occasionally making an exception necessary; therefore be it

RESOLVED: That County Policy 1, Section VIII: Filling Vacancies be amended to include a new sub-section D as follows:

D. New Hire Orientations:

Orientations for new hires are scheduled by the Personnel Department, in consideration of the timing of payrolls. Departments shall coordinate the hiring of new employees with the start of a new pay period, to the extent possible. Request for an exception and the reason therefore may be submitted to Personnel for consideration.

And be it further

RESOLVED: That the remainder of Policy 1 shall be unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 236-15

AMEND POLICY 23
PURCHASING AND PAYMENT POLICY

WHEREAS: Policy 23 Purchasing and Payment Policy Section VI Accounts Payable needs to be amended to reflect changes regarding new Financial Management Accounting System; therefore be it

RESOLVED: That Policy 23 Purchasing and Payment Policy Section VI Accounts Payable be amended as follows:

VI: ACCOUNTS PAYABLE

There shall be a County Auditor appointed by the Legislature to review and release for payment any and all purchase orders. The County Auditor shall not be associated with the Treasurer's Office.

Effective November 1, 2015 Tioga County is moving to a new financial system with Tyler Technologies called "Munis", thus initiating changes to accounts payable processing.

Requisitions and purchase orders are used in Tioga County for any and all purchases, other than purchasing cards, by Tioga County Departments. The purpose of the requisition/purchase order system is to maintain budgetary control on the spending of all approved budget items, both at a department and legislative level.

A requisition should be processed for goods and services. It is the individual department head's responsibility to insure that expenditures are within the budgetary appropriations and contract parameters to ensure that the proper department account is charged.

The requisition provides the authority to purchase goods and services as well as the necessary authority to pay vendor claims and proof of tax-exempt sales. Requisitions are entered into Munis by each Department and then released for a purchase order. Each department verifies the following before issuing a requisition:

- Vendor/vendor number
- Contract/resolution/quotation information
- Comments/special instructions
- Description of goods and services being ordered
- Quantity/unit of measure
- Unit price/extension and total cost
- Commodity codes/budget codes

IN ALL INSTANCES PRACTICAL, BLANKET REQUISITIONS MUST BE COMPLETED BEFORE A PURCHASE IS MADE.

Blanket Requisitions that are to be released for a purchase order – A blanket requisition (that is released for a purchase order) that is created for products or services that are purchased on an “as needed” basis from a vendor throughout the year where the dollar value will vary for each purchase. It also may be used for annual contracts for various departments and any other purchases that are recurring that a department may have.

Any increase in the dollar amount of a requisition over 10% or \$100.00 that has been released for a BPO from the original issue amount will need a Purchase Order Change Order with explanation in Munis, which will go through workflow. The County Auditor will then make a determination to approve said increase or deny.

Should there be insufficient funds available, departments must do a budget transfer in Munis and secure all the necessary approvals before the order can be processed.

After a requisition has been entered, a purchase order created, and upon receipt of goods and services, the department enters the billing information into Munis with the exact quantity received. As standard business practice, all county vendors are entitled to prompt payment; therefore receipts should be processed on a day-to-day basis. The “credit line” of Tioga County suffers inexcusable harm due to late payments to vendors.

Department of Labor – Notice to Withhold Payment – On occasion the New York State Department of Labor, Bureau of Public Works upon receiving complaints for non-payment of prevailing wages shall direct the County to withhold monies due to a vendor. The original notice is forwarded to the Commissioner of Public Works, a copy is kept with the Auditor, and a copy forwarded to the Treasurer’s Office. These monies are held until notification is received from the Department of Labor on how they are to be disbursed.

There are certain expenditures for which the processing of a requisition and purchase order is not feasible. A one-time payment is used for these transactions and can be done through Munis with workflow through the Treasurer’s Office in conjunction with the County Auditor. A one-time payment request form shall be filled out by the Department and signed (form located on Tioga SharePoint), sent to the County Auditor for review, approval, and signature, and then forwarded to the Treasurer’s Office for signature and check disbursement.

Effective November 1, 2015 requisitions (formerly referred to as purchase orders) for \$10,000 and over that required an authorization for purchase requiring committee approval has been eliminated and if funds are in adopted budget can flow through Munis process. If funds are not in adopted budget and require budget modification, please refer to process in Financial Guidelines located on the Tioga County Intranet Portal.

and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 237-15 *AMEND, REPLACE AND RENAME
POLICY 43
TIOGA COUNTY'S NETWORK
POLICIES AND PROCEDURES*

WHEREAS: Policy 43 Tioga County's Network Policies and Procedure needs to be amended, replaced and renamed in whole; and

WHEREAS: There was a committee that reviewed Policy 43 and made recommendations that Policy 43 should be amended in its entirety, replaced and renamed to be a Comprehensive Information Security Policy; and

WHEREAS: Directors reviewed the new policy to be adopted and had a chance to offer input; therefore be it

RESOLVED: That Policy 43 be amended in its entirety, replaced and renamed as follows:

POLICY 43



**Tioga County, New York
Comprehensive Information Security Policy
Policies, Procedures, and Standards for Information Security**

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I. Purpose

The purpose of the Tioga County Comprehensive Information Security Policy is to protect the confidentiality, integrity, and availability of all information that County Agencies and employees create, receive, maintain or transmit.

A single unauthorized exception to security measures can jeopardize other users, the entire County, and even outside organizations such as other local and state agencies and business partners. The interconnected nature of modern information systems requires that a minimum level of security be observed by all County employees. This document defines that minimum level of due care. In some cases, these requirements will conflict with other objectives such as improved efficiency and minimized costs. The Tioga County Legislature has examined these tradeoffs and has decided that the minimum requirements defined in this document are appropriate for all workers at Tioga County. As a result, violations of this policy may result in disciplinary action, up to and including termination.

This document is organized by audience to assist in clearly defining the responsibilities required for different roles.

II. General Provisions

A. Definitions

1. Breach

The acquisition, access, use or disclosure of data, in a manner not permitted by the applicable statutory provision or this policy, which compromises the security of the data.

2. Confidential Data

Data that would not expose the County to loss if disclosed, but that the data owner feels should be protected to prevent unauthorized disclosure or unwanted invasion of privacy is considered to be Confidential Data. It is the data owner's responsibility to implement the necessary security requirements.

3. Data Custodian

The individual or group who has responsibility for maintaining the tools necessary for storing of data by the data owners. Ex: ITCS maintains servers that a department's software program runs on. ITCS is the data custodian as the maintainer of the server\data storage infrastructure.

4. Data Owner

The individual who is responsible for the maintenance and safekeeping of data, whether it be electronic or physical.

5. End User

End users are all individuals performing work for Tioga County, whether they are employee or contractor.

6. High Risk Data

Information assets for which legal regulations exist to govern their disclosure and security. Data covered by federal and state legislation, such as but not limited to HIPAA, Mental Hygiene, Drug and Alcohol, and CPS (Child Protective Services) are in this class. Payroll, personnel, and financial information are also classified as High Risk because of privacy requirements.

This policy recognizes that other data may need to be treated as high risk because it would cause severe damage to the County if disclosed or modified. The data owner should make this determination. It is the data owner's responsibility to implement the necessary security requirements.

7. Information Security Officer

An individual named by the County Legislature to function as a point person for ensuring compliance with the details of this policy.

8. Public Data

Information that may be freely disseminated is considered to be *Public* data. However, even though the data may be freely disseminated to the public, the integrity of the data must be protected.

B. Breach Policy for High Risk and Confidential Data

Any breach of High Risk and Confidential Data must be reported to the Information Security Officer and the County Attorney immediately for investigation. The County Attorney and Information Security Officer shall investigate the matter and recommend further action to ensure compliance with applicable statutory requirements and County Policy provisions.

C. Facility Security Plan

Access to every office, computer room, and work area containing High Risk or Confidential information will be physically restricted. When offices are not in use, doors must be locked.

Guards, receptionists or other staff must control visitor access or other third party access to Tioga County offices, computer facilities, and other work areas containing High Risk or Confidential information.

Visitors and other third parties must not be permitted to use employee entrances or other uncontrolled pathways leading to or through areas containing High Risk or Confidential information.

Identification badges, keys and physical access cards that have been lost or stolen – or are suspected of being lost or stolen – must be reported to the department head, who will notify Buildings and Grounds, and any other appropriate entity, immediately. Likewise, all computer or

communication system access tokens that have been lost or stolen – or are suspected of being lost or stolen – must be reported to the Department Head or supervisor immediately.

Each person must present his or her badge to the badge reader before entering every controlled door within Tioga County premises. Before proceeding through every controlled door, each person must wait until the reader indicates that they have permission to enter the area. Workers must not permit unknown or unauthorized persons to pass through doors, gates, and other entrances to restricted areas at the same time when authorized persons go through these entrances. While this may at first seem rude, it is essential if the security of Tioga County premises and Tioga County workers is to be maintained.

Whenever controlled doors are propped open (perhaps for moving supplies, furniture, etc.) the entrance must be continuously monitored by an employee or guard.

Tioga County workers must not attempt to enter restricted areas in Tioga County buildings for which they have not received access authorization.

D. Contingency Operations

In the event that primary facility access controls are not functional or unable to be utilized, the Buildings and Grounds department shall keep as part of the County's Disaster Plan the backup or secondary methods for facilities access. This includes consideration for ensuring data is secured in the event a primary security control (e.g. electronic door lock) is non-operational.

E. Data Security Policy

County Information Assets shall be handled in accordance with their Data Classification and in accordance with appropriate federal and state statutes and regulations.

Tioga County employees may be in a position to receive confidential information during the performance of their duties. County employees shall never use information obtained confidentially for any non-business related purpose and shall respect the privacy of individuals. Since public access of information varies, employees should consult with their supervisor/department head regarding the dissemination of High Risk or Confidential information. Violations of this confidentiality requirement may be grounds for disciplinary action, up to and including termination.

F. Data Classification

It is essential that all County data be protected. However, there are gradations that require different levels of security. All data should be reviewed on a periodic basis by the Data Owner and classified according to its use, sensitivity, and importance. Tioga County recognizes three classes of data as defined in the "Definitions" section of this document: High Risk, Confidential, and Public.

All information resources shall be categorized and protected according to the requirements set for each classification. The data classification and its corresponding level of protection will be consistent when the data is replicated and as it flows through the County.

Data Owners and their supervisors must determine the data classification and must ensure that the data custodian is protecting the data in a manner appropriate to its classification.

Data Custodians are responsible for creating data repositories and data transfer procedures which protect data in the manner appropriate to its classification and to any applicable statute.

III. Audience – Legislature

A. General

The Legislature holds responsibility to adopt any changes to the Information Security Policy as necessary, and create and appoint members as necessary to a Data Disaster Recovery Workgroup.

B. Evaluation

The Tioga County Legislature shall receive, review, and adopt the following annually:

- Risk Assessment Report (Section VII)
- Risk Mitigation and Management Plan (Section VII)
- Disaster Testing and Revision Analysis (Section VI.F)
- Data Criticality Analysis (Section VI.G)

IV. Audience – End User

A. Sanction Policy

Failure to comply with any of the policies contained in this document may result in disciplinary action up to and including termination of employment.

B. Expectation of Privacy

All County information resources, including but not limited to equipment, documents, data, information, records and software are the property of Tioga County. Users have no expectation of privacy in their use of County computer and information resources. County equipment, data, records, software and connections are County property, provided for County purposes only. Software and systems that can monitor use may be used. Use of County computer systems and networks constitutes consent to such monitoring.

C. Intellectual Property - Legal Ownership

With the exception of material clearly owned by third parties, Tioga County is the legal owner of all business information stored on or passing through its systems. Unless a specific written agreement has been signed with the Legislature, all business-related information, including but

not limited to copyrights and patents, developed while a user is employed by Tioga County is Tioga County property.

D. Passwords

Passwords are a common security mechanism employed both internally on the County's computer systems and externally on third-party provided websites and tools for various purposes. Users must choose difficult-to-guess passwords. This means that fixed passwords must not be in the dictionary and must not be a reflection of the User's personal life. For example, license plate number and spouse's name are both unacceptable passwords. Strong passwords are easier to remember when memory techniques are employed; for example, several familiar words can be strung together or an acronym can be derived from words in a favorite poem or song.

Users must never reveal their password to anyone and must change their County Active Directory password every 120 days. In the event a User's password is revealed, the user must change their password. Users must report anomalous activities to their Department Head who shall report these to the Information Security Officer for investigation, if required.

E. Acceptable Use - General

The performance of official County business may require the handling of a variety of Information and Information Technology. Unacceptable use and content expend valuable resources and detract from an effective working environment.

It is every user's responsibility to utilize Information and Information Technology resources appropriately and ensure their security. Users shall not use County Information or County IT systems for purposes other than those that support official County business or as defined in this policy.

Except when in the process of conducting law enforcement activities, users shall not use County IT systems to intentionally obtain or generate information containing content that may be reasonably considered offensive or disruptive. Offensive content includes, but is not limited to images, or comments of a sexual nature, racial slurs, gender offensive comments, or any comments that would offend someone on the basis of age, sexual orientation, gender identity, religious or political beliefs, national origin, or disability.

The provisions, terms, and rules for acceptable use apply to the use of all County systems and equipment whether in a County Building, remote site, or when working from home or any other location using County resources.

Incidental personal use of any of the below listed tools is permissible so long as: (a) it does not consume more than a trivial amount of resources, (b) does not interfere with worker productivity, and (c) does not preempt any business activity. Users are forbidden from using Tioga County electronic communications systems for charitable endeavors, political campaigns, private business activities, or amusement/entertainment purposes. The use of County resources,

including electronic communications should never create either the appearance or the reality of inappropriate use.

F. Acceptable Use – e-mail

As a productivity enhancement tool, Tioga County encourages the business use of electronic communications. Electronic communications systems, including backup copies, are considered to be the property of Tioga County. Tioga County cannot guarantee that e-mail communications will be private. All e-mail communications may be stored and archived by ITCS for 7 years. E-mail messages are considered to be “documents” and are subject to all statutory and legal compliance, particularly in reference to Schedule CO-2 published by the New York State Archives. E-mail items that are not “official documents” as described by the New York State Archives should be deleted as soon as they are no longer needed. E-mail items that do fit the definition of “official documents” should be stored in a permanent archive or other appropriate medium for the period of time defined by regulation or statute. See your department’s record officer for more information on this.

High Risk or Confidential information must never be sent in e-mail unless the e-mail has been encrypted using a County approved encryption solution.

County employees are prohibited from using personal e-mail to conduct County business.

It is the responsibility of the individual user to manage and maintain their e-mail mailbox. ITCS may employ quotas on mailbox size to enforce compliance. Messages no longer needed for business purposes must be periodically purged by users from their email system mailbox. These should be stored in a manner that is in keeping with later retrieval should that be necessary. After a certain period – generally six months – e-mail messages stored on the email server may be automatically deleted by ITCS staff.

It is the policy of Tioga County not to regularly monitor the content of electronic communications. However, the content of electronic communications may be monitored and the usage of electronic communications systems will be monitored to support operations, maintenance, auditing, security, and investigative activities. Users should structure their electronic communications in recognition of the fact that Tioga County will from time to time examine the content of electronic communications.

It may be necessary for ITCS personnel to review the content of an individual employee’s communications during the course of problem resolution. ITCS personnel may not review the content of an individual employee’s communications out of personal curiosity or at the behest of individuals who have not gone through proper approval channels.

Misrepresenting, obscuring, suppressing, or replacing a user’s identity on an electronic communications system is forbidden. The user name, e-mail address, organizational affiliation, and related information included with e-mail messages or postings must reflect the actual originator of the messages or postings.

Workers must not use profanity, obscenities, or derogatory remarks in electronic mail messages discussing employees, constituents, or others. Such remarks may create legal problems such as libel and defamation of character.

Message Forwarding: Some information is intended for specific individuals and may not be appropriate for general distribution. Users should exercise caution when forwarding messages. Tioga County High Risk and Confidential information must never be forwarded to any party outside the County unless the message is encrypted and Department Head approval has been obtained.

G. Acceptable Use – Internet

This policy applies to all workers (employees, contractors, consultants, temporaries, etc.) who use the Internet with Tioga County computing or networking resources. All Internet users are expected to be familiar with and comply with this policy. Violations of this policy can lead to revocation of system privileges and/or disciplinary action up to and including termination. Tioga County users have no expectation of privacy in Internet usage.

Access to the internet will be provided to those Tioga County employees who have need for such access for the performance of their official County duties. Upon recommendation of the Department Head, users may be granted either unrestricted or restricted access to the Internet. Should a user require unrestricted access, ITCS must be informed in writing, by the Department Head, in either a service ticket or e-mail.

Tioga County employees should realize that their communications are not automatically protected from viewing by third parties. Unless encryption is used, workers must not send information over the Internet if it is classified as High Risk or Confidential information.

Tioga County routinely logs websites visited, files downloaded, time spent on the Internet, and related information. Department Heads may receive reports of such information and use it to determine what types of Internet usage are appropriate for their department's business activities.

Tioga County routinely uses technology to prevent users from connecting to certain non-business web sites. Workers using Tioga County computers who discover they have connected with an inappropriate web site that contains sexually explicit, racist, violent, or other potentially offensive material must immediately disconnect from that site. The ability to connect with a specific web site does not in itself imply that users of Tioga County systems are permitted to visit that web site.

Tioga County strongly supports strict adherence to Intellectual Property rights, copyright law, and software vendors' license agreements. Download and use of copyrighted software in a manner that violates the license agreement and without permission are prohibited. Tioga County employees should assume that all materials on the Internet are copyrighted unless specific notice states otherwise. When information from the internet is integrated into internal reports or used

for other purposes, all material must include labels such as “copyright, all rights reserved” as well as specific information about the source of the information (author names, URL’s dates, etc.). Reproduction, forwarding, or in any other way republishing or redistributing words, graphics, or other materials must be done only with the written permission of the author/owner.

H. Acceptable Use – VPN (Virtual Private Network) or other Remote Access

VPN access may be provided to employees, contractors, business partners, and members of other agencies based on demonstrated need and job function as approved by the Department Head. VPN Access is to be used only to support County government business and all the general provisions of the General Acceptable Use policy stated above apply to all VPN use. VPN Access will be granted by ITCS upon written memo from the Department Head. Employees may be granted VPN access during business hours if they are working from a remote site, such as a school or conference.

I. Acceptable Use – Cellular Phones and Other Wireless Devices

Tioga County may provide employees with cell phones, smart phones and other appropriate mobile and wireless devices, when necessary for the performance of their County duties.

Cellular phone service, like other means of communication, is provided for the sole purpose of supporting County business operations. Employees may only use cellular telephones to communicate outside of the County government when such communications are related to legitimate business activities and are within their job assignments or responsibilities.

Employees are required to reimburse the County for personal use. Employees must understand that unreimbursed personal use of County Cell Phones may be audited by the IRS and be reportable as income.

Employees shall not use cellular telephones for illegal, disruptive, unethical or unprofessional activities, or for personal gain, or for any purpose that would jeopardize the legitimate interest of Tioga County.

Department Heads must review all cellular telephone statements for compliance with this policy. Any use not in accordance with this policy may result in disciplinary action, up to and including termination of employment, in addition to reimbursement to the County for all costs associated with non-compliance.

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

Smartphones and other mobile devices will be password protected.

J. Working from Home or Other Remote Sites

The scope of this section does not indicate working from home is authorized for any particular employee, and only discusses the precautions and steps that must be employed if authorization is given or allowed through a separate policy.

Laptop computers and mobile devices such as tablets, smart phones or other devices, hereafter referred to as mobile devices, as well as Remote Desktop access services may be provided to employees based on demonstrated need and job function as approved by the Department Head. This includes but is not limited to employees whose positions involve on-call duties, employees who during the normal course of employment perform their duties away from their assigned work space, and employees who have demonstrated a need to be in contact with their office via email and other communication interfaces. County business should always be conducted on County-issued computers or devices approved for use by ITCS. Users should never use personal computers to conduct County business except through County authorized tools or mechanisms.

Mobile devices, like other means of communication, are to be used only to support County government business. Employees may use mobile devices to communicate outside of the County government when such communications are related to legitimate business activities and are within their job assignments or responsibilities.

Employees shall not use mobile devices for illegal, disruptive, unethical or unprofessional activities, or for personal gain, or for any purpose that would jeopardize the legitimate interests of Tioga County.

User identification and passwords must be enabled and used on all Mobile devices and mobile computing devices in accordance with County policy. Access codes must be protected and will be required to be changed in accordance with Tioga County's Password Policy. Mobile devices will be either turned off or locked when not in use.

Users shall avoid leaving mobile devices in situations that increase the risk of theft and never leave mobile devices unattended or unsecured. If the mobile device is stolen, you must immediately report this to your supervisor who will inform the appropriate Department Head, ITCS and appropriate law enforcement authorities.

Mobile devices will not be used while operating a motor vehicle. Employees must take every effort to ensure the safe usage of mobile devices.

Employees must take every effort to ensure the security, safety and maintenance of the mobile device. Any unreasonable use, abuse, neglect, or alterations of mobile device equipment may result in the loss of computing privileges. Misuse of mobile devices will result in appropriate disciplinary action up to and including termination of employment.

Users are required to immediately report any problems with their mobile devices to Information Technology Helpdesk at extension 8294. Any attempt by employees to dismantle or repair their machines or to install modifications themselves may invalidate the manufacturer's warranty.

It is mandatory for all County users of mobile devices to copy or move all data files stored on the hard drives to the network so they will be backed up according to the critical nature of the data. It is the policy of the County that no user or County data be stored on mobile devices, and instead

be stored and accessed from County servers. An exception shall be made for circumstances such as travel outside the County network where access to specific local files is necessary (e.g. presentation on mobile device for out of area court appearance.) Upon return, the user must delete those locally stored files from the computer.

No personal hardware or software is allowed to be loaded on the Mobile Device. All equipment and software of any kind is the sole property of Tioga County.

Failure to comply with this policy may result in discipline, up to and including termination.

K. Remote Office Security

Before approval for working at home or telecommuting is granted, a user's Department Head must review the security environment of the proposed working environment through employee interview or onsite evaluation. If the user works with sensitive information, a shredder must be employed. If sensitive information will be stored in paper form, locking furniture or a safe must be available. Users must also make sure that their files will be remotely backed-up over the network or that they will have appropriate remote systems to perform their own backups.

The security of Tioga County information and physical property at remote locations is just as important as it is in the office. All the same security requirements apply at remote locations, although they may be implemented in different ways. For example, paper-based Confidential and High Risk information must be locked up when not in active use. In Tioga County offices, a file cabinet might be used, but on the road, or at home, a locking briefcase might be employed.

L. Handling of Sensitive Information

In general, sensitive (Confidential and High Risk) information, regardless of whether it is in paper or electronic form, should not leave Tioga County offices. If it is necessary to remove sensitive information from Tioga County offices - e.g., a court hearing - this information must be protected as appropriate for the type of media. High Risk data may only be removed from County premises with written consent of the Department Head and must be encrypted or locked securely.

M. Security Incident Reporting Procedure

Users shall report all suspicious activities, social engineering attempts, anomalous behavior of equipment, systems or persons, virus activity, and any unusual occurrences to their department supervisor immediately. The department supervisor shall report this information to the ITCS department or the County Information Security Officer. The Information Security Officer and the ITCS department will conduct an investigation as required by the nature of the incident and will document their findings and report back to the department supervisor within ten business days. ITCS and the Information Security Officer will contact law enforcement agencies if their investigation warrants it.

N. Workstation Security

1. General

Workstations are a gateway to secure network storage, printing, applications and other services. Data shall never be stored on individual workstations. Workstations are not backed up and may be removed, replaced or erased and reconfigured at any time by ITCS without prior notice. End users are responsible for ensuring that all data resides on appropriate network resources and that no data is stored on their individual computer. All data must be stored on either Home Folders, Shared Folders, or other applicable network storage devices.

No network devices, including but not limited to computers, hubs, switches and routers, and wireless devices shall be attached to the Tioga County network unless they have been approved in writing by the ITCS department. Moreover, only members of the ITCS department or approved contractors may attach network devices to the Tioga County Network. Users may not bring workstations or other devices from home and attach them to the network unless approved in writing by the ITCS department.

All workstations must have county-approved virus protection software on them, configured in accordance with the current Malicious Software Policy.

Workstations shall be stored in controlled access areas, or in areas where there is minimal probability of unauthorized personnel viewing screens or data. When workstations must be stored in public areas, screens shall be turned away from public view. When this precaution is not possible, covers will be installed in order to preclude passerby access to High Risk and Confidential information. When a user leaves his or her work area or office for any period of time, the user must place the desktop in a password-protected "locked" state.

2. Removable Media

Considering federal and state regulations on information security, use of rewritable media including but not limited to flash drives, diskettes, DVDs and CDs is strongly discouraged. Users shall not utilize personal removable media devices in County computer systems.

Media not intended for redistribution must be formatted before being discarded according to applicable regulations.

3. Media Disposal

Media containing County Information Assets, including but not limited to floppy disks, CDs, hard drives, flash drives, and other removable media will be treated in accordance with applicable state and federal statute or regulation. When media is no longer required, it will be turned over to ITCS for proper disposal.

Hard drives from workstations must be turned over to Buildings and Grounds/Public Works by ITCS to go through a certified, approved destruction process. ITCS shall document and

maintain a record of receipt and disposition and will provide copies to the responsible parties.

4. Media Reuse

If media is to be reused or redistributed, the user or ITCS must repartition and format the media. If a department has determined a need for the use of rewritable media and the media is coming from a source outside the County network, the media must be scanned for malware prior to using any information on the media.

5. Data Backup and Storage

Before being edited, or before performing upgrades, or before moving County equipment that holds County data, all data shall be backed up in order to create and preserve a retrievable, exact copy of the data.

O. Printing

When users are printing High Risk and Confidential data they shall take precautions to ensure that their privacy and security are protected. Examples of this include:

- Stand by the printer while the job is printing.
- Immediately remove the documents from the printer.
- Print to a printer/copier mailbox and release the print job when standing at the printer/copier.
- Print to a printer/copier in a secure area.
- Lock file cabinets and records rooms that contain High Risk and Confidential Data when unattended and/or during non-business hours.

P. Data Restoration

End users who require restoration of data shall inform their supervisor and the ITCS department immediately. They will provide ITCS with as much information about the data, including the location and the approximate date and time of deletion. Depending on the circumstances, the data may or may not be available for restoration.

V. Audience – Department Heads \ Supervisors

A. Authorization and Supervision

Department Heads are responsible for the authorization and supervision of employees who work with High Risk or Confidential information within their departments. Department Heads must ensure that the relevant procedures described in this policy are followed in order to mitigate the risk of unauthorized use or release of High Risk or Confidential Data.

B. Workforce Clearance Procedures

The County shall conduct background checks, via digital fingerprinting, of the following current and prospective County employees:

- All full-time and part-time employees, except elected officials and employees of the Tioga County Board of Elections, hired after [].
- All temporary and seasonal employees, except employees of the Tioga County Board of Elections, hired after [] who may have access to High Risk or Confidential Information.
- All current employees of the Personnel and ITCS Departments, except employees hired before [] who are represented by CSEA.

Nothing in subparagraph (1) above shall preclude a Department Head from conducting such other background checks of current and prospective County employees as may be required by law or internal department policy.

C. Termination \ Separation Procedures

The Department Head shall notify the Personnel Office when an employee is to be terminated or otherwise separated from County employment. Upon receipt of such notification, the Personnel Office shall notify ITCS in accordance with County Policy 12. ITCS shall secure the employee's data by whatever means necessary and appropriate under the circumstances, including moving the data, locking or deleting the employee's system accounts, redirecting or deleting the employee's phone extension and voice mail, and/or securing or deleting the employee's email box. The Department Head may request specific actions be taken via a service ticket.

D. Access Authorization, Establishment & Modification

The access authorization process for employees and contractors will be initiated by an employee's department in a service ticket or e-mail describing the level of access, group membership, and other appropriate information needed to grant access. Authorization will be granted by the department head or alternatively by the ITCS Director. The privileges granted remain in effect until the worker's job changes or the worker leaves Tioga County, or until the department otherwise notifies ITCS of a change. If any of these events takes place, the department head must immediately notify the ITCS Department.

E. Departmental Security Training

Each County Department is required to hold, at a minimum, annual training for their users concerning the management of Information Security. It is the responsibility of the individual Department Head to ensure that this training takes place and records are maintained concerning the scope of the training as well as documentation of those employees that attended the training.

ITCS shall sponsor County-wide annual security training for the County Staff that employees are required to complete once per calendar year. Attendance at this training can be used as proof of compliance with the departmental security training requirements.

F. Business Associate Agreement

All Covered Entities and Business Associates (as the terms are defined by HIPAA) within the County are required to have in place a current, HIPAA compliant Business Associates Agreement (BAA) with any and all vendors, contractors, subcontractors, consultants, non-county agencies or other service providers who are their Business Associate. The BAA must address specific compliance issues in keeping with all New York and Federal statutes, rules and regulations. Each BAA must be approved by the County Attorney prior to execution. Department Heads shall consult with the County Attorney to ascertain whether their department is a Covered Entity or Business Associate.

In some instances, County Departments are Business Associates of Non-County Covered Entities. In the event a County Department is asked to enter into a BAA with a Non-County Covered Entity, the BAA must be reviewed and approved by the County Attorney prior to execution.

Any County Department that is either a Covered Entity or Business Associate, as those terms are defined by HIPAA, shall maintain a current list of all BAAs entered into by their department and shall ensure that said BAAs are kept current.

It is the responsibility of the Department Head of the County Covered Entity or Business Associate to ensure that the requirements of this section are met.

G. Application Level Authentication, Logging and Integrity Controls on High Risk Data

Individual department heads with applications that contain or store High Risk data are responsible for monitoring the security and logs of their applications and must record and document these activities. All department level applications must be password protected at the user interface and must have password protection at the database and file level. Departments with such application must have a written policy on log monitoring and management and must monitor the logs on a regular basis. This responsibility may be assigned to a staff member(s) who will take responsibility for the task. Department Heads must ensure that the data has not been altered by unauthorized personnel. All the policies that apply to the County network apply to individual applications.

H. Keys and Swipe Cards

Each Department Head shall determine the level of access, via key or swipe card, that each employee within his/her department may have to County facilities within the Department Head's authority and control. NOTE: Certain County employees/contractors, such as IT, Buildings and Grounds and cleaning Staff and the Tioga County Safety Officer, are entitled to such access to County facilities as is required to perform their job functions.

Upon an employee's separation from County employment, the Department Head shall:

- collect all swipe cards and keys issued to the employee; and
- return all keys to the Buildings and Grounds Department; and
- terminate swipe card system access.

Each department shall maintain a written record of the names, dates and times of all swipe card assignments and changes in access permissions.

The Buildings and Grounds Department shall maintain a written record of the names, dates, and times of all key assignments, the changes to all locks and the repairs to all doors.

VI. Audience – ITCS Department

A. Data Network Configuration

1. Firewalls

All county-owned computers and networks shall be protected by a physical or virtual network firewall to prevent intrusion, theft, or breach.

2. Time Synchronization

All network devices and phones attached to the Tioga County network shall have their internal clocks synchronized with a single time source, maintained by ITCS.

3. Passwords

Passwords shall be at least 8 characters in length consisting of upper and lower case alphabetic characters, numbers, and punctuation characters. Where systems support it, this minimum length shall be enforced automatically. Passwords shall be changed at a minimum of every 120 days and the password history shall be maintained for the last 8 passwords.

4. Automatic Logoff & Screensavers

Screen Savers shall be configured to activate after 20 minutes of inactivity so that High Risk and Confidential information is not visible during periods of user inactivity. System policy shall be configured to automatically log-off users after 8 hours of inactivity, when possible.

5. Login Banners

When logging in to a workstation or any other Information Systems device in Tioga County, the device will display a login banner reminding users of their responsibilities to be familiar with County Information Security Policies and of their responsibility to help maintain the security of Tioga County's information assets, if supported by the device.

6. Security Reminders

Login banners shall be displayed every time a user logs in to any Tioga County network device. The banner will include security reminders about compliance with the County Comprehensive Information Security Policy. From time to time, and not less than annually,

Tioga County ITCS will send security reminders concerning current, relevant security issues and concerns.

7. Protection from Malicious Software

All Tioga County devices are required to have appropriate protection from Malware installed and configured for centralized management and reporting. Tioga County ITCS shall provide and configure network-level software and policies that monitor malware.

8. Login Monitoring

Login banners shall display Last Login information whenever a user logs into a County device when possible.

9. Server and Network Infrastructure Device Security

Servers shall be placed in locked rooms that have access limited to authorized personnel only. Administrative access to servers will be strictly limited to members of the ITCS department, approved contractors, software vendors, and in rare cases, super users in individual departments. When possible, servers will be placed so that only ITCS members and IT contractors have access to them. Because of privacy and security requirements, users who are neither ITCS members nor approved contractors will not receive administrative-level permissions.

Server desktops shall remain logged out at all times unless a member of the ITCS staff or a contractor is working on the server. When administrative tasks are complete, the operator will log out immediately.

When remote access to servers is required, members of the ITCS Department will use only approved, encrypted communications for these sessions. Approved, encryption methods include the use of the Cisco Any Connect Client and RDP access to County facilities from remote sites.

10. Server File System Security

With the exception of HOME folders, only Active Directory Domain Global Groups shall be used to apply security to server resources on Tioga County servers. Individual user objects shall never be assigned access to any folders or other shared server resources.

11. Workstation System Security

User privileges on a workstation shall be assigned at the lowest level possible. Initially, the user's workgroup shall be assigned *Domain User* access. However, some applications will not work properly unless the user has a higher level of privileges. If this has been demonstrated to be the case, the user shall be granted the lowest level required for applications to work properly. At the discretion of the Department Head and with authorization from the Director of ITCS, users may be assigned administrative privileges to their workstations.

Workstations shall be configured to allow Remote Desktop and VNC access to the workstation and shall be configured so that authorized support personnel can login in order to provide technical support.

B. Network Folder Configuration

1. Home Folders

Users who are assigned network accounts will receive a HOME directory (folder) for storage of their daily work. Only the individual user and the ITCS department will have access to HOME folders.

2. Shared Folders

Users shall be assigned access to shared folders in accordance with departmental or workgroup requirements as directed by the user's supervisor. Shared folders are for the purpose of allowing entire workgroups or departments to share data. Requests for special workgroups or cross-departmental workgroups should be referred to the ITCS department.

3. Application Folders

Users shall be assigned access to shared folders in accordance with departmental or workgroup requirements as directed by the user's supervisor.

C. Network Intrusion, Virus or Malicious Software Outbreak

Should a network intrusion, virus or malicious software outbreak be suspected, ITCS will take the following steps:

- Record and Capture any necessary system information
- Backup, isolate, and shut down (if necessary) the compromised system
- Search other systems for signs of intrusion or infection
- Secure and Examine Logs
- Identify how the intruder gained access, if applicable
- Identify what the intruder did, if applicable
- Collect and preserve evidence
- Contact Law Enforcement (if necessary)
- Identify and implement new security features or procedures to protect from a recurrence of a similar intrusion
- Provide a postmortem report to the Information Security Officer that details the identified issue, what steps were taken to address it, and progress on eliminating the threat from the network until completion

D. Data Backup Plan

End users are responsible for ensuring that all County data is stored on county file servers. The ITCS Department is responsible for backing up and restoring data on servers and is responsible

for ensuring the confidentiality, integrity, and availability of the County data that is stored on servers. To that end:

- All servers shall be fully backed up at least once a week and backup images will be maintained for at least 30 days.
- All servers shall be incrementally backed up every business day. However, daily full backups are preferred, when possible.
- At least two sets of full backups shall be maintained off-site and rotated weekly.
- An ITCS staff member shall review all server backup logs daily and will record the status of backups on a daily checklist.
- At least once a month, a member of the ITCS staff will perform a random test restoration of data from backup media in order to ensure the integrity of the backups. The rotation schedule will be such that backup media from each server are tested at least once a quarter.
- For automated backups, a backup user will be created. Backups will not be performed under the Administrator account.
- A record of backups will be kept by ITCS for review.

Backups of data must be handled with the same security precautions as the data itself. When systems are disposed of, or repurposed, data must be certified deleted or disks destroyed consistent with industry best practices for the security level of the data.

E. Disaster Recovery and Emergency Mode Operation Plans

The Tioga County Emergency Management Office maintains a County-wide disaster recovery document, known as a Continuity Of Operations Plan (COOP.) The COOP plan covers key elements of physical disaster recovery operations for County departments including:

- How the department will conduct business during an emergency.
- The key resources that are required for emergency operations and enumerate how those resources will be provided.
- The backup location(s) where the department will conduct operations.
- How the department will contact key personnel in an emergency.
- How the department will disseminate information during an emergency.
- Enumerating a timeline for the reconstruction of normal operations

The ITCS Department maintains a Data Disaster Recovery Plan that addresses the following IT and data-specific disaster needs:

- Identifying the configurations of key County IT infrastructure.

- Enumerating and ranking the most likely failures or disasters that can occur.
- Documenting action plans for mitigating the identified potential disasters.

The Director of ITCS will be provided with a County-wide master key that allows access to all facilities with IT assets that may require physical access or intervention by an IT staff member.

F. Disaster Testing and Revision Procedure

Tioga County shall establish a Data Disaster Recovery Workgroup consisting of, at minimum, representative(s) from ITCS, the Information Security Officer, and representative(s) from the Emergency Management Office. This group shall annually conduct a review, with key departments, of the processes the County intends to follow in a disaster. This group is responsible for annual testing and review of the Data Disaster Recovery Plan no later than March 15th. A report of the testing and review, along with recommended remediation shall be presented to the County Legislature no later than June 30th. The group is responsible for ensuring that all remediation is performed no later than December 31st annually.

During testing of the Data Disaster Recovery Plan, the Data Disaster Recovery Workgroup will annually review processes and procedures taking into consideration the relative importance of critical systems and data.

G. Determining Data Criticality

Tioga County shall have a formal process for defining and identifying the criticality of its computing systems and the data contained within them. The responsibility for this process lies with the Disaster Recovery Workgroup. The prioritization of Tioga County information systems must be based on an analysis of the impact to Tioga County services, processes, and business objectives if disasters or emergencies cause specific information systems to be unavailable for particular periods of time. The criticality analysis must be conducted with the cooperation of the Legislature, department heads, and owners of Tioga County information systems and business processes. The criticality analysis must be conducted as part of the annual disaster testing and revision procedures

At a minimum, this process will include:

- Creating an inventory of interdependent systems and their dependencies.
- Documenting the criticality of Tioga County's information systems (e.g. impact on users of Tioga County services).
- Identifying and documenting the impact to Tioga County services, if specific Tioga County information systems are unavailable for different periods of time (e.g. 1 hour, 1 day).
- Identifying the maximum time periods that County computing systems can be unavailable.

- Prioritizing County computing system components according to their criticality to the County's ability to function at normal levels.

H. Critical Systems, Applications and Data

1. General

During an emergency, operations and data should be restored within 72 hours.

ITCS will utilize the following classifications and definitions to identify other critical systems, application and data:

a) Safety Critical Systems & Applications (SCS)

A Safety Critical System or application is a computer, electronic or electromechanical system whose failure may cause injury or death to human beings. Downtime is unacceptable and appropriate measures, such as redundant systems are required.

During an emergency, these systems will receive the highest priority and will be restored as quickly as possible.

These systems shall maintain uptime of 99.7% or better.

b) Mission Critical Systems & Applications (MCS)

A computer, electronic, or electromechanical system whose failure would cause grave financial consequences is considered to be a *Mission Critical System or Application*.

Downtime during general business operations is unacceptable. However, downtime during an emergency or disaster is acceptable if the system resumes operations within a period of 48 hours after the emergency is over.

These systems shall maintain uptime of 99% or better.

c) Core Systems & Applications (CS)

A computer, electronic, or electromechanical system whose failure would cause operational difficulties, increased workload, and inconvenience to staff and clients.

These systems shall maintain uptime of 98% or better.

d) Standard Systems and Applications (SS)

During an emergency, standard systems and applications should be restored within 96 hours.

2. Emergency Access Procedures for Critical Systems and Data

ITCS shall maintain a database of all applications in use by Tioga County employees and rate the applications according the priority of restoration that will be required in the case of a disaster or interruption of operations.

Table of County Systems and Classifications

Type of System	System or Application
Safety Critical Systems (SCS)	911 Center Telephone Systems and Radio System
Mission Critical Systems (MCS)	I5 Series, Accounting and Financial Systems, Core Network Equipment
Core Systems (CS)	Infrastructure devices and systems
Standard Systems	County File Servers

I. Maintenance Windows

ITCS requires a maintenance window on all equipment that it maintains. The maintenance window will be in keeping with the system uptime standards. Routine maintenance will be announced and coordinated with the affected department.

J. Access Control

1. Unique User Identification

Each User shall be assigned their own unique user-ID. This user-ID follows an individual as they move through the County. It shall be permanently decommissioned when a user leaves Tioga County; re-use of user-IDs is not permitted. User-IDs and related passwords must not be shared with any other individuals (Users should instead utilize other mechanisms for sharing information such as electronic mail, shared folders, etc.). User-IDs are linked to specific people, and are not associated with computer terminals, departments, or job titles. Anonymous user-IDs (such as *guest*) are not permitted.

2. Encryption and Decryption

High Risk data must be encrypted whenever being transported outside of County facilities on removable media.

K. Audit Controls

All County file servers and core network devices such as firewalls and routers shall have logging enabled and the logs shall be sent to a central log server maintained by ITCS. At a minimum, the following types of events shall be logged:

- Logon/Logoff Events
- Account Lockouts
- Logon/Logoff Exceptions
- Authority and Permission Changes
- Privilege use and elevation.

ITCS shall monitor the logs daily and will immediately report anomalous behavior to the Information Security Officer.

L. Data Transmission & Encryption Policy

High Risk and Confidential data must be encrypted during transmission over non-secure channels, abiding by the following definitions and conditions:

- A non-secure channel is defined as any public network, including but not limited to the Internet.
- The Public Switched Telephone Network is considered to be a secure medium (i.e. faxing and telephone calls on a landline).
- Tioga County Employees are not permitted to encrypt or apply passwords to data unless it is for the purpose of transmission over a non-secured channel.

Tioga County ITCS will provide services and training to end users for the secure, encrypted transmission of data and will provide detailed documentation for these services to County employees.

M. Information Retention

County Information Assets, including archival backups, must be retained in accordance with applicable federal and state statute, including the *Records Retention and Disposition Schedule CO-2, Section 185.13, 8NYCRR (Appendix J)*. Where permitted by statute, documents will be scanned, indexed, and retained in electronic format as a substitute for original documents. Document imaging will be performed in accordance with the *New York State Archives Imaging Production Guidelines (2014)*.

N. Security Training

Annual Security Training (as referenced in section V(E)) shall be performed by members or designees of the ITCS department. ITCS shall maintain responsibility for the content and coordination of these training sessions each year.

VII. Audience – Information Security Officer

The County shall appoint an Information Security Officer (not a member of ITCS) who is responsible for implementing and monitoring a consistent data security program. The Information Security officer shall:

- Review the Information Security Policy on an annual basis for both accuracy and to ensure continued HIPAA compliance. If changes in policy are necessary, those changes shall be submitted for review and approval by the Legislature with the report.
- Coordinate an annual Risk Assessment that may be conducted by an external consultant. The Risk Assessment will review current security policies, the County's

compliance therewith and identify any deficiencies. The results of the Risk Assessment will be used to create a Risk Assessment Report that shall be submitted to the Legislature for review and approval. The assessment will be conducted annually in January and results will be presented to the Tioga County Legislature on or about March 1st of each year.

- Create a *Risk Mitigation and Management Plan* from the results of the Risk Assessment and present to the Legislature for review on or about April 1st. This plan will suggest remedies and solutions for deficiencies identified in the Risk Assessment. These deficiencies will be remedied or a Legislature-approved plan prepared to address the deficiency by, on or about July 1st of each year. The Information Security Officer is responsible for ensuring that risk mitigation is assigned to appropriate parties and completed within a reasonable amount of time.
- Take responsibility for the prevention, detection, containment, correction and any and all reporting protocols, including any applicable statutes.
- Participate in tabletop Emergency Response exercises as outlined in this policy.
- Work with the County Attorney to investigate information security breaches; ensure compliance with any and all reporting protocols required by the applicable statutes, rules and regulations and County policies; ensure that corrective measures and procedures to prevent, detect and contain future information security breaches are implemented. Monitor information security activities and oversee the application of specified security procedures.
- Assist personnel in assessing data to determine classification level.
- Ensure the County conducts annual information security training for all departments.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 238-15 AMEND COUNTY POLICY 44;
NON-UNION BENEFITS

WHEREAS: County Policy 44 outlines various benefits available to Non-Union employees; and

WHEREAS: Changes are planned for 2016 in a couple of areas; therefore be it

RESOLVED: That effective January 1, 2016, the following changes shall take effect:

SECTION 2-C: SICK TIME

BULLET #1 shall be changed as follows:

Maximum number of sick days to be increased from 216 to 262.

BULLET #6 shall be changed as follows:

Upon retirement directly into the NYS Employee's Retirement System, a portion of an employee's accumulated unused sick days may be counted as additional service credit, in accordance with Section 41j of the Retirement Law.

SECTION 3: LEAVES OF ABSENCE

PARAGRAPH THREE shall be changed as follows:

Leaves of more than 60 working days require approval of the Legislative Committee, in accordance with Tioga County Policy 1.

SECTION 5: HEALTH & DENTAL INSURANCE

PARAGRAPH TWO shall be changed as follows:

Also, employees who wish to change from Individual to Family coverage must also wait for said open enrollment periods.

ALSO, the Employee Contributions table shall be changed as follows:

2016 Employee Contributions (% of Premium)

Legislators	12½%
Full-time hired prior to 1/1/09	15%
Full-time hired after 1/1/09	15%
4 day/week Attorneys	15%
Part-time Attorneys	20%

SECTION 8: EMPLOYEE ASSISTANCE PROGRAM (EAP)

The phone number shall be changed to: 1-800-327-2255

And be it further

RESOLVED: That a new Section 2A.i be added as follows:

i. Vacation Sell-Back:

Full-time employees who have been employed full-time by Tioga County for at least 10 consecutive years may sell-back Vacation days in accordance with the following parameters:

- a maximum of 5 days of Vacation may be sold back per budget year
- a balance of at least 10 days of Vacation must exist after the sell-back occurs; if a Vacation balance of at least 10 days does not exist at the time the pay-out occurs, the sell-back is nullified and the pay-out will not occur;
- an employee must notify their Department Head (in the case of a Department Head selling back time, they notify the Chair of the Legislature) of their intent to sell-back Vacation days and how many by August 1 using the prescribed form; pay-out for the time will occur the following January in the second paycheck issued;
- an employee whose anniversary date falls between August 1 and January 1 may submit a notice in anticipation of Vacation time being received prior to the January pay-out;

and be it further

RESOLVED: That the remainder of Policy 44 is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 239-15 *CONTRACT WITH EXCELLUS BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County including a Medicare Blue PPO plan; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2016 through December 31, 2016; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2016 through December 31, 2016.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 240-15 *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The administration cost will be \$4.45 per participant per month for any employees enrolled in the flexible spending and \$4.45 per participant per month for any employees enrolled in the health reimbursement account; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2016 through December 31, 2016; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2016 through December 31, 2016; and be it further
RESOLVED: That in compliance with Federal Health Care Reform the new maximum annual pledge for the medical flexible spending portion is \$2,550 for the period of January 1, 2016 through December 31, 2016.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 241-15 *CONTRACT WITH EMPLOYEE NETWORK, INC. (ENI)
FOR EMPLOYEE ASSISTANCE
PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to continue providing Tioga County's EAP for 2016 at the current rate of \$1.45/per covered employee per month; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.45/per covered employee per month effective January 1, 2016 through December 31, 2016.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO:

LEGAL/FINANCE

RESOLUTION NO. 242-15

*AUTHORIZE EXECUTION OF
COOPERATIVE AGREEMENTS
BETWEEN THE LAW DEPARTMENT,
ITCS, PUBLIC HEALTH, DSS,
AND MENTAL HYGIENE*

WHEREAS: Tioga County is implementing a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department, ITCS, DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Cooperative Agreements between the Law Department, ITCS and DSS shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:23 P.M.