

Agenda



TIOGA COUNTY LEGISLATURE

1/10/2017

12:00 PM

EDWARD D. HUBBARD AUDITORIUM
 RONALD E. DOUGHERTY COUNTY OFFICE BUILDING
 56 Main Street
 Owego NY 13827

Meeting called by: Chair Martha Sauerbrey

Type of meeting: 1st Regular

Attendees:
 Legislator Hollenbeck
 Legislator Huttleston
 Legislator Monell
 Legislator Mullen
 Legislator Roberts
 Chair/Legislator Sauerbrey
 Legislator Standing
 Legislator Sullivan
 Legislator Weston

Agenda topics

<p>Invocation Pledge of Allegiance Recognition Resolution (1) Proclamation (2) Privilege of the Floor Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments STANDING COMMITTEES-2017</p>	<p>Legislator Hollenbeck Legislator Hollenbeck Recognition Marilyn Reynolds Public Health Newark Valley Football Team National Radon Action Month December 7 and 13, 2016 Cornell Cooperative Extension – Legislator Standing – 1 year term 2017</p>	
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Reports Standing/Special Committees		
RESOLUTIONS:	<ol style="list-style-type: none">1. Authorization to enter into an agreement with Taylor Garbage to accept household electronic waste from Tioga County residents2. Re-Appoint Member to the Tioga County Planning Board3. Re-Appoint Member to the Tioga County Planning Board4. Appoint Member to the Tioga County Industrial Development Agency (TCIDA)5. Award Bid for Emergency Gaseous Power Generator6. Award Bid for Radio Communication Tower (Candor Tower)7. Award Design Services to Delta Engineers for Diamond Valley Road BIN 22190108. Award Design Services to Delta Engineers for Diamond Valley Road BIN 33355409. Amend Budget and Transfer Funds Public Works10. Authorization to Renew Contract with Trane to service chillers at PSB and HHS11. Authorizing the Implementation and Funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs of a transportation Federal-Aid Project and appropriating funds12. Amend Budget Public Works13. Erroneous Assessment Town of Candor	

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -17

RECOGNITION OF
MARILYN REYNOLDS' 17 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT

WHEREAS: Marilyn Reynolds was appointed to the position of Supervising Public Health Nurse on December 6, 1999, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: In 2009 Marilyn was honored as the Public Health Team Member of the Quarter by her peers in Public Health; and

WHEREAS: In March of 2016, Marilyn was included in the New York State 'Public Health Works!' Honor Roll, which is a significant recognition from the New York State Department of Health; and

WHEREAS: Marilyn has worked tirelessly for the benefit of the citizens of this county, particularly in the areas of preventing lead poisoning in children and the importance of infant and adult immunizations; and

WHEREAS: Marilyn Reynolds has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during her 17 years in the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County, as well as within the New York State Department of Health; and

WHEREAS: Mrs. Reynolds will retire on January 28, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Marilyn Reynolds for her over 17 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the accomplishments of the Newark Valley Football team as they won their first Class C State Championship on Friday, November 25, 2016 at the Carrier Dome in Syracuse against Ogdensburg, 39 – 34; and

WHEREAS: The Newark Valley Football Team members are: Tyler Beebe, Jake Payne, Chad Wright, Dakota Frank, David Crow, Brett Stewart, Aj Coleman, Damon Rosalez, Colin Hills, Codi Boda, Justin Shutts, Ryan Crispell, Shawn Key, Justin Post, Quartus Steika, Patrick Stewart, Thomas Davey, Shayne Bickham, Hunter Hoffmier, Derek Short, Trevor Gerdus, Cody Hatton, Mike Walburn, Lane Carrier, Hendrix Welfel, Dale Folejewski, Jesse Brito, Trentyn Rupert, Evan Engelhard, Aaron Gorsline, Darin Walker. This football team was lead to victory under the leadership of: Head Coach Brian Sherwood; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Newark Valley Football Team for its accomplishments of winning the First Class C State Championship, Go Cardinals!!!

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: Radon is the leading cause of lung cancer deaths among nonsmokers in America and claims the lives of about 21,000 Americans each year; and

WHEREAS: You can't see, smell or taste radon, but it could be present at a dangerous level in your home; and

WHEREAS: Radon is constantly being generated by the radium in rocks, soil, water and materials derived from rocks and soils, such as certain building materials; and

WHEREAS: The Environmental Protection Agency (EPA) and the U.S. Surgeon General urge all Americans to protect their health by testing their homes, schools and other buildings for radon; and

WHEREAS: Exposure to radon is a preventable health risk and testing radon levels in your home can help prevent unnecessary exposure; and

WHEREAS: Radon can get into buildings by cracks in solid floors and walls, construction joints, gaps in suspended floors, gaps around service pipes, cavities inside walls or the water supply; and

WHEREAS: For more information on radon, call the New York State Department of Health at 518-402-7556 or email radon@health.ny.gov; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of January 2017 as:

NATIONAL RADON ACTION MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of radon testing.

**STANDING COMMITTEES OF THE COUNTY
LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2017**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Mullen	Standing
2. Economic Development/ Planning/ Tourism/ Agriculture	Weston	Roberts	Hollenbeck	Mullen
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	Roberts	Monell	Huttleston
5. Legislative Worksessions/Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standing	Sullivan	Mullen	Monell
7. Public Safety/ Probation & DWI	Mullen	Hollenbeck	Weston	Standing
8. Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9. Personnel/ADA	Hollenbeck	Monell	Weston	Standing

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH TAYLOR GARBAGE TO ACCEPT HOUSEHOLD ELECTRONIC WASTE FROM TIOGA COUNTY RESIDENTS

WHEREAS: In January of 2015, New York State banned consumers from disposing of certain types of electronic waste in landfills, waste-to-energy facilities, in the trash, or at curbside for trash pickup; and

WHEREAS: Due to this ban, Taylor Garbage stopped accepting electronic waste for recycling at their transfer station in Owego; and

WHEREAS: The Department of Solid Waste has an electronic waste recycling outlet for residents through their Household Hazardous Waste program; however, residents must transport the waste to the Broome County Landfill; and

WHEREAS: The Department of Solid Waste would like to enter into an agreement with Taylor Garbage where Tioga County residents can drop off their electronic waste; and

WHEREAS: The Department of Solid Waste will pay for the recycling costs for household electronic waste brought to Taylor Garbage's transfer station located at 352 Glen Mary Drive, Owego, NY; therefore be it

RESOLVED: That the Tioga County Legislature authorizes an agreement between Tioga County and Taylor Garbage for electronic waste; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the said agreement upon its approval by the County Attorney.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -17

RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD

WHEREAS: Doug Chrzanowski's position on the Tioga County Planning Board representing the Town of Tioga expired on 12/31/2016; and

WHEREAS: The Tioga Town Board has nominated Doug Chrzanowski to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Doug Chrzanowski to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -17

RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD

WHEREAS: Grady Updyke's position on the Tioga County Planning Board representing the Town of Barton expired on 12/31/2016; and

WHEREAS: The Barton Town Board has nominated Grady Updyke to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Grady Updyke to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -17 APPOINT MEMBER TO THE TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Jan Nolis has resigned from the Tioga County Industrial Development Agency Board of Directors effective December 7, 2016; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Jenny Ceccherelli has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jan Nolis for her loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Jenny Ceccherelli to replace Jan Nolis's position on the Tioga County Industrial Development Agency Board of Directors effective January 10, 2017.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -17 AWARD BID FOR EMERGENCY
GASEOUS POWER GENERATOR

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for emergency gaseous power generator; and

WHEREAS: The Tioga County Bureau of Fire received a sealed bid on December 21, 2016 and the only bid came in as follows:

Cummins Northeast LLC	\$52,500.00
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And

WHEREAS: Blue Wing Services Inc. has determined that Cummins Northeast, LLC is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to Cummins Northeast, LLC the lowest responsible bidder in material and substantial compliance with the bid specifications for \$52,500.00.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -17 AWARD BID FOR RADIO COMMUNICATION
TOWER
(CANDOR TOWER)

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for Radio Communication Tower; and

WHEREAS: The Tioga County Bureau of Fire received a sealed bid on December 21, 2016 and the only, timely, bid came in as follows:

Sabre Communications Corporation \$88,334.00

And

WHEREAS: Two additional bids were received several hours after the time of bid opening; and

WHEREAS: Blue Wing Services Inc. has determined that Sabre Communications Corporation is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to Sabre Communications Corporation, the lowest responsible bidder in material and substantial compliance with the bid specifications, for \$88,334.00.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR DIAMOND
VALLEY ROAD BIN 2219010

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

WHEREAS: The Diamond Valley Road Bridge BIN 2219010 is a bridge that needs repair due to a NYSDOT Bridge inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$16,660; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Diamond Valley Rd. Bridge BIN 2219010 for Delta Engineers not to exceed \$16,660 to be paid out of the Diamond Valley Road (BIN 2219010) account H5110 540002 H1707.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR DIAMOND
VALLEY ROAD BIN 3335540

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

WHEREAS: The Diamond Valley Road Bridge BIN 3335540 is a bridge in the bond program; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$57,724; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Diamond Valley Rd. Bridge BIN 3335540 for Delta Engineers not to exceed \$57,724 to be paid out of the Diamond Valley Road (BIN 3335540) account H5110 540002 H1704.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17 AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has deemed that Bridge Projects funded through the Bond Act for 2017 need to be revised from originally submitted 2017 Budget; and

WHEREAS: Oak Hill Road Bridge (BIN 3334940) and Owl Creek Road Bridge (BIN 2218900) will have work done to them through the Bridge Preventive Maintenance Program and those funds are needed for Diamond Valley Road Bridge (BIN 2219010); and

WHEREAS: Public Works Committee has decided not to rehabilitate West Creek Road Bridge (BIN 3335200) and those funds are needed for Diamond Valley Road Bridge (BIN 3335540); and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:		
H5110 540002 H1503	Oak Hill Rd Bridge 3334940	\$ 94,000
H5110 540002 H1705	West Creek Rd Bridge 3335200	\$500,000
H5110 540002 H1706	Owl Creek Rd Bridge 2218900	\$100,000

To:		
H5110 540002 H1704	Diamond Valley Rd Bridge 3335540	\$500,000
H5110 540002 H1707	Diamond Valley Rd Bridge 2219010	\$194,000

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

AUTHORIZATION TO RENEW
CONTRACT WITH TRANE TO SERVICE
CHILLERS AT PSB AND HHS

WHEREAS: Tioga County uses the services of Trane to maintain and service the chillers at the Public Safety Building and the HHS Building. This agreement includes parts and labor for annual planned maintenance; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute a three year contract with Trane, upon approval by the County Attorney, renewable every year, with the initial first year cost to be \$13,453, with successive year costs to be adjusted annually based on changes in the cost of service.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Day Hollow Road over Foster Creek Bridge Rehabilitation, PIN 9754.14 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Design (Phases 1-4) and Right of Way Incidentals work; now therefore be it

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

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Design (Phases 1-4) and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$57,000 is hereby appropriated from Day Hollow Bridge account H5110 540004 H1606 and made available to cover the costs of participation in the above phases of the Project; and it is further

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

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation

in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED: That this resolution shall take effect immediately.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -17 AMEND BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a bridge project, Day Hollow Road over Foster Creek BIN 3335360; and

WHEREAS: Preliminary design and ROW incidentals have been approved by the New York State Department of Transportation for the amount of \$57,000, in which 80% of Federal Funds and 20% State Funds will be reimbursed to Tioga County; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That revenue accounts be established as follows:

H5110 445020 H1606	Federal Revenue for BIN 3335360	\$45,600
H5110 435020 H1606	State Revenue for BIN 3335360	\$11,400

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -17

ERRONEOUS ASSESSMENT
TOWN OF CANDOR

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #1842 in the Town of Candor assessed to Weisz, Stephen & Marjorie L. on the 2017 tax roll of the Town of Candor is erroneous in that the Veterans exemptions were removed in error and the correct taxable value for town and county purposes should be \$279,860; be it therefore

RESOLVED: That a new bill be issued to Weisz, Stephen & Marjorie L. by the Town of Candor Tax Collector as follows:

	<u>Original Bill #2663</u>	<u>Corrected Bill #2663</u>
County	\$ 2,607.90	\$ 2,404.76
Recycle	120.47	111.09
Town Wide	1,427.18	1,316.02
Part Town	373.14	344.07
Candor Fire	<u>504.56</u>	<u>504.56</u>
	\$ 5,033.25	\$ 4,680.50

And be it further

RESOLVED: That the erroneous town tax of \$140.23 be charged back to the Town of Candor; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 9.38 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 203.14 be charged to the proper account in the records of the County Treasurer.