

Second Regular Meeting
February 14, 2017

The Second Regular Meeting of 2017 was held on February 14, 2017 and was called to order by the Chair at 12:04 P.M. Eight Legislative members were present, Legislator Weston being absent.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "This is quite a crew. I will give you a little sideline. When I was in Greene and played football, basketball and baseball, Chenango Forks and Newark Valley only had an 8 man football team and this was back in the late 40s and early 50s. Greene and Oxford had an 11 football team. Thanks for coming.

"Let us pray. This meeting and special occasion is a wonderful example of democracy, which many countries are unable to enjoy. It is great to be an American and we are so lucky and blessed to live in a great caring and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let's take the time to thank the many people and military forces from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our current leaders and military forces that are making many sacrifices to ensure and protect our freedom. Let us pray that all countries and all people will someday be able to live in peace and the entire world will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to bless this Legislative body, the department heads and employees and PS the Newark Valley football team."

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

There were approximately 52 people in attendance.

Chair Sauerbrey announced that the Coach of the Newark Valley Football Team and some of the football members are present today to receive the Proclamation that was officially recognized at the January 10, 2017 Legislative meeting.

Legislator Hollenbeck read and presented the Proclamation to Coach Brian Sherwood.

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!!!

Legislator Hollenbeck spoke. "One side note before I let Coach Sherwood speak. The Class C Allstate players that were named were David Crow, Trentyn Rupert, AJ Coleman, Jake Payne, Brett Stewart, and Aaron Gorsline."

Coach Brian Sherwood spoke. "I would like to send a special thanks to the Tioga County Legislature for honoring our team in such a room and such a presentation. It is just a great opportunity for these 15, 16, 17 and 18 year old boys to be a part of this. A special thanks goes out to other coaches on the staff, Ted Arnstein, Scott Wandel, and also to our administration for the support

that they do give our athletic program and our academic achievement at Newark Valley. We are very honored to be here today and I thank you."

Chair Sauerbrey noted that we have four recognition resolutions this month. The recognition resolutions for Richard LeCount, Director of Emergency Management, Jill Worthington, Senior Clinical Social Worker for Mental Hygiene, and William Dimmick, Tioga County Planning Board member will just be noted.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 25-17

*RESOLUTION RECOGNIZING
RICHARD LECOUNT'S
43 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Richard LeCount was appointed as part-time Deputy Director of Civil Defense on 3/1/74; part-time Civil Defense Director on 7/8/87; and appointed part-time Director of Emergency Preparedness on 5/16/07; and

WHEREAS: Richard LeCount has been dedicated and loyal in the performance of his duties and responsibilities during the past 43 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Richard LeCount will retire from the Tioga County Emergency Management Office on February 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 Richard LeCount for his more than 43 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, Richard LeCount.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

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

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 26-17 *RECOGNITION OF
JILL A. WORTHINGTON'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Jill A. Worthington was appointed to the position of Clinical Social Worker on May 20, 1996, and promoted to Senior Clinical Social Worker in 2002, with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Jill A. Worthington has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Worthington will retire on February 25, 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 Jill A. Worthington for her over 20 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, Jill A. Worthington.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

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

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 27-17

*RESOLUTION RECOGNIZING
WILLIAM DIMMICK III
14 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: William Dimmick III was appointed to the position of Board Member of the Tioga County Planning Board on 3/11/2003; and

WHEREAS: William Dimmick III served as the Village of Waverly representative on the Tioga County Planning Board from 3/11/03 to 1/18/17; and

WHEREAS: William Dimmick III has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 14 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William Dimmick III has resigned from the Tioga County Planning Board on January 18, 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 William Dimmick III for his 14 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 volunteer, William Dimmick III.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey read and presented the following recognition resolution to William Strong.

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

RESOLUTION NO. 28-17

*RECOGNITION RESOLUTION
RECOGNIZING WILLIAM STRONG*

WHEREAS: William Strong has been an active member of the Tioga County Fair Board for 43 years and the Holstein Association for 54 years; and

WHEREAS: Mr. Strong started out working for Veterinarian Dr. Eugene Kemp, moved on to be an independent artificial inseminator locally, worked as a livestock nutritionalist and product salesman for Vigortone, worked as a milk tester for DHIA, then returned to livestock nutrition and product sales for Ration Maker and currently is a livestock nutritionist and product sales with Treaty Mills; and

WHEREAS: Over the course of many years Mr. Strong has been involved in buying and selling cattle and was responsible for the large cattle barn judging and sales and is now stepping down from the Tioga County Fair Board; 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 and recognize William (Bill) Strong for his years of dedicated service to Tioga County by serving on the Tioga County Fair Board; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to William (Bill) Strong.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

John Schumacher spoke. “We had to lie a little bit to get him here this morning. It came down to the wire, but we just wanted to recognize him for all the years that he has been involved with the Fair, Agricultural Community. If you guys have got cattle, any kind of agriculture products out there and have run across the Strong name over the years, whether it be Bill or the rest of the family, you are missing something and especially in the rural part of Tioga County. We wanted to recognize him in some way. If you have ever been down to the Fair over the years or involved in stuff, you always see him down there on a stool usually chewing somebody out or complaining about something, but we get through it. He has told me he is going to retire every year that I have seen him, so I think officially he did it this year.

“We just wanted to bring him out here so the rest of the people could see. I am sure he will not go away. Everybody goes on 17C going West you see all the Alpacas on the left going through Tioga Center, those are all his. I got the Alpaca socks on. I just wanted to say thank you to him for all of his years and his family. There are a whole bunch of members of the Fair Board that he has been involved with over the years.”

Charles Truman spoke. “I just wanted to say that I am not sure if I was the straw that broke the camel’s back in his tenure because I have only known him for three years. He had 40 years in before he even saw me and after doing business with me for three years and mentoring me I think he gave up the ghost and said there is no help for Truman, I am going to move on to another job. It has been a pleasure to have worked with Bill. He has been a great help and just because he retired does not mean that I won’t be picking up the phone and calling him on a regular basis because he is that kind of a mentor. He is a great guy to do business with.”

Legislator Standinger read and presented the following Proclamation on Heart Healthy Month to Lisa McCafferty, Public Health Director. "For the record I want to commend the Newark Valley Team since I also represent that Town. It was a pleasure to see them here."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Heart disease is the nation's number one and most expensive cause of death and is credited for 1 in 3 deaths in Tioga County; and

WHEREAS: Without intervention heart disease rates will increase and the American Heart Association estimates 40% of Americans will have cardiovascular disease by 2030; and

WHEREAS: Almost 50 % of Americans have at least one risk factor for heart disease which includes diabetes, being overweight, poor diet, physical inactivity and excessive alcohol use; and

WHEREAS: The American Heart Association promotes preventing heart disease by eating smart, adding color in your diet with fruits and vegetables, move more and be well by managing stress; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby proclaim the month of February 2017 as

HEART HEALTHY MONTH

and encourages all residents to consider lifestyle changes that can reduce the risk of heart disease.

Legislator Standinger spoke. "The bottom line is heart disease is a pretty significant problem and with the help of our Director here, Lisa McCafferty we will try and minimize the deaths associated with it."

Lisa McCafferty, Public Health Director spoke. "Thank you very much. I guess I will sum it up by saying if you take care of your heart it will take care of you. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of January 5 and 10, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey abolished the following committees:

Financial Management & Accounting System (FMAS)
 Financial Management & Accounting System (FMAS) Executive Team
 Financial Management & Accounting System (FMAS) Project Team
 Financial Management & Accounting System (FMAS) Subject Matter
 Experts
 Financial Management & Accounting System (FMAS) Technical Team
 Financial Management & Accounting System (FMAS) County Change
 Management Team

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

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 29-17 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A
 PRINTER FOR THE ECONOMIC DEVELOPMENT &
 PLANNING OFFICE*

WHEREAS: The Economic Development & Planning Department has a printer that is in need of replacement; and

WHEREAS: The Information Technology Department has recommended replacement: and

WHEREAS: The Economic Development and Planning printer expense account A6422-520220 has no funds available at this time; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the printer for the Economic Development and Planning Department and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$256.90

To: ED&P Account A6422 - 520220 \$256.90

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 30-17 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: New York State Department of Health has awarded Tioga County Public Health additional grant funds toward Rabies Prevention; and

WHEREAS: The funding is specifically designated for the purchase of Rabies Prevention related items; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4090 434012 State Aid: Environmental Health \$1,945

To: A4090 540080 Environmental Health: Clinic \$1,945

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 31-17 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 project, Pennsylvania Avenue Pavement Rehabilitation PIN 9754.16; and

WHEREAS: Construction and Construction Supervision and Inspection have been approved by the New York State Department of Transportation for the amount of \$925,000, in which 80% of Federal Funds will be reimbursed to Tioga County; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That expense and revenue accounts are established as follows:

H5110 540001 H1708	Pennsylvania Avenue Pavement Rehabilitation	\$925,000
H5110 445021 H1708	Federal Revenue for PIN 9754.16	\$740,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 32-17 FUND CAPITAL RESERVE ACCOUNTS

WHEREAS: The Tioga County Legislature recognizes the importance of County Capital Infrastructure, Equipment, Computer Software and Hardware enhancements, and established funds for such needs in Resolutions No. 320-13 and No. 119-13; and

WHEREAS: The Tioga County Legislature would like to replenish the depleted Capital Reserves through funds it received from the initial Gaming Casino Revenue due the host county for the Tioga Downs Casino, therefore be it

RESOLVED: That the Tioga County Treasurer transfer payment of \$1,000,000.00 for Game of Chance Revenue receipted into the General Operating Fund in account A1325 425300 on 12/29/2016 to the Capital Fund; and be it further

RESOLVED: That the Tioga County Treasurer funds the "Computer Hardware Reserve Fund" with \$100,000.00 and the "Land, Equipment, and Infrastructure Reserve Fund" with \$900,000.00 as follows:

FROM: A1340 425300 Game of Chance Revenue	\$1,000,000.00
TO: A9950.93-715 Transfer to Capital Fund	\$1,000,000.00
From: H5031.00 Interfund Transfer	\$1,000,000.00
TO: H387805 Capital Hardware Reserve	\$100,000.00
TO: H387807 Capital Land, Equipment & Infrastructure Fund	\$900,000.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 33-17 RE-ESTABLISH PRIOR YEAR
CAPITAL PROJECTS

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>Bond Bridge Projects</u>	<u>BIN</u>	<u>Amt to Establish</u>
H5110 54002 H1408 Coddington Rd	3335100	\$ 322,285.44
H5110 54002 H1409 Glenn Road	3335320	\$ 5,000.00
H5110 54002 H1410 Blewer Road	2218580	\$ 15,000.00

Capital Projects Paving & Non Bond Bridge

H5110 540001 H1607	Pave NY	\$ 270,880.57
H5110 435020 H1607	State Aid Pave NY	\$ 270,880.57
H5110 540004 H1606	Day Hollow over Foster Creek	\$ 582,541.61

Capital Equipment

H1621 520923	Standby Generator HHS	\$ 95,497.57
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Capital Other

H1325 520095	FMAS Contracted Services	\$ 48,643.83
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And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 34-17 RE-ESTABLISH PRIOR YEAR
GRANTS FOR HHS

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following HHS accounts and amounts be re-established and the 2017 budget be amended:

MENTAL HEALTH -Reso 83-16 Suicide Coalition Amount to Re-Establish

A4322 540010 Advertising	\$	600.00
A4322 540130 Contracts	\$	100.00
A4322 540360 Meals/Food	\$	56.35
A4322 540485 Printing /Paper	\$	31.68
A4322 540640 Supplies	\$	741.86
A4322 540733 Training	\$	417.00
A4322 427051 Gifts & Donations	\$	1,946.89

PUBLIC HEALTH –Reso 137-16 Tioga Smiles Flouride Varnish Services

A4064 540640 Dental Services -Supplies	\$	4,491.15
A4064 422800 Grants-Community Foundation-Pickert	\$	4,491.15

PUBLIC HEALTH –Reso 135-16 Child Passenger Safety

A4012 540640 Health Education-Supplies	\$	4,950.00
A4012 422800 Grants-Community Foundation-Meltzer	\$	4,950.00

PUBLIC HEALTH –Reso 136-16 Child Passenger Safety

A4012 540640 Health Education-Supplies	\$	3,577.96
A4012 422800 Grants-Community Foundation-Hooker	\$	3,577.96

TRANSPORTATION –Reso 113-16 Mobility Management

A5630 540140 Transportation-Contracting Services	\$	310,298.00	
A 5630 440900 Federal Aid – Transportation	\$	276,042.02	A5630
430900 State Aid –Transportation	\$	34,255.98	

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 35-17 RE-ESTABLISH PRIOR YEAR GRANTS FOR 2017

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2017 budget is amended:

<u>ILS -Reso 41-16 Indigent Legal Services</u>	<u>Amount to Re-Establish</u>
A1173 510010 Full Time Salary	\$ 22,418.96
A1173 510020 Part Time Salary	\$ 24,906.77
A1173 520200 Office Equipment	\$ 1,405.68
A1173 540040 Books	\$ 1,286.09
A1173 540140 Contracting Services	\$ 6,382.01
A1173 540280 Investigations	\$ 2,050.00
A1173 540320 Leased Services/Equipment	\$ 300.00
A1173 540420 Office Supplies	\$ 3,702.21
A1173 540480 Postage	\$ 100.00
A1173 540620 Software	\$ 2,473.27
A1173 540700 Transcripts	\$ 418.00
A1173 540733 Training	\$ 3,206.00
A1173 583088 Social Security	\$ 3,278.84

A1173 584088 Workers Comp	\$	4,860.01
A1173 430260 State Aid Indigent Legal Service	\$	76,755.74

Fire-Reso 41-16 Interoperable Grant

A3415 520230 Radio Equipment	\$	915,538.48
A3415 540140 Contracting Services	\$	235,950.46
A3415 433063 State Aid -Interoperable Grant	\$	1,151,488.84

Emergency Management -Reso 216-16 SHSP 16

A3360 520130 Equipment (not car)	\$	54,625.32
A3360 433566 State Aid SHSP 16	\$	52,500.00
A3360 433565 State Aid SHSP 15	\$	2,125.32

Economic Development-New York Main Street Amount to Re-Establish

CE8510 540487 Program Expenses	\$	197,925.50
CE8510 439900- State Aid NY Main Street Program	\$	197,925.50

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 36-17 *AUTHORIZE MULTI-YEAR PREPAYMENT OF MAINTENANCE AGREEMENTS TO ACHIEVE SAVINGS*

WHEREAS: The County Information Technology and Communication Services department regularly pays multiple service and maintenance contracts annually; and

WHEREAS: The ITCS department has identified cost savings and discounts that are available if the County agrees to pre-pay these support agreements in advance; and

WHEREAS: The ITCS department has identified the following contracts meeting the criteria of eligibility for multi-year cost savings:

- Dell Compellent data storage system
- Barracuda network protection devices
- VMware software
- Cisco network support (SmartNET)
- Computer antivirus software
- Microsoft licensing
- ShoreTel phone system support

therefore be it

RESOLVED: That the Tioga County Legislature authorizes the ITCS Director to engage in multi-year contracts pre-paying these amounts against future budget years for the above-listed items when appropriate to achieve cost savings after review by the County Attorney and when approved as a part of the ITCS annual budget; and be it further

RESOLVED: That the funds for the above contracts are paid from the budget lines A1680 540350, A1680 540620 and A1680 540661 accounts in terms not to exceed a maximum of five years in length; and be it further

RESOLVED: That the ITCS Director shall track the savings achieved for reporting as requested.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 37-17

*ACCEPT INDIGENT LEGAL SERVICES
AWARD AND AMEND BUDGET*

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C600049) in the amount of \$61,902; and

WHEREAS: This funding now needs to be appropriated; and

WHEREAS: Part of this funding in the amount of \$29,518 has already been appropriated in the 2017 budget process, therefore be it

RESOLVED: That the remaining ILS Grant of \$32,384.00 be appropriated and the 2017 Budget be amended as follows:

Expense Account: A 1173 510010 Full Time Salary	\$19,053.00
A 1173 510020 Part Time Salary	\$13,331.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 38-17

*APPLY FOR INDIGENT LEGAL
SERVICES GRANT*

WHEREAS: The New York State Office Of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$61,902 to improve the quality of Indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To partially fund the position of Part Time Paralegal for the Public Defender's Office.
2. To partially fund the position of Family Court Public Defender.
3. To partially fund the on-line research tool for Public Defender's Office.
4. To fund the annual support for the PDCMS system.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 39-17 *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 Tioga County Bridge Maintenance Program – Phase 3 - (FFY 17), PIN 9753.99 (the "Project") is eligible for funding under Title 23 US 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 Engineering and Design (Phases 1 – 4) work;

NOW THEREFORE, the Tioga County Legislature, duly convened does hereby

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 Engineering and Design (Phases 1 – 4) work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$15,000 is hereby appropriated from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby 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 hereby 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 hereby 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 hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 40-17

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 resurfacing of Pennsylvania Avenue from Beach Road to the PA State Line, Town of Owego, Tioga County, PIN 9754.16 (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 Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

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

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

RESOLVED: That the sum of \$925,000 is hereby appropriated from the Pennsylvania Avenue Pavement Rehabilitation account H5110 540001 H1708 and made available to cover the costs of participation in the above phases of the Project; and it is hereby 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 hereby 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 hereby 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 hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 41-17 *AWARD DESIGN SERVICES TO
MCFARLAND JOHNSON FOR
PHASE 3 OF BRIDGE PREVENTATIVE
MAINTENANCE PROJECT PIN 9753.99*

WHEREAS: The Preventative Maintenance Bridge Program has been placed on the FHWA Program and will have several phases; and

WHEREAS: McFarland Johnson, Binghamton NY did the design for Phase I and Phase II for this project; and

WHEREAS: The Commissioner of Public Works received a Phase 3 proposal for design services for this project from McFarland Johnson, Binghamton NY; and

WHEREAS: The proposal for this bridge came in at \$20,299; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract for Phase 3 of the Preventative Maintenance Project to McFarland Johnson, Binghamton NY not to exceed \$20,299 to be paid out of the Bridge Projects Account D5110.540050

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 42-17 *AWARD REPAIR OF THE HVAC UNIT
AT THE RONALD E. DOUGHERTY
COUNTY OFFICE BUILDING*

WHEREAS: Two compressors in the HVAC unit at the Ronald E. Dougherty County Office Building located at 56 Main Street have failed; and

WHEREAS: The Commissioner of Public Works received proposals for the repair of this HVAC unit; and

WHEREAS: The proposals were received as follows:

Trane U.S. Inc.	\$13,443.00
TCR Specialty Contracting Services	\$14,615.00

And

WHEREAS: The Commissioner of Public Works reviewed the proposals and determined that TCR Specialty Contracting Services proposal included new R22 refrigerant gas and was a better warranty; therefore be it

RESOLVED: That the Tioga County Legislature award the repair to TCR Specialty Contracting Services, Owego, NY not to exceed \$14,615.00 to be paid out of A1620 (Org) 540140 (Object).

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 43-17 *URGING NEW YORK STATE TO FUND PROBATION DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND AGENCIES THE FULL COSTS ASSOCIATED WITH RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE.*

WHEREAS: Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS: The Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS: Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS: The Governor's proposal recommends that the violation level offenses of Harassment, 2nd Degree and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Adjustment services, thus adding substantially to the workload of Probation staff; and

WHEREAS: The Governor's proposal recommends Probation Departments provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

WHEREAS: Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS: These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016; and

WHEREAS: Other County Departments and agencies may be similarly affected by the increase in the age of criminal responsibility in areas that range from juvenile detention to community support services, and do not have alternative sources of income to support the cost of additional responsibilities and services, and

WHEREAS: Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS: The funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred; now therefore be it

RESOLVED: As follows:

Section 1. That the Tioga County Legislature insists the State Legislature enact legislation that fully, permanently and unambiguously obligates the State to pay for 100% of all new costs incurred by Probation Departments and other county departments and agencies affected by raising the age of criminal responsibility; and

Section 2. That language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap; and

Section 3. That copies of this resolution be forwarded to Governor Andrew Cuomo, the Senate Majority and Minority Leaders, the Assembly Majority and Minority Leaders, Senator Akshar, Congressman Reed, Independent Democratic Conference Leader, County Legislative Chairs and NYSAC.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 44-17 ERRONEOUS ASSESSMENT
TOWN OF BARTON

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #10863 in the Town of Barton assessed to Baggerly, Phillis on the 2017 tax roll of the Town of Barton is erroneous in that the Exemption 41802 and Exemption 41803 were removed in error and the correct taxable value for town purposes should be \$100,795 and the correct taxable value for county purposes should be \$63,660; be it therefore

RESOLVED: That a new bill be issued to Baggerly, Phillis by the Town of Owego Tax Collector as follows:

	<u>Original Bill #1717</u>	<u>Corrected Bill #1717</u>
County	\$1,076.40	\$ 645.84
Recycle	49.72	29.83
Town Wide	229.41	217.94
Return School	906.15	906.15
Barton Fire	<u>99.56</u>	<u>99.56</u>
	\$2,361.24	\$1,899.32

And be it further

RESOLVED: That the erroneous town tax of \$11.47 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$19.89 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$430.56 be charged to the proper account in the records of the County Treasurer.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Hollenbeck and the changes are as follows:

Correct name is "Phyllis".

The first Resolved should read "Barton" not Owego.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 45-17

*ERRONEOUS ASSESSMENT
TOWN OF TIOGA*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #2347 in the Town of Tioga assessed to Bishop, Travis & Jean Marie on the 2017 tax roll of the Town of Tioga is erroneous in that the mobile home was put on the wrong parcel and the correct taxable value for town and county purposes should be \$600; be it therefore

RESOLVED: That a new bill be issued to Bishop, Travis & Jean Marie by the Town of Tioga Tax Collector as follows:

	<u>Original Bill #172</u>	<u>Corrected Bill #172</u>
County	\$ 196.70	\$ 73.76
Recycle	9.09	3.41
Town Wide	80.53	30.20
Tioga School Return	300.53	112.70
Tioga Fire	<u>24.15</u>	<u>9.06</u>
	\$ 611.00	\$229.13

And be it further

RESOLVED: That the erroneous town tax of \$50.33 be charged back to the Town of Tioga; and be it further

RESOLVED: That the erroneous solid waste tax of \$5.68 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$122.94 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$15.09 be charged back to the Tioga fire FD021; and be it further

RESOLVED: That the erroneous returned school tax of \$187.83 be charged back to the Tioga School District.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 46-17 *ERRONEOUS ASSESSMENT*
TOWN OF NEWARK VALLEY

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #87 in the Town of Newark Valley assessed to Jennison, Dana & Phyllis on the 2017 tax roll of the Town of Newark Valley is erroneous in that the Veterans exemption 41121 was removed in error and the correct taxable value for town and county purposes should be \$62,600; be it therefore

RESOLVED: That a new bill be issued to Jennison, Dana & Phyllis by the Town of Newark Valley Tax Collector as follows:

	<u>Original Bill #170</u>	<u>Corrected Bill #170</u>
County	\$ 873.18	\$ 769.88
Recycle	40.34	35.56
Town Wide	393.79	347.20
Newark Valley Fire	<u>158.95</u>	<u>158.95</u>
	\$ 1,466.26	\$ 1,311.59

And be it further

RESOLVED: That the erroneous town tax of \$46.59 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous solid waste tax of \$4.78 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$103.30 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 47-17 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #12210 in the Town of Owego assessed to Woodruff, Bonnie J on the 2017 tax roll of the Town of Owego is erroneous in that the Mobil home burnt down before 3/1/2016 and the correct taxable value for town and county purposes should be \$58,000; be it therefore

RESOLVED: That a new bill be issued to Woodruff, Bonnie J by the Town of Owego Tax Collector as follows:

	<u>Original Bill #8904</u>	<u>Corrected Bill #8904</u>
County	\$ 690.53	\$ 656.57
Recycle	31.90	30.33
Town Wide	64.92	61.73
Part Town	174.63	166.04
Owego Fire	<u>148.42</u>	<u>141.13</u>
	\$1,110.40	\$1,055.80

And be it further

RESOLVED: That the erroneous town tax of \$11.78 be charged back to the Town of Candor; and be it further

RESOLVED: That the erroneous solid waste tax of \$1.57 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$33.96 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$7.29 be charged back to the Owego Fire.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Hollenbeck and the changes are as follows:

The second Resolved should read "Owego" not Candor.

ROLL CALL VOTE ON AMENDMENT

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

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON AMENDED RESOLUTION

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 48-17 *APPOINT AND EXTEND
YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU*

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 133-16 and terms have expired; now therefore be it

RESOLVED: That the following listed representatives terms be extended as follows:

	<u>TERM</u>
Steve Herbert (Extending Term)	01/01/2017 – 12/31/2020
Katelynn Wahl (Extending Term)	01/01/2017 – 12/31/2020

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE
AG COMMITTEE

RESOLUTION NO. 49-17

*SET PUBLIC HEARING FOR 2017 ANNUAL
AGRICULTURAL DISTRICT INCLUSIONS*

WHEREAS: The Tioga County Legislature, as per resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2017 on February 23rd, 2017 at 10:00 AM in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: AG LEGISLATIVE COMMITTEE
ED&P LEGISLATIVE COMMITTEE

RESOLUTION NO. 50-17 *SET PUBLIC HEARING FOR THE NORTH TIOGA
EIGHT-YEAR AGRICULTURAL DISTRICT REVIEW*

WHEREAS: The Tioga County Legislature is reviewing a proposed plan for continuation with modifications of the North-Tioga Agricultural District, which is comprised of enrolled and proposed new parcels in the Towns of Richford, Berkshire and Newark Valley, as well as the Village of Newark Valley; and

WHEREAS: This review is being conducted pursuant to Article 25-AA of the New York State Agricultural & Markets Law; and

WHEREAS: The proposed plan and map, as recommended by the Tioga County Agriculture & Farmland Protection Board, is available for public inspection at the Clerk of Legislature's Office at 56 Main St. in Owego and the Village of Newark Valley Municipal Building at 9 Park Street in Newark Valley; now therefore be it

RESOLVED: That a public hearing will be held on Wednesday, March 1, 2017 at the Village of Newark Valley Municipal Building, 9 Park Street, at 1:00 p.m. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 51-17

AUTHORIZATION TO SUBMIT APPLICATION TO NEW YORK HOMES AND COMMUNITY FOR FUNDING AND TO ADMINISTER A 2017 NEW YORK MAIN STREET PROGRAM FOR THE 2017 CANDOR DOWNTOWN REVITALIZATION PROGRAM

WHEREAS: Tioga County Economic Development and Planning on behalf of the Village of Candor desires to apply for an amount up to \$300,000.00 in financial assistance through the 2017 Consolidated Funding Application under the 2017 New York Main Street Program; and

WHEREAS: The application proposes funding to assist property owners to complete building renovations to targeted, contiguous downtown "main street" buildings along Main Street in the downtown central business district of the Village of Candor; and

WHEREAS: The proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS: The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality making application and in which the project will be located; and

WHEREAS: The Village of Candor is in support of this application to the 2017 New York Main Street program for revitalization of commercial and residential uses that make up the Main Street area of the Village of Candor; therefore be it

RESOLVED: That the Tioga County Legislature approves and endorses the 2017 New York Main Street Program grant application for up to \$300,000.00 in funding assistance, on behalf of the Village of Candor, to be prepared and submitted by the Tioga County Economic Development and Planning Office and to administer such program.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 52-17 *AWARD NATURAL GAS CONTRACT
TO DIRECT ENERGY*

WHEREAS: Tioga County is a participant with the Municipal Electric and Gas Alliance (MEGA) to obtain better pricing for natural gas supply; and

WHEREAS: The Municipal Electric and Gas Alliance has received bids for natural gas supply and has recommended Direct Energy for our natural gas supplier; therefore be it

RESOLVED: That the Tioga County Legislature award the fixed pricing natural gas supply contract to Direct Energy.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 53-17 *RESOLUTION CALLING ON GOVERNOR ANDREW CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NYS AND CREATE A NYS 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES*

WHEREAS: Counties provide 911 services in NYS by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and

WHEREAS: Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS: These changes are a fundamental shift toward IP based 911 system that is commonly referred to as Next Generation (NG) 911; and

WHEREAS: NG911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

WHEREAS: The majority of states across the country have aggressively begun preparing for NG911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG911 system; and

WHEREAS: NYS has done comparatively little to prepare for NG911 and is facing significant risk in becoming a straggler in the deployment of NG911 technologies; and

WHEREAS: A lag in planning and investment in NG911 places NY citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

WHEREAS: The NYS Public Service Commission (PSC) conducted a telecommunications study on 911 that required the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

WHEREAS: The PSC intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 911 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG911 in NYS, while maintaining their oversight of 911 system affordability and reliability as it pertains to providers of 911 services; and

WHEREAS: A NYS effort to provide coordinated leadership in the area of 911 would be most appropriately empowered to both support the mission of the PSAP's in the state as well as transition the current 911 legacy system to a NG911 system that will better serve its citizens for years to come; and

WHEREAS: Leadership from NYS is crucial to ensure success and to prevent future tragedies related to the 911 network; and

WHEREAS: Counties urge NYS to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAP's via the NYS e-justice system; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew Cuomo, the State Legislature and the DHSES to create a NYS 911 Department that best serves the public interest and supports PSAP's in NYS while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 911 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it further

RESOLVED: That the Tioga County Legislature calls upon the State Legislature and the Governor to enable a State 911 Department that would:

- Provide Funding.
- Issue RFPs and award contracts as necessary to support 911.
- Establish standards for 911.
- Apply for and distribute Federal Grant Funds.
- Coordinate and provide training for 911 directors, supervisors and call takers.
- Provide public education.
- Provide necessary networks to support 911 both in a legacy and NG911 environment.
- Provide a Statewide ESInet to support interoperability within/outside NYS.
- Create, maintain and distribute GIS databases.
- Create and maintain NG911 and other appropriate databases to support 911 efforts.
- Provide and propose appropriate regulations/legislation/tariffs to support 911.

- Represent NYS in efforts to support and advance 911 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC.
- Provide consultative services to PSAP's in NYS in regards to industry trends, products, techniques, and standards.
- Help manage Civil Service exams related to 911 professionals.
- Manage the TERT program.
- Provide legal expertise in 911 related matters; serve as the liaison to 911 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufactures, etc.).
- Provide coordination with the PSC and work closely with them on tariffs, legislation and other business as it pertains to the 911 field.
- Provide for connectivity via the e-justice system to allow ASAP.

And be it further

RESOLVED: That the Tioga County Legislature supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices, including prepaid devices as essential to preserving current resources for 911 services; and be it further,

RESOLVED: That copies of this resolution be sent to the other sixty-one counties of NYS, encouraging other counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the Leadership of the NYS Legislature, the Commissioner of the Division of Homeland Security and Emergency Services, the NYS Association of Counties, the Inter-County Association of Western NY, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 54-17 *RESOLUTION CALLING ON GOVERNOR ANDREW CUOMO AND THE STATE LEGISLATURE TO MORE EQUITABLY AND EFFICIENTLY IMPOSE THE 911 SURCHARGE ON ALL WIRELESS COMMUNICATION DEVICES AND USE REVENUES TO FINANCE LIFE SAVING COUNTY 911 SERVICES*

WHEREAS: The State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones", which, when it was enabled in statute, was intended to fund 911 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

WHEREAS: Despite its access to 911 systems, the "pre-paid" cellular phone industry is currently not contributing resources to support 911 services; and

WHEREAS: NYSAC estimates, using FCC data, that about 1/3 of all cell phones are "pre-paid" and do not pay the \$1.20 state surcharge or the \$0.30 local surcharge; and

WHEREAS: More than 30 states have expanded their 911 surcharge to "pre-paid" phones; and

WHEREAS: The growth of smart phones into the "pre-paid" marketplace in recent years is accelerating and providers are moving away from annual contracts toward "pre-paid" monthly programs; and

WHEREAS: The State's revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, and the majority of these revenues are used by the state for purposes other than 911; and

WHEREAS: Current funding mechanisms do not provide enough funding to address the essential needs of all counties nor the implementation of Next Generation 911; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency communication needs and furthermore authorize

all counties the authority to impose a state surcharge up to a \$1.20 on all wireless devices that are capable of accessing 911 services; and be it further

RESOLVED: That any expansion of the state surcharge to "pre-paid" plans should commensurately authorize local surcharges for the same purpose; and be it further

RESOLVED: That the state should provide optional authority for the local wireless \$.30 surcharge for the eight counties that do not currently impose this surcharge; and be it further

RESOLVED: That copies of this resolution be sent to the other sixty-one counties of NYS, encouraging other counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the Leadership of the NYS Legislature, the Commissioner of the Division of Homeland Security and Emergency Services, the NYS Association of Counties, the Inter-County Association of Western NY, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 55-17 *RETITLE AND AMEND CLASSIFICATIONS WITHIN CLERICAL AND ACCOUNT CLERICAL SERIES PERSONNEL DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: After conducting a review of full-time classifications within the clerical and account clerical series and after providing both notice and appeal rights to department heads and incumbents, the Personnel Officer has determined a need to retitle and amend a number of classifications:

<u>Current title & Allocation</u>	<u>New title</u>
Typist (CSEA SG III)	Office Specialist I
Sr. Typist (CSEA SG IV)	Office Specialist II
Sr. Clerk (CSEA SG IV)	Office Specialist II
Administrative Assistant (CSEA SG VII)	Office Specialist III
Account Clerk-Typist (CSEA SG IV)	Accounting Associate I
Sr. Account Clerk-Typist (CSEA SG V)	Accounting Associate II
Principal Account Clerk (CSEA SG VII)	Accounting Associate III

and

WHEREAS: Salary allocations for the above new titles will remain consistent with the current title's salary allocation and incumbents shall have a continuation of status under civil service laws and rules; therefore be it

RESOLVED: That for the purpose of retitling and amending classifications, the Tioga County Legislature authorizes abolishment of the following full-time titles: Typist, Sr. Typist, Sr. Clerk, Administrative Assistant, Account Clerk-Typist, Sr. Account Clerk-Typist, and Principal Account Clerk and authorizes the creation of the following full-time titles: Office Specialist I (CSEA SG III), Office Specialist II (CSEA SG IV), Office Specialist III (CSEA SG VII), Accounting Associate I (CSEA SG IV), Accounting Associate II (CSEA SG V), and Accounting Associate III (CSEA SG VII) effective February 15, 2017; and be it further

RESOLVED: That a final notification will be provided to department heads and employees impacted by these changes.

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Sullivan and to read as follows:

Change the effective date from February 15, 2017 to "February 18, 2017".

ROLL CALL VOTE ON AMENDED RESOLUTION

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

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 56-17 *STANDARD WORK DAY AND
REPORTING RESOLUTION*

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

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

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
Part-Time Assistant Fire Coordinator	Robert Byrnes	6	9/19/16-12/31/17	N	12.39

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 14th day of February, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 14th day of February, 2017.

Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on February 14, 2017 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:37 P.M.