

Fifth Regular Meeting
May 12, 2009

The Fifth Regular Meeting of 2009 was called to order by the Chair at 1:35 P.M. All Legislative members were present.

Chair Weston asked Legislator Oberbeck to have a moment of prayer. “I would like to ask for a moment of silence to remember our Veterans’ and our Law Enforcement Officials that have been injured or killed in the line of duty.”

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

There were approximately 43 people in attendance.

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

PROCLAMATION

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

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

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

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

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

<u>Name</u>	<u>Department</u>	<u>Years</u>
Robert Manzer	Public Works	35
Richard Lecount	Emergency Preparedness	35
Norma Slocum	Personnel	30
William Ackley	Public Works	30
Margaret Shuler	Public Health	25
Carol Roadcap	DSS	25
Michele Robins	DSS	25
Judith Quigley	Law	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate the week of May 11-15, 2009 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

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

Sheriff Gary Howard presented on Sheriff Corrections Accreditation. “Good afternoon. Today I am pleased to tell you that the Tioga County Jail will be receiving a presentation from the New York State Sheriff’s Association for reaccreditation. This presentation is the result of the hard work of the men and women of the Tioga County Sheriff’s Corrections Facility. The accreditation program consists of over 166 standards of excellence that must be met by the Correction Facility. The period of accreditation lasts for five years and will run from May 13, 2009 to May 12, 2014. This does not mean that the men and women can sit back and wait for the next time we get accredited. This is an ongoing process and we will continue to strive towards that excellence.

“On May 17th a Team consisting of three veteran officers lead by Major James Rose, Jail Superintendent of Livingston County assessed the jail over a three day period. I would like to read the letter he wrote to the New York State Sheriff’s Association.

“This correspondence is dispatched to you to report on the Tioga County Jail Reaccreditation Assessment conducted on March 17, 2009. The assessment team consisted of Major Christopher Lynn, Lieutenant Lisa Heaton, and myself. The assessment began with a briefing with Sheriff Gary Howard and appropriate management staff to include Lieutenant Dave Monell, Jail Superintendent. A facility walk around was conducted and a complete check of the files was conducted. The assessment was completed in total success. The facility looked great. The staff demeanor was magnificent and the files found to be in order and in compliance. There are no issues noted.

“Please find the enclosed compliance sheets for this assessment. Your assessment team wholeheartedly recommends Tioga County Jail be awarded continual accreditation status. I would like to acknowledge Corrections Officer Terry Sinsabaugh who was assigned the task of keeping all the records and making sure all the standards were kept to date. As I stated before this is an ongoing job. Everyday records and files must be maintained to keep our accreditation. I commend Terry Sinsabaugh for his work that he has done on this. Coming all the way from Albany and taking time from a very busy schedule is the Executive Director and Counsel of the New York State Sheriff’s Association, Peter Kehoe and I would like to give him the opportunity to say some words and make a presentation.”

“Peter Kehoe spoke. “Thank you Sheriff. Members of the Tioga County Legislature and guests it is my pleasure to be here today on behalf of all the Sheriffs of New York State to honor and recognize Sheriff Gary Howard and the Tioga County Sheriff’s Office for another outstanding achievement, reaccreditation of the Sheriff’s Corrections Division. Only 19 other counties in the State have been able to achieve an accreditation of their Corrections Division, so that should indicate that it is not an easy achievement, but the Tioga County Sheriff’s Office has not limited its pursuit of excellence to the field of Corrections. Your Sheriff’s Office was also one of the early agencies in New York State to receive accreditation of its Law Enforcement Division and it continues in the select company of policy agencies maintaining accreditation from the New York State Law Enforcement Accreditation Counsel, and it has also received and maintains accreditation of its Communications Division. I understand that they are working on the last accreditation that would be available to them and I will let the Sheriff speak about that at the appropriate time.

“These are very significant achievements unmatched by most other counties in the State. I am here to remind you of something I am sure you already know, that is that you have an outstanding Sheriff and an outstanding Sheriff’s Office. It is well respected throughout the State. You have a professional Sheriff and a professional Sheriff’s Office which sets the pace for others to follow. One might ask why bother with accreditation? Well I can assure you it is not just for bragging rights, my County is better than your County kind of thing, although that is a nice position to be in. It has many positive effects. It does improve the operations and performance in the agency. It does increase morale. The employees in the agency know that by an objective standard they are doing a good job and that someone actually recognizes them for that. It reduces the incidents of liability and often reduces insurance costs, and it produces savings for self-insured counties with fewer claims and fewer successful claims, and most important I think of all is it increases the public’s confidence in their public institutions.

“I would also like to say just a few words about corrections accreditation specifically. It is not something that is available just for the asking. The Sheriff indicated some of the processes that this agency had to go through in order to gain this accreditation. It requires that a Sheriff’s Corrections Division meets a very stringent set of standards developed by experts in the field of Corrections. These standards have 166 individual components and to gain accreditation an agency must submit itself to scrutiny by an outside Board of Assessors which reviews the agency’s operations in detail to ascertain whether or not the agency meets those many demanding standards and as Sheriff Howard indicated and as the letter he read indicates the Board of Assessors which reviewed the operations here in Tioga County Corrections Division has found that it meets or exceeds everyone of those standards.

“Congratulations are in order for Sheriff Gary Howard and the men and women of the Tioga County Sherriff’s Corrections Division and all the men and women of the Tioga County Sheriff’s Office for this accomplishment. I think congratulations are also in order for the Tioga County Legislature and Chairman Weston, Public Safety Committee Chairwoman Sauerbrey for without your financial support and your moral support this achievement and the outstanding service provided by the Sherriff’s Office to all the citizens of Tioga County in all the areas of the Sheriff’s responsibility would not be possible. I also want to say that congratulations are in order for the citizens of Tioga County because without your support for the Sheriff’s Office its many achievements and its statewide reputation as one of the best would not be possible. At this time I would like to present to Sheriff Howard this plaque commemorating this reaccreditation.

“Of course accreditation does not just happen and the Sheriff has also indicated that one gentleman here did a great deal of work organizing the administrative and the operational details which are necessary in order to demonstrate to the Assessors that this county’s Corrections Division is deserving of this accreditation. I would like to present this certificate of recognition to Corrections Officer Terry Sinsabaugh. Again, congratulations to all of you, all of the participants, and all of the players in this great achievement for Tioga County, and I want to thank you Chairman for this opportunity to address you.”

Legislator Huttleston read and presented the following Proclamation on Children’s Mental Health Week to Ruth Roberts, Interim Community Services Director:

2009 PROCLAMATION

Mental Health Awareness Month & Children’s Mental Health Week

WHEREAS: The citizens of Tioga County value the health and well-being of their families and fellow citizens of Tioga County, and therefore they are proud to support observances of Mental Health Awareness Month and Children’s Mental Health Week; and

WHEREAS: There is great hope for resiliency and recovery for both children and adults who experience mental health challenges; and

WHEREAS: Many adults who are managing a serious mental health condition are able to fully participate in their community through employment, education, faith-based groups, civic groups or other community organizations; and

WHEREAS: Tioga County has made a commitment to a community-based system of care that provides opportunities for the promotion of health and recovery; and

WHEREAS: The citizens of Tioga County want each young person to be fully prepared for adulthood with support from their family and community, through access to high quality physical and mental health care, and access to educational opportunities that promote successful transition into adulthood; and

WHEREAS: It is important that children and adolescents, along with their families and communities, learn about the warning signs of mental health challenges and where to obtain necessary assistance and treatment; and

WHEREAS: Almost 21 percent of children and adolescents aged 9 – 17 in the United States have a mental health challenge; nearly 11 percent suffer from a major mental challenge that results in significantly impaired behavior at home, at school, among peers and in the community; 5 percent have extreme functional impairment with their illness; and suicide is the third leading cause of death for individuals aged 15 – 24; and

WHEREAS: Early detection, identification and treatment for children and adolescents can prevent mental health conditions from becoming more serious or long-lasting; and

WHEREAS: All mental health disorders are very real and treatable conditions for adults and children; and

WHEREAS: Individuals experiencing a mental health challenge who choose to work toward recovery demonstrate great strength and courage, and are an inspiration to others; therefore be it

RESOLVED: That the Tioga County Legislature does hereby ask all residents of our county to join in declaring May 2009 as *Mental Health Awareness Month* and May 3 – 9, 2009 as *Children’s Mental Health Week* in Tioga County.

Ruth Roberts, Interim Community Services Director, spoke. “I just want to take an opportunity to thank the Legislature for this proclamation and raising awareness among Tioga County regarding mental health, mental health issues, those who suffer with more serious conditions, and the importance of prevention, early intervention, and treatment. Thank you very much.”

Legislator Huttleston read and presented the following Proclamation on Elder Abuse Prevention Month to Christie Walker, Adult/Adolescent Supervisor, Department of Social Services:

PROCLAMATION

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

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

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

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2009 to be

Elder Abuse Prevention Month

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

Christie Walker, Adult/Adolescent Supervisor, Department of Social Services, spoke. "The health and safety of people who are elderly or have disabilities should be one of our highest priorities and concerns. Adult Services at Tioga County DSS are available to offer information, assistance, and services in order to allow these individuals to be able to remain safely in the community. These services can include various programs and referrals such as Adult Protective or Preventive Services, Family Type Homes for Adults, Long Term Care Homecare Services, assistance in accessing benefits, and referrals to other community programs such as Department of Health, Mental Health, and Area Agency on Aging.

“Caseworkers for Adult Protective Services are in the difficult position of providing services to an individual to eliminate abusive or neglectful situations, yet to also advocate for the clients right to self-determination. I thank the Legislature, my Administration, my Staff, and all the other supportive agencies and individuals who are involved in providing services to the elderly and disabled. The elderly and disabled people deserve our utmost attention and respect. We all must work together to protect their health, safety, and rights, and treat them the way we would hope to be treated ourselves. Thank you.”

Legislator Huttleston read and presented the following Proclamation on Foster Care Recognition Month to Liz Jenkins of the Department of Social Services:

PROCLAMATION

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

WHEREAS: There are 40 children in foster care in Tioga County, 25 of these children are in foster homes, and 1 child is in a Glove House Therapeutic foster home; and

WHEREAS: We have 21 certified foster homes, and 14 Glove House Therapeutic foster homes in Tioga County; and

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

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

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim May 2009 as

FOSTER CARE RECOGNITION MONTH

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

Liz Jenkins from the Department of Social Services spoke. “I wanted to thank the Legislature for this proclamation. As many of you know I have been up here before as a recipient of awards and I come from a CPS background, Child Protective Services. I have since moved to Foster Care and I can clearly say this is a harder job, clearly. People think of Child Protective as being very emotional as is the Foster Care side of it. I do want to recognize two people we have in the audience today, Donna Corbin from Glove House. She heads up the 14 therapeutic homes and we have a foster parent, Kim Tuttle, who is present here today as well, and I want to publicly thank them for all of the work that they do. It is not easy to get a phone call at noon and say can you be ready for a 12-year-old in an hour. It is not easy to get that phone call at 2:00 in the morning and say we just removed a baby can you take that child. I commend them. I do not know how they do it, but it is great that we have these people and any support that we can provide them is well justified. Thank you.”

Chair Weston read and presented the following Proclamations on Older Americans’ Month and Senior Citizens’ Day, and also on Senior Citizen of the Year to Mary Ellen Gage of Tioga Opportunities:

PROCLAMATION

WHEREAS: The citizens of Tioga County embrace the opportunity to support the goal of Older Americans Month, the annual observance that gives recognition to the immeasurable contributions made by older citizens throughout our County, State and Nation; and

WHEREAS: Today’s seniors are living longer, healthier lives, remaining active in their communities, staying employed longer and often taking an active role in their communities; and

WHEREAS: Senior volunteers are actively involved in a variety of aging services programs, assisting in activities that help their peers maintain their independence; many senior citizens also play key roles in the lives of young people, as well as in a broad spectrum of community endeavors; and

WHEREAS: The more than nine thousand older Americans residing in Tioga County devote their time, energy and wisdom to making the communities throughout New York better places to live; their experiences, knowledge, skills and aspirations are vital to the continued progress of our State and its quality of life; and

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

WHEREAS: Our society is dependent upon nurturing, support, and resources shared among generations, and benefits from our mutual efforts to meet the needs of America’s older persons and those who love them; and

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

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim and designate May 2009 as

OLDER AMERICANS’ MONTH

And May 20, 2009 as

SENIOR CITIZENS’ DAY

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

PROCLAMATION

WHEREAS: Mary Edsall is a warm and caring person with an infectious smile and a heart of gold who helps all that come in her path; and

WHEREAS: Mary Edsall was born and raised in Park Ridge, New Jersey, after the death of her first husband she remarried in 1956 and moved to Newark Valley, New York in 1957 where she and her husband bought a small farm and raised animals for their children and for food and began a long tradition of making maple syrup; and

WHEREAS: Mary Edsall is very patient, but maybe that’s because she drove school bus for the Newark Valley School District for twenty years and raised three sons and one daughter; and

WHEREAS: Mary Edsall was a 4 H Club Leader whose club, the “Fairfield 4 H ers”, was the top club in Tioga County for 8 years; and

WHEREAS: Mary Edsall has belonged to the Fairfield Methodist Church for 52 years where she taught Sunday school and still serves on many committees; and

WHEREAS: Mary Edsall is a member of the P.E.O. Sisterhood, Chapter B Newark Valley and the Red Hat Society that recently held a tea party for the Riverview Manor residents; and

WHEREAS: Mary Edsall makes many cinnamon rolls, 40 dozen annually for the church alone and now they are best known as “Mary Rolls”; and

WHEREAS: Mary Edsall has nine grandchildren and fifteen “greats” who she has baby sat over the years and still does, and in her spare time enjoys reading, crocheting and traveling; and

WHEREAS: Mary Edsall now lives at Long Meadow Senior Apartments where she looks out for and is always willing to help her neighbors; and

WHEREAS: Mary Edsall has been selected as the 2009 Senior Citizen of the Year in Tioga County; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate May 20, 2009

MARY EDSALL DAY

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

Mary Ellen Gage from Tioga Opportunities spoke. “Thank you. I do not have very much to say except on behalf of the more than 9000 citizens in Tioga County I want to thank the Legislature for your continued support of our programs with your financial and verbal support. Thank you.”

Chris Bonner had privilege of the floor. “Can the Federal Government order the States or the County to do its bidding for them or to do what they want? The answer to that question is vote yes and vote no. It all depends on if you contract with them. It is called money which everybody is out to get. A Supreme Court Decision “Wickett versus Philberg” states “What the Federal Government finances the Federal Government controls.” If you want to give your County away watch what you are voting for with your yeas and your nays because like the little spider gets the fly in the web, they get you in there with this bread, money, your goose is cooked. I am going to tell you that right now and that is what is wrong with this Country today.

“Now I am going to give you how they do it. It is called an adhesion contract which can be looked up in any legal dictionary and it is defined as follows: “A contract so heavily restricted of one party while none restricted to others. The doubts arise as its representation as a voluntary and uncoerced agreement. Implies and graves irregularity of bargaining powers.” The concert often arises in the context of standard form printed contracts.” In other words you go to the legal store you can get any contract you want. It is all wrote out for lawyers and it is going to favor you unless you put an addendum in it. Prepared by one body and submitted to the other on a take it or leave it basis. Now I am going to close this with a bible quote. It is Hosea 4:6. “My people are destroyed for lack of knowledge.”

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		414.56
A1165	District Attorney		3,356.68
A1170	Public Defender		1,529.56
A1172	Assigned Counsel		14,727.79
A1185	Medical Examiners/Coroners		3,951.94
A1325	Treasurer		673.08
A1355	Assessments		2,250.00
A1362	Tax Advertising and Expense		173.04
A1410	County Clerk		9,796.77
A1411	Department of Motor Vehicles		3,184.04
A1420	Law		31.78
A1430	Personnel		1,453.07
A1450	Elections		295.43
A1460	Records Management		218.80
A1460.41	Records Management		11,123.91
A1490	Public Works Administration		556.00
A1620	Buildings		60,956.72
A1680	Information Technology		38,447.56
A2960	Education of Handicapped Children		215,784.62
A3020	Public Safety Comm E911		677.57
A3110	Sheriff	5,020.27	13,785.62
A3110.41	Sheriff-Court Attendants		2,358.36
A3140	Probation	240.00	287.75
A3142	Alternatives to Incarceration		1,421.00
A3146	Sex Offender Program		8,766.67
A3150	Jail		46,086.76
A3315	Special Traffic Programs	8,400.00	1,310.00
A3410	Fire	44.09	7,233.24
A3552	EMO Grant	1,158.72	
A3640	Emergency Mgmt Office		216.36
A3650	EMO WMD Grant C837960	1,016.28	
A3653	EMO Grant Education	2,522.00	
A4010	Public Health Nursing	530.00	43,489.30
A4011	Public Health Administration	32.90	18,166.41
A4012	Public Health Education	148.50	3,654.50
A4042	Rabies Control		503.30
A4044	Early Intervention	186.00	57,532.45
A4053	Preventive/Primary Health Services		994.81
A4054	Preventive Dental Services		2,708.80
A4062	Lead Poisoning Program		1,225.58
A4064	Managed Care-Dental Services		16,976.18

A4070	Disease Control		2,395.99
A4090	Environmental Health		7,436.54
A4210	Alcohol and Drug Services		21,913.73
A4211	Council on Alcoholism		9,923.66
A4309	Mental Hygiene Co Admin		8,945.24
A4310	Mental Health Clinic		68,181.14
A4315	Mental Retardation		20,621.24
A4320	Crisis Intervention Services		30,144.42
A4321	Intensive Case Management		1,622.10
A5630	Bus Operations		15,707.44
A6010	Social Services Administration	350.00	63,417.26
A6422	Economic Development		776.41
A6510	Veterans' Service		63.00
A6610	Sealer Weights/Measures		175.90
A7510	Historian		480.00
A9060	Health Insurance		703.82
SOLID WASTE FUND			77,775.91
COUNTY ROAD FUND			32,587.93
SPECIAL GRANT FUND			10,110.02
CONSOLIDATED HEALTH FUND			730,547.26
CAPITAL FUND			113,797.80
LIABILITY INSURANCE FUND			289.50
WORKERS' COMP			<u>37,610.28</u>
GRAND TOTAL			\$ 1,871,195.36

Legislator Oberbeck made a motion to approve the minutes of April 14, 2009, seconded by Legislator McEwen, and carried.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 154-09

*ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

Adoption moved by Legislator McEwen,
Seconded by Legislator Huttleston.

WHEREAS: An application for corrected tax roll indicates that property #113 assessed to Edward R Evenson on the 2008 tax roll of the Town of Richford is erroneous in that a house on the property burned in May of 2006 and the assessment was never lowered to reflect the \$20,500 reduction; and

WHEREAS: The 2008 property taxes for property no. 113 in the Town of Richford were paid on 1/29/08; be it therefore

RESOLVED: That taxable value on property no. 113 in the Town of Richford be lowered from \$51,000 to \$30,500 and a refund of \$348.65 be issued to Edward R Evenson for overpayment of the 2008 taxes; and be it further

RESOLVED: That the erroneous amount of \$191.92 be charged back to the Town of Richford and the erroneous fire tax of \$26.74 be charged back to the Richford Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$7.16 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax and penalty amount of \$122.83 be charged to the proper account in the records of the County Treasurer

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 155-09

***ERRONEOUS ASSESSMENT
TOWN OF RICHFORD***

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

WHEREAS: An application for corrected tax roll indicates that property #113 assessed to Edward R Evenson on the 2009 tax roll of the Town of Richford is erroneous in that a house on the property burned in May of 2006 and the assessment was never lowered to reflect the \$20,500 reduction; and

WHEREAS: The 2009 property taxes for property no. 113 in the Town of Richford were paid to the Town of Richford tax collector on 1/15/09; be it therefore

RESOLVED: That taxable value on property no. 113 in the Town of Richford be lowered from \$51,000 to \$30,500 and a refund of \$340.55 be issued by the Town of Richford to Edward R Evenson for overpayment of the 2009 taxes; and be it further

RESOLVED: That the erroneous amount of \$184.02 be charged back to the Town of Richford and the erroneous fire tax of \$30.70 be charged back to the Richford Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$7.01 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax and penalty amount of \$118.82 be charged to the proper account in the records of the County Treasurer

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 156-09

***APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD***

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

WHEREAS: The Board representative from the Town of Newark Valley, Betty Thompson, has resigned; and

WHEREAS: The Town of Newark Valley Board has found and recommends Heidi Mann who is willing to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature appoints Heidi Mann to serve the remainder of Betty Thompson's unexpired term on the Tioga County Planning Board from 5/12/09 to 12/31/11.

On roll call vote on the above resolution, seven members voted Aye, Legislators Oberbeck and Roberts voting no, and the resolution was adopted.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 157-09 *APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING
BOARD*

Adoption moved by Legislator Roberts,
seconded by Legislator Monell.

WHEREAS: The Board representative from the Town of Owego, Wendy Walsh,
has resigned; and

WHEREAS: The Town of Owego Board has found and recommends Jason Rieg
who is willing to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature appoints Jason Rieg to serve the
remainder of Wendy Walsh’s unexpired term on the Tioga County Planning Board
from 5/12/09 to 12/31/09.

CARRIED

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 158 -09 *APPOINT MEMBERS TO
TRAFFIC SAFETY BOARD
STOP DWI DEPARTMENT*

Adoption moved by Legislator Sullivan,
seconded by Legislator Roberts.

RESOLVED: That the following members be reappointed to the Traffic Safety
Board for a term as follows:

TITLE	TERM
Tioga County Sheriff or designee	4/1/09-3/31/10
Gerald Hyatt-County Rep	4/1/09-3/31/10
Tioga County Emergency Management Director	4/1/09-3/31/10

CARRIED

REFERRED TO: ED&P COMMITTEE
PUBLIC WORKS COMMITTEE

RESOLUTION NO. 159-09 *APPROVAL OF 2008 - 2009 MS4
STORMWATER ANNUAL REPORT*

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

WHEREAS: The Tioga County Legislature, as per resolution 115-03, submitted a Notice of Intent (NOI) to NYS DEC pursuant to NYS Environmental Conservation Law Article 17, Titles 7 and 8 and Article 70 for and is now covered under Municipal Separate Stormwater Sewer Systems (MS4) SPDES Permit No. GP-08-002 as SPDES ID No. NYR20A047; and

WHEREAS: The MS4 permit requires that an annual report be prepared detailing stormwater activities conducted during the year and recommends that said report be presented at an open meeting to solicit comments from the public and then submitted to NYS DEC by June 1 of each year; and

WHEREAS: Tioga County, through the Broome-Tioga Stormwater Coalition, has prepared such report detailing accomplishments during the 2008 – 2009 reporting year and the Tioga County Legislature held a public hearing on May 7th, 2009 at which the annual report was presented, public comment was solicited and those comments have been incorporated into the annual report; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the Tioga County 2008 - 2009 MS4 Stormwater Annual Report and authorizes the Chair of the Legislature to sign said report and submit it to NYS DEC.

CARRIED

REFERRED TO: INFORMATION TECHNOLOGY/LAW

RESOLUTION NO. 160-09 *AUTHORIZE TOWER SITE AGREEMENT*

Adoption moved by Legislator Monell,
seconded by Legislator McEwen.

WHEREAS: The County and Plexicomm, LLC have entered into an agreement to allow the installation of a wireless internet antenna on the Spaulding Hill Tower; and

WHEREAS: Plexicomm, LLC has requested permission to install such an antenna, which installation will not affect the use of the Tower by the County and will not involve any structural modification thereto; and

WHEREAS: The County is agreeable to allow such installation at a cost of \$450.00 every three months; therefore be it

RESOLVED: That upon approval by the County Attorney as to form, the Chair of the Tioga County Legislature is authorized to execute an Agreement authorizing the installation of a wireless internet service antenna on the Spaulding Hill Tower to Plexicomm, LLC at a cost of \$450.00 every three months.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 161–09 *AUTHORIZE DISBURSEMENT OF HUD CDBG REVOLVING LOAN FUNDS TO TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA) FOR DOUBLE AUGHT LUMBER*

Adoption moved by Legislator Roberts,
seconded by Legislator Sullivan.

WHEREAS: Tioga County and the Tioga County Industrial Development Agency (TCIDA) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Legislature needs to authorize the Treasurer to disburse funds from the settlement account to the TCIDA prior to each and every disbursing of loan proceeds; and

WHEREAS: The TCIDA has certified to Tioga County that the loan applicant, Double Aught Lumber, has satisfied all of the requirements which are conditions precedent to the execution of loan documents and the disbursement of loan proceeds in the sum of \$200,000; and

WHEREAS: The Department of Economic Development and Planning has reviewed and approved the certification and the required checklist of conditions precedent to execution of loan documents and disbursement of funds in the sum of \$200,000; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Treasurer to disburse the sum of \$200,000 from the HUD CDBG account number CE8668.40 to the TCIDA to be loaned to Double Aught Lumber and utilized according to the Small Cities Community Development Block Grant Program Subrecipient Agreement.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 162-09 *APPROPRIATIONS OF FUNDS*
SOCIAL SERVICES

Adoption moved by Legislator Huttleston,
seconded by Legislator Monell.

WHEREAS: Additional funding has been requested by and awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for HEAP administrative costs ; and

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

RESOLVED: That funding be appropriated as follows:

From: A4610.00 Federal Aid: Administration	\$ 18,021
To: A6010.10.30 Overtime/other	\$ 8,446
A6010.20.100 Copier	\$ 1,475
A6010.10.140 Contracting Services	\$ 7,800
A6010.40.660 Telephone	\$ 300

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

**REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE**

**RESOLUTION NO. 163-09 AMEND RESOLUTION 153-09
STOP DWI**

**Adoption moved by Legislator Sullivan,
seconded by Legislator McEwen.**

WHEREAS: Resolution 153-09 abolished the position of STOP DWI Coordinator and reassigned certain duties associated with this position to the Undersheriff with an annual stipend of \$5,000 effective April 20, 2009; and

WHEREAS: A transfer of funds from the STOP DWI account to the Sheriff's Office account is necessary to reflect the payment of the Undersheriff for said stipend; therefore be it

RESOLVED: That Resolution 153-09 is hereby amended to reflect authorization of \$3,525 from Stop DWI account A3315.10.20 to Sheriff account 3110.10.10, effective April 20, 2009 in order to compensate the Undersheriff for duties associated with STOP DWI during the remainder of 2009.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS

**RESOLUTION NO. 164-09 AWARD DESIGN OF EAST RIVER RD.
BRIDGE OVER WAPPASSENING
CREEK TO LABELLA ASSOCIATES**

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

WHEREAS: The Commissioner of Public Works requested proposals for design services for the East River Rd. Bridge over Wappassening Creek BIN:#3335410; and

WHEREAS: The proposals were as follows:

Labella Associates	Rochester, NY	\$ 80,000
McFarland & Johnson	Binghamton, NY	\$ 89,433
Delta Engineers	Binghamton, NY	\$137,835
C & S Companies	Syracuse, NY	\$207,000

And

WHEREAS: The Commissioner of Public Works put funds in the 2009 budget for this project; therefore be it

RESOLVED: That the Tioga County Legislature award the design services to Labella Associates, Rochester, NY in the amount of \$80,000 to be paid out of East River Road Bridge account H2009.02

Roll Call:
 Ayes 09
 Noes 00
 Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS
 FINANCE

RESOLUTION NO. 165-09 *ESTABLISH CAPITAL PROJECT
 AND TRANSFER FUNDS*

Adoption moved by Legislator Roberts,
 seconded by Legislator McEwen.

WHEREAS: Capital Project H2009.02 was budgeted at \$200,000; and

WHEREAS: The actual design costs is going to be \$80,000; and

WHEREAS: The Main St. Bridge over Cayuta Creek in Lockwood, NY is the next bridge on our work program; and

WHEREAS: There may be funding available next year for construction if the design work is complete; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Commissioner of Public Works to establish project H2009.05 Main St. Bridge over Cayuta Creek, Lockwood, NY BIN#3334800; and be it further

RESOLVED: That the Tioga County Legislature authorizes the transfer of \$120,000 from East River Road Bridge Account H2009.02 to Main Street Bridge over Cayuta Creek H2009.05.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 166-09 *ASSIGN ADDITIONAL CHIPS
REVENUE AND TRANSFER FUNDS
FOR 56 MAIN STREET
RENOVATIONS*

Adoption moved by Legislator Roberts,
seconded by Legislator Monell.

WHEREAS: The Commissioner of Public Works received notification from NYS Assemblyman Gary Finch that Tioga County will receive an increase of \$106,000 in the CHIPS funding for 2009; and

WHEREAS: The Department of Public Works has completed renovations at 56 Main St, the County Office Building; and

WHEREAS: There are not approved sufficient funds to make final payments for the renovations; therefore be it

RESOLVED: That the Tioga County Legislature authorizes that the \$106,000 in CHIPS funding for 2009 be disbursed as follows:

From:	H3501-State Aid-Consolidated Highway (CHIPS)	\$86,000
	D3501-State Aid-Consolidated Highway (CHIPS)	\$20,000
To:	D5110.40-240-Maintenance, Roads & Bridges	\$20,000
	H2009.03-Culvert Replacement	\$60,000
	H2009.01-West Creek Road Recon	\$26,000

And be it further

RESOLVED: That the Tioga County Legislature authorizes transfer of funds in the amount of \$26,000 from West Creek Road Reconstruction account H2009.01 to 56 Main St. Addition account H2007.17.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: PUBLIC WORKS COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 167-09 *AUTHORIZE ACCESS AGREEMENT*

Adoption moved by Legislator Roberts,
seconded by Legislator Oberbeck.

WHEREAS: Columbia Gas Transmission, LLC [Columbia] in constructing the Millennium Pipeline ruptured a pipe on the easterly side of Route 96 across from the Public Works facility; and

WHEREAS: Under its agreement with DEC, Columbia must do certain testing of neighboring properties, including the Public Works facility property on Route 96; and

WHEREAS: Columbia has provided an access agreement to allow for such testing with a payment for such access of \$1,000; and

WHEREAS: The Commissioner of Public Works and the County Attorney have reviewed and approved the agreement; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute the Access Agreement provided by Columbia.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

**REFERRED TO: RECORDS MANAGEMENT
ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE**

**RESOLUTION NO. 168–09 *AUTHORIZE CONTRACT TO HIRE
CONSULTANT FOR SCANNING AND
INDEXING OF SURVEY MAPS***

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

WHEREAS: The County Clerk’s office is responsible for the recording, filing and maintaining of public records for Tioga County; and

WHEREAS: The Tioga County Clerk was awarded a grant from New York State Archives Local Government Records Management to scan and index survey maps into our Electronic Document Management System (EDMS) to preserve these records for the public use; and

WHEREAS: The Tioga County Clerk’s office was awarded \$11,520.00 for purchased services of which \$6,501.33 was allocated for the scanning and indexing of survey maps; and

WHEREAS: The Tioga County Clerk has contracted with Avalon Document Services to enter into a contract to complete this portion of the grant project; and

WHEREAS: Said contract would provide for payment of said services not to exceed \$6,501.33; be it therefore

RESOLVED: That the Tioga County Legislature authorize the Tioga County Clerk to enter into a contract with Avalon Document Services at a total payment of said services not to exceed \$6,501.33 effective January 27 to May 31, 2009.

**Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE**

**RESOLUTION NO. 169-09 *RESOLUTION AUTHORIZING COUNTY FIRE
COORDINATOR TO ENTER INTO CONTRACTS***

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

WHEREAS: The County Legislature appropriates certain sums of money in the annual county budget for services within the County Bureau of Fire; and

WHEREAS: The County Fire Coordinator has determined that in order to efficiently and effectively manage his department in a timely and cost effective manner, it is necessary to allow maximum flexibility for the retention of such services within the appropriations authorized by the County Legislature in the annual budget; and

WHEREAS: County Law permits the Legislative Body to delegate the authority to deliver and execute such agreements to the County Fire Coordinator upon such terms and conditions it deems appropriate within the authorized annual appropriations; therefore be it

RESOLVED: That within the amounts annually appropriated by the Legislature in the Annual County Budget, the County Fire Coordinator is authorized and empowered to negotiate and enter into contracts for services not to exceed a total of 100 instructors, subject to County Attorney approval, as follows:

- A. Emergency Medical Training Program – Victim Helper**
- B. Emergency Medical Training Program – Skills Instructor**
- C. Emergency Medical Training Program CLI – Certified Lab Instructor**
- D. Emergency Medical Training Program SR/RN – Specialty Resource/Registered Nurse**
- E. Emergency Medical Training Program CIC – Certified Instructor Coordinator**

And be it further

RESOLVED: That consistent with the annual budget, the cost for all Emergency Medical Training Program Services is determined by the number of students enrolled in each individual training programs; and be it further

RESOLVED: That the authority granted herein shall only be applicable to contracts that are within the annual appropriation set forth in the budget and not in excess of twenty-five percent above the previous fiscal year’s contractual amount for any such service.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 170–09 *RESOLUTION AUTHORIZING DIRECTOR OF
COMMUNITY SERVICES TO ENTER INTO
CONTRACTS*

Adoption moved by Legislator Huttleston,
seconded by Legislator Monell.

WHEREAS: The County Legislature appropriates certain sums of money in the annual county budget for professional services within the County Mental Hygiene Department: and

WHEREAS: The Director of Community Services (DCS) has determined that in order to efficiently and effectively manage said department in a timely and cost effective manner, it is necessary to allow maximum flexibility for the retention of such professional services within the appropriations authorized by the County Legislature in the annual budget; and

WHEREAS: County Law permits this Legislative Body to delegate the authority to deliver and execute such agreements to the DCS upon such terms and conditions it deems appropriate within the authorized annual appropriations; therefore be it

RESOLVED: That within the amounts annually appropriated by this Legislature in the Annual County Budget, the DCS is authorized and empowered to negotiate and enter into contracts for professional services, subject to the approval of the County Attorney and Personnel (regarding the 20 Question IRS test) as follows:

- A. **Medical Services**
(Psychiatrist or Nurse Practitioner Services for Clinic)
- B. **Parent Advocate Services**
(Provision of Parent Advocate services for clients in the County)

and be it further

RESOLVED: That consistent with the annual budget, the cost for Medical Services and Parent Advocate Services is determined by the need for the service between the provider and the Mental Hygiene department; and be it further

RESOLVED: That the authority granted herein shall only be applicable to contracts that are within the annual appropriation set forth in the budget and not in excess of twenty-five percent above the previous fiscal year's contractual amount for any such service.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

REFERRED TO: FINANCE/LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 171-09 *ADOPT LOCAL LAW NO. 3 OF 2009*

Adoption moved by Legislator McEwen,
seconded by Legislator Monell.

WHEREAS: A public hearing was held on May 7, 2009, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2009 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2010 and continuing through and including December 31, 2013; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 3 of 2009; therefore be it

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

County of Tioga

Local Law No. 3 of the Year 2009.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2010 and continuing through and including December 31, 2013.

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

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2010 and continuing through and including December 31, 2013.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2010 and continuing through and including December 31, 2013 is hereby established as follows:

1. County Treasurer	\$57,500.00
----------------------------	--------------------

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2010.

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.

On roll call vote on the above resolution, seven members voted Aye, Legislators Quinlan and Huttleston voting no, and the resolution was adopted.

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

**RESOLUTION NO. 172-09 *RESOLUTION AUTHORIZING TEMPORARY
 APPOINTMENT AND SALARY ADJUSTMENT
 FOR RUTH ROBERTS***

Adoption moved by Legislator Huttleston,
seconded by Legislator Oberbeck.

WHEREAS: Article 41.05 of the New York State Mental Hygiene Law states that to be eligible for state aid, each local government shall have a Director who shall be its chief executive officer; and

WHEREAS: Under Article 41.09 of New York State Mental Hygiene Law, Tioga County is required to have either an Acting or Permanent Director of Community Services (DCS) appointed by the Tioga County Community Services Board (CSB); and

WHEREAS: The Inter-Office Coordinating Council (IOCC) is mandated by Mental Hygiene law section 5.05(b) to coordinate the work and functions of the three NYS state agencies: the Office of Mental Health, the Office of Alcoholism and Substance Abuse Services, and the Office of Mental Retardation and Developmental Disabilities; and

WHEREAS: The IOCC must be informed of resignations and appointments of both Acting and Permanent county Directors of Community Services to insure appropriate management of and maintain communication with the Local Government Unit; and

WHEREAS: On January 22, 2009, the permanent DCS informed the CSB of his intent to retire on March 31, 2009; and

WHEREAS: In a letter dated March 9, 2009, the Tioga County CSB notified the IOCC of the permanent DCS' intent to retire and submitted the required documentation regarding the appointment of Ruth Roberts as Acting DCS effective March 31, 2009; and

WHEREAS: On March 18, 2009, the IOCC acknowledged that it received that required documentation; and

WHEREAS: The permanently-appointed DCS retired effective March 31, 2009; and

WHEREAS: Since March 31, 2009 Ruth Roberts has carried out the full powers and responsibilities of the Acting DCS; and

WHEREAS: Ruth Roberts has also continued to carry out the responsibilities of Clinical Program Director and Deputy Director of Community Services; and

WHEREAS: The stipend attached to the deputy position is for coverage during short periods of time in the absence of the permanent DCS but the Deputy does not have full power and responsibilities of the Director during those times; and

WHEREAS: The CSB has an undetermined length of time to appoint a permanent DCS, and therefore it is not possible to determine the length of time that Ruth Roberts will fulfill the role of Acting DCS in addition to her responsibilities as Clinical Program Director and Deputy DCS; therefore be it

RESOLVED: That Ruth Roberts be temporarily appointed to the position of Director of Community Services and receive an annual salary increase of \$9,573 as Temporary Director of Community Services retroactive to March 31, 2009; and be it further

RESOLVED: That said salary increase be inclusive of the \$3,800 stipend previously associated with the Deputy Director designation; and be it further

RESOLVED: That if Ruth Roberts does not receive permanent appointment to the Director of Community Services, her salary shall be reduced by \$9,573 and the \$3,800 Deputy Director stipend shall be restored.

On roll call vote on the above resolution, seven members voted Aye, Legislators Roberts and Sullivan voting no, and the resolution was adopted.

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

**RESOLUTION NO. 173-09 *RESOLUTION AUTHORIZING OUT-OF -
TITLE PAY FOR LORI MONK***

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

WHEREAS: Individuals that suffer from both mental illness and addictions are at higher risk to generate significant medical and other community costs if their conditions are untreated; and

WHEREAS: Individuals that suffer from mental illness and addiction present a significantly more complicated and demanding treatment challenge beyond that available in traditional mental health clinic and addictions clinic programs; and

WHEREAS: Tioga County Department of Mental Hygiene, as part of its mission and requirements of its operating license, has responsibility to provide appropriate and effective services to seriously mentally ill individuals; and

WHEREAS: Tioga County Department of Mental Hygiene has identified these dually diagnosed individuals as a priority population for service intervention; and

WHEREAS: Tioga County Department of Mental Hygiene has developed a dual diagnosis service that is comprised of clinical staff with the expertise to address the diverse and complicated issues faced by these individuals; and

WHEREAS: The numbers of dually-diagnosed individuals needing such services has increased significantly, requiring the assignment of 4 staff currently to this work; and

WHEREAS: Lori Monk, Senior Clinical Social Worker, has been required by the Director to provide these services and supervise the other clinical staff providing these services; and

WHEREAS: These duties are the same as those performed by a Supervising Clinical Social Worker; and

WHEREAS: Lori Monk has managed the dual diagnosis service and supervised the clinical staff providing the services; and

WHEREAS: Lori Monk submitted the necessary documents for a desk audit of her job responsibilities to the Tioga County Personnel Department on November 25, 2008; and

WHEREAS: The Personnel Officer has postponed action on this request until May or June 2009 due to the retirement of the Director of Community Services on March 31, 2009; and

WHEREAS: Lori Monk is entitled to out-of-title pay according to Article 4, Section E of the current CSEA contract; therefore be it

RESOLVED: That Lori Monk receive out-of-title pay as a Supervising Clinical Social Worker retroactive to November 25, 2008.

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 174-09 *RECLASSIFY ADMINISTRATIVE ASSISTANT TO TITLE OF CONFIDENTIAL ASSISTANT IN THE PUBLIC HEALTH DEPARTMENT*

Adoption moved by Legislator Huttleston,
Seconded by Legislator Oberbeck.

WHEREAS: Legislative approval is required for positions to be reclassified that would have budgetary impact; and

WHEREAS: In February 2009, the Personnel Department received a request for reclassification from the Public Health Department for an Administrative Assistant position currently held by Barbara McCormick; and

WHEREAS: Upon review of the position questionnaire which has been completed by the incumbent, her immediate supervisor, and the Public Health Director, it has been determined that the current title of Administrative Assistant is not an adequate reflection of the confidential administrative duties being assigned to and performed by Ms. McCormick; and

WHEREAS: Due to the nature of the confidential information handled by this position, justification exists to qualify her function for “confidential” status in accordance with civil service law requirements; and

WHEREAS: The Personnel Office has created a Confidential Assistant job description which more accurately reflects the work performed by Ms. McCormick and has recommended her position be reclassified to said title; therefore it be

RESOLVED: That the Tioga County Legislature authorize Barbara McCormick’s title of Administrative Assistant (CSEA salary grade VII) reclassified to the title of Confidential Assistant (Non-union salary grade) reflective of an annual increase of \$2,000.00; and be further

RESOLVED: That Ms. McCormick be provisionally appointed to the title of Confidential Assistant at an annual salary of \$35,000.00 retroactive to February 6, 2009.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

Legislator Sauerbrey made a motion to bring the following late-filed resolution forward, seconded by Legislator McEwen and carried.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO 175-09 *RESOLUTION CANCELLING THE ENFORCEMENT OF THE COLLECTION OF DELINQUENT TAXES AND FUTURE TAXES OF CERTAIN PROPERTIES PURSUANT TO ARTICLE ELEVEN OF THE REAL PROPERTY TAX LAW*

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

WHEREAS: The Treasurer of the County of Tioga has recommended that the properties listed below be removed from the collection of past delinquent taxes and future real property taxes due to environmental contamination on the properties; and

WHEREAS: The Legislature has reviewed the properties and has concurred with this recommendation; now therefore be it

RESOLVED: That the Tioga County Legislature has and does hereby determine that there is no practical method to enforce any future tax liens against said parcels and directs the enforcing officer to issue a certificate of prospective cancellation and file a copy of the certificate with the assessors of the assessing units in which the parcels are located and with the County Director of Real Property Tax Services; and be it further

RESOLVED: That the Treasurer charge back any portion of the canceled tax which has been guaranteed to the appropriate Town, Village, and School District of the following properties:

<u>ASSESSED OWNER</u> <u>AMOUNT OWED</u>	<u>TOWN/VILLAGE</u>	<u>TAX MAP #</u>	<u>ACCOUNT #</u>	<u>YEARS OWED</u>
Loco Holding, LLC \$4,416.58	Barton/Waverly	166.19-2-73	70	2006-2008
Cedar Associates, Inc. \$13,108.60	Owego/Owego	128.08-7-68	968	2007-2008
Mariani, Anne \$5,828.98	Owego	143.13-3-40	11420	2005-2008
Mariani, Anne & Angelo \$66,558.20	Owego	143.13-3-43	11421	2001-2008

Roll Call:
Ayes 09
Noes 00
Absent 00
CARRIED

The meeting was adjourned at 2:14 P.M.