

Tenth Regular Meeting
October 15, 2013

The Tenth Regular Meeting of 2013 was held on October 15, 2013 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Weston asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for the many gifts you have provided us with and we ask your guidance and wisdom as we conduct the business of governing Tioga County."

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

There were 15 people in attendance.

Arrah Richards of the Employee Recognition Committee presented Employee of the 3rd Quarter 2013 to Nancy Dow of the Public Health Department. "On behalf of the Employee Recognition Committee, I would like to thank you all for your continued support of the Employee Recognition Committee.

"I would like to congratulate Nancy Dow as she is Employee of the 3rd Quarter for 2013. Nancy has worked in the Public Health Department as a typist in the Primary and Preventive Division since she started in 2005. She wears several hats and excels in all of them. She is the go to person for numerous things and is her Supervisor's right arm. Nancy tracks and compiles all of the patient and departmental historical information and her accuracy is phenomenal. Numerous times her reporting was more accurate than what New York State had on record for our County.

"In addition, Nancy is a voice many people know through her handling the scheduling of Health Clinic appointments. She represents the Department and County very well. Nancy is always polite, professional, and compassionate, and she demonstrates initiative on a daily basis and is always looking for a more effective way to do things while never seeking recognition. Nancy has even trained herself on how to do new things on the computer so she can implement them. Nancy's colleagues appreciate and respect her as shown when she was selected for the very first Public Health Team Member of the quarter when the honor was first started in 2008.

Nancy resides in Barton with her husband Dan and they have three children and eight grandchildren. Nancy is also very active with the Living Water Baptist Church in Owego. The employees and citizens of Tioga County are blessed to have Nancy serving them. Nancy is honored today. Congratulations."

Legislator Huttleston spoke. "It is people like Nancy that makes this County what it is. The real winners are the people that we serve and I appreciate it. It makes my job easier. It makes everybody's job in the Department easier. There are several people like you in this County and our County I think stands heads and shoulders above a lot of other counties as far as servicing the public and getting along, and doing a good job. I appreciate it."

Marilyn Reynolds of the Health Department spoke. "I just want to duplicate ditto what was said in the reward. Nancy is an incredible person and an incredible employee. She is not just my right arm, she is my left arm as well and anybody who knows me, knows I am a very disorganized person. The only organization I have is Nancy. She is again a remarkable person. She has been a real blessing to me and the Department, and I will ditto what Dick Huttleston said is that she is the epitome of what a Tioga County employee should be because she is again a remarkable person and a blessing."

Margaret Shuler of the Public Health Department spoke. "I am known to have kind of a big mouth so this was my opportunity. I will be very brief, but I just want to say a couple words on Nancy's behalf. I said when someone transforms the job position, that is amazing enough, but Nancy has not only transformed the job position, she has transformed our Department and she has transformed me. When a nurse wants to do better because of a coworker, to me that is just amazing and she makes me want to be a better nurse and do a better job, and sometimes when she has come up with these wonderful ideas, my first inclination is wow I wish I had thought of that, but my very next thought is I am so grateful that she works with us and we have her in our Department. I really am in awe of her ability to not only transform her job, but really our whole Department and I know for myself she has changed how I have done nursing and how I look at things, and for that I am very grateful. Thank you."

There was no privilege of the floor.

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		169.70

A1165	District Attorney		2,388.08
A1170	Public Defender		4,981.41
A1172	Assigned Counsel		26,803.64
A1185	Medical Examiners/Coroners		4,250.00
A1325	Treasurer		34.60
A1355	Assessments		6,713.00
A1410	County Clerk		136.45
A1411	Department of Motor Vehicles		75.60
A1420	Law		4,712.93
A1430	Personnel		2,236.60
A1450	Elections		10,412.38
A1620	Buildings		32,095.82
A1621	Buildings		13,390.07
A1680	Information Technology	3,766.04	29,119.00
A2490	Community College Tuition		1,780.00
A2960	Education Handicapped Children		134,833.42
A3020	Public Safety Comm E911 System		4,595.07
A3110	Sheriff		18,470.43
A3146	Sex Offender Program		9,240.00
A3150	Jail		56,738.14
3315	Special Traffic Programs		700.00
A3410	Fire		1,877.19
A3640	Emergency Mgmt Office		371.78
A4010	Public Health Nursing		27,599.63
A4011	Public Health Administration		2,391.78
A4042	Rabies Control		2,070.40
A4044	Early Intervention		450.67
A4053	Preventive/Primary Health Services		85.55
A4054	Preventive Dental Services		2,550.01
A4064	Managed Care-Dental Services		8,499.49
A4070	Disease Control		1,610.20
A4090	Environmental Health		623.73
A4210	Alcohol and Drug Services		15,046.18
A4211	Council on Alcoholism		10,909.34
A4309	Mental Hygiene Co Admin		16,904.59
A4310	Mental Health Clinic		91,999.16
A4320	Crisis Intervention Services		13,152.67
A4321	Intensive Case Management		2,081.53
A5630	Bus Operations		68,379.38
A6010	Social Services Administration		107,771.08
A6422	Economic Development		27.63
A6510	Veterans' Service		85.44

A6610	Sealer Weights/Measures	127.14
A7510	Historian	63.36
A8020	Planning	16.99
A8760	NYS DOS LTCRS Grant	8,294.70
SOLID WASTE FUND		186,674.96
SPECIAL GRANT FUND		10,752.01
LIABILITY INSURANCE FUND		269.50
COUNTY ROAD FUND		21,809.21
CAPITAL FUND		397,591.93
CONSOLIDATED HEALTH INSURANCE FUND		312,278.38
SELF-INSURANCE FUND		<u>1,906.00</u>
GRAND TOTAL		\$ 1,681,613.99

Legislator Monell made a motion to approve the minutes of September 10, 2013, seconded by Legislator Hollenbeck, and carried.

Chair Weston made the following appointment to the Municipal Electric & Gas Alliance Board (MEGA):

Douglas Barton – 11/13/13 to 11/12/17

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

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 230-13 *AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY MANAGER TO APPLY FOR HAZARD MITIGATION GRANT PROGRAM (HMGP) GRANTS FOR TWO SCOUR CRITICAL DESIGNATED COUNTY BRIDGES*

WHEREAS: On August 1, 2013 the Materials Recovery Manager submitted Letters of Intent (LOI) for two scour critical bridges to the Hazard Mitigation Grant Program (HMGP); and

WHEREAS: Both LOI's were approved and are eligible to be submitted as HMGP applications; and

WHEREAS: Tioga County has two bridges that have been determined as scour critical; meaning that in high flow situations the abutments could be undermined; and

WHEREAS: All bridges that are designated as scour critical require an inspection and action plan after every high flow situation; and

WHEREAS: Department of Public Works will apply heavy stone fill grouted with concrete to protect the base of the abutments in high flow situations; and

WHEREAS: This application will cost \$40,000 per bridge and the grant will pay for 75 percent of the cost; and

WHEREAS: Therefore removing these bridges from the scour critical designation; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer the said grants; and be it further

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute any other documents, upon approval of the County Attorney, that may be required in the future to obtain the aforesaid grant monies for Tioga County.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 231-13 *AWARD ENERGY SAVINGS PERFORMANCE
CONTRACT TO JOHNSON CONTROLS INC.*

WHEREAS: The Tioga County Legislature had several presentations regarding energy savings & energy conservation; and

WHEREAS: The Commissioner of Public Works advertised a Request for Qualifications for an Energy Savings Performance Contract; and

WHEREAS: The Commissioner of Public Works has determined that Johnson Controls has the best qualifications; and

WHEREAS: Johnson Controls already has control systems at the County Office Building and Public Safety Building; and

WHEREAS: The Tioga County Legislature has bonded for Capital Projects; therefore be it

RESOLVED: That the Tioga County Legislature award the Energy Savings Performance Contract to Johnson Controls, Binghamton, NY.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 232-13

*APPROVE SUPPLEMENTAL
AGREEMENT 2 FOR LABELLA
ASSOCIATES FOR GASKILL RD BRIDGE
OVER NANTICOKE CREEK
BIN: 3335390*

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

WHEREAS: Funds are available for the design & inspection of these bridges; and

WHEREAS: These services were awarded to Labella Associates, Rochester, NY on Resolutions 216-12 and 114-13; and

WHEREAS: Part of the project will be covered by the National Resources Conservation Service (NRCS) grant; and

WHEREAS: Design of a rock wall slope protection system is part of the grant requirement; therefore be it

RESOLVED: That the Tioga County Legislature approve Supplemental Agreement #2 for Labella Associates, Rochester, NY for Gaskill Rd Bridge over Nanticoke Creek BIN: 3335390 to design a rock wall slope protection system not to exceed \$8,000 to be paid out of Gaskill Rd. Bridge account H2012.06.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 233-13 *APPROVE SUPPLEMENTAL AGREEMENT
FOR MCFARLAND JOHNSON FOR
PIN: 9L9714 PENN AVE. OVER LONG CREEK*

WHEREAS: The Tioga County Legislature awarded inspection services to McFarland Johnson for the Penn. Ave. Bridge over Long Creek PIN: 9L9714 on Resolution 293-12; and

WHEREAS: This is a federally funded project and inspection services are included; and

WHEREAS: Additional inspection services were required due to the length of the construction, which caused additional expenses and fees; and

WHEREAS: NYS has agreed to pay the local share of the project; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supplemental Agreement not to exceed the amount of \$44,155 to be paid out of the Penn. Ave. Bridge account H2012.05.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 234-13

*APPROVE ADDITIONAL SERVICES
FOR LABELLA ASSOCIATES FOR
TIOGA COUNTY COURT HOUSE
FLOOD PROJECT*

WHEREAS: Tioga County Legislature hired Labella Associates for design services for the Tioga County Court House Flood Damage repair with resolution 194-11; and

WHEREAS: Labella Associates spent additional hours on the project due to the Sixth Judicial District's rewiring of the network and relocation of the rack system in both the Court House and Court Annex at a cost of \$1,000; and

WHEREAS: Additional time was also spent to facilitate the close-out of the project due to the Contractors' slow or lack of responsiveness at a cost of \$2,000; and

WHEREAS: This additional fee will be requested from FEMA; therefore be it

RESOLVED: That the Tioga County Legislature authorize payment of \$3,000 to LaBella Associates for the additional services to be paid out of the flood account H1624.20.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 235-13 *AWARD BID FOR PRINTING OF OPTICAL SCAN ELECTION BALLOTS AND ELECTION RELATED MATERIAL*

WHEREAS: The Tioga County Board of Elections requested bids for printing of optical scan election ballots and election related material; and

WHEREAS: The Tioga County Board of Elections received two sealed bids by the due date of August 27, 2013 and said bids were opened on August 28, 2013; and

WHEREAS: The bid results were as follows:

PHOENIX GRAPHICS, INC.

Item	Description	14" Ballot	17" Ballot	22" Ballot
1	Optical Scan Ballot	\$.48	\$.48	\$.54
2	Primary Ballot w/color	\$.48	\$.48	\$.54
3	Absentee/Military/Federal Ballots	\$ N/C	\$ N/C	\$ N/C
4	BMD Blank Ballots	\$ N/C	\$ N/C	\$ N/C
5	Completed Test Ballots	\$ N/C	\$ N/C	\$ N/C
		\$/1500	\$/2500	\$/5000
6	NTS Acknowledgement Forms	\$ N/C	\$ N/C	\$ N/C
7	NTS Transfer Form	\$ N/C	\$ N/C	\$ N/C

8	NTS Confirmation Form	\$ N/C	\$ N/C	\$ N/C
9	Primary/General Election Oath Envelopes	\$ N/C	\$ N/C	\$ N/C
10	Affidavit Envelopes	\$ N/C	\$ N/C	\$ N/C
11	Military Ballot Envelopes	\$ N/C	\$ N/C	\$ N/C
12	Civilian Absentee Ballot Envelopes	\$ N/C	\$ N/C	\$ N/C
13	Special Federal Ballot Envelopes	\$ N/C	\$ N/C	\$ N/C
14	Special Presidential Ballot Envelopes	\$ N/C	\$ N/C	\$ N/C
15	Absentee Civilian Ballot Application Forms	\$ N/C	\$ N/C	\$ N/C
16	Absentee Military Ballot Application Forms	\$ N/C	\$ N/C	\$ N/C
17	Poll Site Sample Ballot Poster	\$ N/C	\$ N/C	\$ N/C
18	Privacy Sleeves	\$ N/C	\$ N/C	\$ N/C
19	Ballot Proposal and Amendment Pamphlets	\$ N/C	\$ N/C	\$ N/C
20	NYS Political Calendar trifolded	\$ N/C	\$ N/C	\$ N/C

FORT ORANGE PRESS, INC.

Item	Description	14" Ballot	17" Ballot	22" Ballot
1	Optical Scan Ballot	\$.48	\$.48	\$.54
2	Primary Ballot w/color	\$.48	\$.48	\$.54
3	Absentee/Military/Federal Ballots	\$.48	\$.48	\$.54
4	BMD Blank Ballots	\$.22	\$.22	\$.22
5	Completed Test Ballots	\$1.20	\$1.20	\$1.30
		\$/1500	\$/2500	\$/5000
*6	NTS Acknowledgement Forms	\$.25	\$.25	\$.25
*7	NTS Transfer Form	\$.25	\$.25	\$.25
*8	NTS Confirmation Form	\$.25	\$.25	\$.25
*9	Primary/General Election Oath Envelopes	\$.18	\$.18	\$.18
*10	Affidavit Envelopes	\$.20	\$.20	\$.20
*11	Military Ballot Envelopes	\$.18	\$.18	\$.18
*12	Civilian Absentee Ballot Envelopes	\$.25	\$.25	\$.25
*13	Special Federal Ballot Envelopes	\$.25	\$.25	\$.25
*14	Special Presidential Ballot Envelopes	\$.25	\$.25	\$.25
*15	Absentee Civilian Ballot Application Forms	\$.10	\$.10	\$.10
*16	Absentee Military Ballot Application Forms	\$.10	\$.10	\$.10
*17	Poll Site Sample Ballot Poster	\$1.00	\$1.00	\$1.00
*18	Privacy Sleeves	\$3.00	\$3.00	\$3.00
*19	Ballot Proposal and Amendment Pamphlets	\$.50	\$.50	\$.50
*20	NYS Political Calendar trifolded	\$.56	\$.56	\$.56

* Notwithstanding the unit prices and extended prices quoted herein, Items 6-20 shall be provided to Tioga County at NO additional cost should the award of items 1-5 at the stated prices be made to Fort Orange Press, Inc.

THEREFORE BE IT

RESOLVED: That the Tioga County Legislature awards the bid for printing of optical scan election ballots and election related material to the lowest responsible bidder, Phoenix Graphics, Inc.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 236-13 *ERRONEOUS ASSESSMENT
TOWN OF NICHOLS*

WHEREAS: An application for Refund and Credit of Real Property Taxes indicates that property no. 298 assessed to Fred J and Debra Westbrook, on the 2013 tax rolls of the Town of Nichols is erroneous in that the Board of Assessment Reviews (BAR) lowered the assessment from \$46,000 to \$42,000; and

WHEREAS: The taxes for property no. 298 were paid to the Town of Nichols Tax Collector on 2/28/13; be it therefore

RESOLVED: That the Tioga County Treasurer issue a refund of \$185.41 to Fred and Debra Westbrook for overpayment of the 2013 property taxes on property no. 298 in the Town of Nichols; and be it further

RESOLVED: That the erroneous town tax of \$45.14 be charged back to the Town of Nichols, and the erroneous fire tax of \$11.79 be charged back to the Nichols Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$5.41 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$123.07 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 237-13

*RESOLUTION IN SUPPORT OF
ESTABLISHING A SOUTHERN TIER
OFFICE OF MENTAL HEALTH (OMH)
REGION*

WHEREAS: The New York State Office of Mental Health (OMH) has proposed a major redesign of the agency under a “Regional Centers of Excellence” (RCE) model; and has divided the state into five distinct regions (Western, Central, Hudson River, New York City and Long Island) with fifteen Regional Centers of Excellence; and

WHEREAS: The OMH plan in its current form designates the closure of all state operated inpatient services at the Elmira Psychiatric Center and Greater Binghamton Health Center by July of 2014 and creates two Community Outpatient Service Hubs at those locations instead; and

WHEREAS: The Greater Binghamton and Elmira Centers currently serve a largely rural population of nearly 1.5 million people in fifteen (which includes Delaware, Broome, Tioga, Chenango, Otsego (in the Central NY Region under the proposed OMH plan and currently in the GBHC catchment area), Tompkins Chemung, Steuben, Yates, Schuyler, Seneca, Wayne, Ontario, Allegheny (in the Western NY Region under the proposed OMH plan and currently in the Elmira Psychiatric catchment area)) counties of the Southern Tier and parts of the

Finger Lakes, covering over 11,400 square miles, comprising nearly 1/4 of the state and lacking access to public transportation; and

WHEREAS: The OMH plan exclusively follows an urban "thruway corridor" model, requiring rural, often poor, residents of the Southern Tier to travel hours to urban areas along the New York State Thruway for inpatient care (Buffalo or Syracuse for adults and Buffalo or Utica for children); and

WHEREAS: The United States Government has already designated many of the counties service by Elmira and Greater Binghamton to be "Federally Designated Underserved Areas," prior to the removal of inpatient services by OMH; and

WHEREAS: The OMH Plan removes 100% of the state operated child and adolescent inpatient services from these fifteen rural counties, and would also leave these fifteen counties with no private hospital children's beds (under 12 years of age) and only six private hospital adolescent beds (ages 12-17) located in Tompkins County; and

WHEREAS: The OMH Plan removes 100% of the state operated adult inpatient services from these fifteen counties and relies on only 1.45 private inpatient beds for every 10,000 people living in the fifteen counties served by Elmira and Greater Binghamton; and

WHEREAS: The OMH Plan leaves local hospitals that predominantly rely on public mental health services to choose between high risk discharges or weeks of uncompensated care, while awaiting access to the urban Regional Center for Excellence; and

WHEREAS: The Greater Binghamton and Elmira Centers are among the top performing hospitals in OMH relative to access, quality and productivity, providing timely access to a comprehensive array of high quality child and adult acute, intermediate, residential, educational, clinic and recovery focused services; and

WHEREAS: Greater Binghamton ranks first (#1) in OMH children's inpatient access (turnover) and Elmira ranks third (#3) in OMH adult inpatient access (turnover), outperforming all but one of the proposed "RCE's", and the Greater Binghamton and Elmira Centers are #1 and #3 (respectively) in OMH for children's discharges that are successfully followed by multiple outpatient visits; and

WHEREAS: The Greater Binghamton and Elmira Centers began working together in late 2012 toward combining operational elements, reducing the duration of inpatient hospitalization and achieving joint efficiencies that are amongst the best in OMH; and

WHEREAS: The Elmira and Greater Binghamton Centers have substantially achieved most of the access, quality, and productivity objectives ostensibly serving as the basis of the OMH Regional Centers of Excellence plan; and

WHEREAS: This body largely supports the overall goals of the OMH Plan, it is inadequate to meet the challenges of the most economically distressed part of the state, at a time when the need for mental health services is on the rise; now therefore be it

RESOLVED: That the Tioga County Legislature urges the Commissioner of Mental Health, Governor Andrew Cuomo, the New York State Senate and the New York State Assembly to support the inclusion of a Southern Tier OMH Region with a Southern Tier based Regional Center(s) of Excellence, serving the Southern Tier and portions of the Finger Lakes. This would include continued access to child, adolescent and adult inpatient and community services, managed under a locally responsive rural model, as an alternative to the exclusively urban thruway model currently under consideration; and be it further

RESOLVED: That a copy of this resolution be forwarded to Senator Thomas Libous, Assemblyman Gary Finch, Assemblyman Christopher Friend, Governor Andrew Cuomo, and the leadership of the New York State Senate and Assembly.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 238-13 *AUTHORIZE LEASE AGREEMENT WITH SOUTHERN TIER INDEPENDENCE CENTER, INC. – SOCIAL SERVICES*

WHEREAS: The Southern Tier Independence Center, Inc. (STIC), located at 135 East Frederick Street, Binghamton, NY 13904, wishes to lease office space from the Tioga County Department of Social Services; and

WHEREAS: Tioga County Department of Social Services has approximately 354 square feet of office space at its facility located at 1062 State Route 38, Owego, NY 13827, which may be utilized by STIC; and

WHEREAS: STIC shall use and occupy said premises solely for the purposes outlined in the Lease Agreement; and

WHEREAS: STIC agrees to pay the Department of Social Services the sum of \$500 (five hundred dollars) per month in exchange for the right to occupy said premises; now therefore be it

RESOLVED: That the Legislature hereby determines that the proposed leased premises is not required for public use; and be it further

RESOLVED: That the Tioga County Legislature authorize the Commissioner of Social Services to enter into a Lease Agreement, upon approval by the County Attorney, with Southern Tier Independence Center, Inc. for five years, effective October 16, 2013 through October 15, 2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 239-13 *TRANSFER OF FUNDS*
REAL PROPERTY DIRECTOR CONFERENCE

WHEREAS: The Real Property Tax Director will attend the Directors conference October 21 thru 23; and

WHEREAS: The cost to attend such conference is \$480; and

WHEREAS: The Real Property contractual account is insufficient to cover the total cost of the conference; therefore be it

RESOLVED: That the following sums be transferred:

From: Assessments Account A1355.10-10 \$80.00

To: Assessments Account A1355.40-731 \$80.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 240-13 *APPROPRIATION OF FUNDS*
SOCIAL SERVICES

WHEREAS: The County of Tioga has generated additional State Operating Assistance (STOA) funds granted by the New York State Department of Transportation; and

WHEREAS: Appropriation of funds requires legislative approval: therefore be it

RESOLVED: That funding be appropriated as follows:

A 3090.10 State Aid-Bussing	\$ 210,000
A 5630.40-487 Bus Operations	\$ 210,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 241-13 *APPROVE PUBLIC TRANSPORTATION
BUS ROUTE CHANGES
SOCIAL SERVICES*

WHEREAS: A review of the current bus route schedule for Route 3 was done to deal with capacity issues related to increased ridership and the increased associated costs and

WHEREAS: Adjustment to the starting time of the second run can reduce cost with minimal impact on ridership; therefore be it

RESOLVED: That the Department of Social Services be authorized to adjust the starting time of run 2 on Route 3 from 7:50 am to 7:10 am with corresponding changes to the afternoon run effective November 1, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 242-13 *DESIGNATION OF TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION,
D.B.A. TIOGA COUNTY TOURISM, AS
AUTHORIZED TOURISM PROMOTION
AGENCY FOR 2014*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA), therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2014 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 243-13 *RESOLUTION IN SUPPORT OF PROPOSITION #1 TO
AUTHORIZE CASINO GAMING*

WHEREAS: The New York State Legislature has passed 2013 legislation to create Proposition #1 to authorize casino gaming on the statewide ballot, Tuesday, November 5th, 2013; and

WHEREAS: The authorization to establish up to seven (7) full gaming licenses on Non-Native American Compact Zones will allow other portions of the State of New York share in economic benefits of casino gaming; and

WHEREAS: Full casino gaming will result in new revenues allowing for greater state aid to education, allowing for a greater offset of local school taxes; and

WHEREAS: New revenues will also be directly shared with all counties in the region of a full gaming licensed facility, allowing for a greater offset of local property taxes; and

WHEREAS: Full casino gaming will result in an estimated 1,000 direct and indirect upstate jobs; therefore be it

RESOLVED: That the Tioga County Legislature pass this resolution in support of Proposition #1 authorizing casino gaming on the statewide ballot, Tuesday, November 5th, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 244-13 *AUTHORIZE THE SUBMISSION OF 2014
EMPG GRANT APPLICATION
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security and Emergency Services will be issuing a grant to the Tioga County Office of Emergency Management in the amount of \$23,676 for the year 2014. The grant will be used for planning and training; and

WHEREAS: The Tioga County Emergency Management Office has received funds through the Local Emergency Planning Grant (LEMPG) for several years. The LEMPG was replaced by the Emergency Management Planning Grant (EMPG); and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application which is due immediately; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given permission to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 245-13

*AUTHORIZATION TO EXECUTE
CONTRACT WITH LEXIS NEXIS
FOR SUBSCRIPTION TO LEXIS
ADVANCE*

WHEREAS: it appears that many County Departments can benefit from access to an on line research tool; and

WHEREAS: Lexis Nexis has proposed a County wide subscription that will provide access to Lexis Advance for a three year period at a monthly cost not to exceed \$1,060.90 per month; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a three year contract with Lexis Nexis for a subscription to Lexis Advance at a cost not to exceed \$1,060.90 per month.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 246-13 *AMEND COUNTY POLICY 3: ORIENTATION, EXIT INTERVIEWS, RECRUITMENT, RETIREMENT*

WHEREAS: County Policy 3, Section IV Retirement addresses eligibility for health insurance upon retirement and retiree contributions toward the premiums; and

WHEREAS: There has been some confusion as to which sections apply to Legislators; therefore be it

RESOLVED: That the following revisions be made to County Policy 3, section IV Retirement for clarification purposes only:

A. Change to read: As to all employees hired on or before December 31, 1992 and as to Legislators taking office prior to 1993, the Policy shall be as follows:

A.1. Change to read: Upon retirement, if covered under Tioga County health insurance for a period of not less than five (5) consecutive years, such coverage shall continue.

B. Change to read: As to all employees and Legislators hired on or after January 1, 1993 and elected officials taking office on or after January 1, 1992, the Policy shall be as follows:

B.1. Change to read: Any full-time employee, elected official or Legislator not less than fifty-five (55) years of age who retires from Tioga County shall be entitled to a health insurance benefit upon the following conditions:

B.1.e. Change to read: For all part-time employees and Legislators each full year of County service shall count as ½ year for purposes of determining retirement health benefits.

B.1.f. Change to read: In the event an employee, Legislator or elected official is required to retire under medical disability prior to obtaining the age of fifty-five (55), the Legislature may, at its option, waive the age requirement.

C.2. Change to read: If employed by Tioga County for fifteen (15) consecutive years prior to retirement, Tioga County shall

continue to pay, during the life of the retired employee, Legislator or elected official, a percentage of the full monthly premium for individual or family health insurance as listed in the following chart, and the retired employee, Legislator or elected official will pay either the percentage of the full monthly premium as listed on the chart or their annualized payroll contribution at time of retirement (to be paid on a monthly basis), whichever is greater:

Heading of column 3 change to read:
% paid by Retiree.

C.4. Change to read: For all part-time employees and Legislators, each calendar year of Tioga County service shall count as ½ year for purposes of determining retirement health insurance benefits.

and be it further

RESOLVED: That the remainder of County Policy 3 shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 247-13 AMEND POLICY 16 COUNTY HOURS

WHEREAS: Policy 16 states the hours that County Offices shall be open; and

WHEREAS: The County Offices located at Court Street are now accessed through the Court Annex and security for the Court House is from 9:15 a.m. until 4:45 p.m. on a daily basis; therefore be it

RESOLVED: That Policy 16 County Hours shall amend the first sentence to now read:

"County offices are open from 9 a.m. to 5 p.m. with the exception of the County Offices located at Court Street whose entrance hours to the public are 9:15 a.m. to 4:45 p.m."

And be it further

RESOLVED: That the remainder of Policy 16 County Hours shall remain in full force and effect.

ROLL CALL VOTE

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

No – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 248-13 *AMEND COUNTY POLICY 44; NON-UNION
BENEFITS*

WHEREAS: County Policy 44 outlines the contributions toward health insurance that Non-Union employees are required to make; and

WHEREAS: The 2014 contributions need to be reflected; and

WHEREAS: The Legislature has accepted the Non-Union Salary Committee's recommendation to increase contributions for those full-time employees hired prior to 2009; and

WHEREAS: The Legislature has also decided to increase Legislator's contributions, in keeping with the future goal to have all employees eligible to carry insurance contribute at least 15% of premiums; therefore be it

RESOLVED: That paragraphs 2 and 3 under Section I: Wages, have the date of September 1 changed to August 1 to better coincide with the evaluation timeline; and be it further

RESOLVED: That Section 5 be amended to delete the 2012 contribution column; and be it further

RESOLVED: That County Policy 44, Section 5 be amended effective January 1, 2014 to have the following column added to the contributions chart:

2014:

Legislators	8½% of premium
Hired Prior to 1/1/09	12½% of premium
Hired on or after 1/1/09	15% of premium
Part-time Attorney	20% of premium

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 249-13 *ADOPT COUNTY POLICY 58: SOCIAL MEDIA USE*

WHEREAS: Today's technology has prompted the use of social media as a means of communicating information; and

WHEREAS: Tioga County expects some Departments may wish to utilize social media to disseminate information to our community, both routine information and emergency information; and

WHEREAS: Establishing a Policy which provides protocols on the use of social media, for both business and personal purposes, is recommended; therefore be it

RESOLVED: That County Policy 58: Social Media Use is hereby adopted effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 250-13 *CONTRACT WITH EXCELLUS BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

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

WHEREAS: Excellus Blue Cross Blue Shield of Central New York will need to administer the run-out claims for the members of the Tioga County Consolidated Municipal Health Insurance Program (TCCMHIP); and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2014 through December 31, 2014; and

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

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County and to administer the run-out claims for the TCCMHIP for the period January 1, 2014 through December 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 251-13 *CONTRACT WITH EBS-RMSCO, INC. TO
ADMINISTER FLEXIBLE SPENDING AND HEALTH
REIMBURSEMENT ACCOUNT PROGRAMS*

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

WHEREAS: EBS-RMSCO, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

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

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

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

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

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with EBS-RMSCO, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2014 through December 31, 2014; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2014 through December 31, 2014; and be it further

RESOLVED: That in compliance with Federal Health Care Reform the maximum annual pledge for the medical flexible spending portion is now \$2,500 for the period of January 1, 2014 through December 31, 2014.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	LEGISLATIVE WORKSESSION PERSONNEL COMMITTEE
RESOLUTION NO. 252-13	<i>STANDARD WORK DAY AND REPORTING RESOLUTION REAL PROPERTY COUNTY OFFICES</i>

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					
Director of Real Property Tax Services	Terie Huseby	7	10/1/13-9/30/19	Y	N/A

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 253-13 *ABOLISH ONE (1) FULL-TIME SENIOR COMPUTER MAINTENANCE TECHNICIAN POSITION*

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

WHEREAS: The Acting Director of ITCS has reviewed the staffing level within the Information Technology and Communication Systems Department in comparison to the workload and recommends the elimination of one (1) position on the basis there is a lack of work; therefore be it

RESOLVED: That the Tioga County Legislature approves the abolishment of one (1) full-time Senior Computer Maintenance Technician position effective as of the close of business on November 1, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 254-13 *AUTHORIZE APPOINTMENT: PUBLIC HEALTH
DIRECTOR (PUBLIC HEALTH)*

WHEREAS: The Public Health Director position became vacant on June 22, 2013 as a result of the retirement of Hans Peeters; and

WHEREAS: A search committee comprised of Board of Health members and County representatives has selected a candidate and the Board of Health has approved appointment of the candidate; therefore be it

RESOLVED: That the appointment of James Rich as Public Health Director by the Board of Health is hereby confirmed, with an annual salary of \$68,000 authorized; and be it further

RESOLVED: That Mr. Rich's appointment is effective November 12, 2013 for the balance of the current term, which runs through January 10, 2017; and be it further

RESOLVED: That Mr. Rich's appointment is subject to approval by the NYS Health Department.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 255-13 REQUEST WAIVER OF 90-DAY HOLD
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Resolution 275-12 extended the 90-day hiring delay through December 31, 2013; and

WHEREAS: Effective October 7, 2013, Suzanne Conmy was promoted to Senior Caseworker in the Children's Services Division leaving a Caseworker vacancy,

WHEREAS: Said vacancy impacts the Foster Care Unit in the Children's Services Division, creating caseload sizes of 20 or more children; and

WHEREAS: New York State Office of Children & Family Services recommended caseload size for Foster Care Caseworkers is 12 to 15 children; and

WHEREAS: There is another anticipated leave in the Foster Care Unit in early January, 2014; and

WHEREAS: An eligibility list for Caseworker exists for recruitment and filling of the position; now therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the Caseworker position at an annual salary of \$38,063 (2013 CSEA Salary Grade XI), effective on or after October 16, 2013.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 p.m.