

*Fourth Regular Meeting*  
April 15, 2014

The Fourth Regular Meeting of 2014 was held on April 15, 2014 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for the honor and privilege that is ours to represent the people of this County. In these meetings, we pray Lord that you would be with us as we make decisions and we do so with the thought of the people of this County in our hearts and in our minds. We pray that you will continue to bless in all that we do this day."

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

There was no privilege of the floor.

Legislator Sauerbrey read and presented the following recognition resolution to Stella Reschke, Tourism Director.

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

REFERRED TO:                   ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 76-14            *RESOLUTION RECOGNIZING  
STELLA S. RESCHKE'S 18 YEARS OF DEDICATED  
SERVICE TO TIOGA COUNTY TOURISM*

WHEREAS: Stella S. Reschke first moved to Tioga County in 1977 and began her career as Administrative Assistant at Tioga County Tourism in June 1996. She was appointed Director of Tourism in 2002; and

WHEREAS: Stella has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 18 years. She has earned the respect of those individuals she professionally interacts with throughout Tioga County; and

WHEREAS: Stella was very instrumental as Director of Tourism in bringing new events and attractions to Tioga County. She initiated such events including Bike Tioga, Lights on the River, Strawberry Festival 5K Run, Snowzilla 8K Run, Strawberry Festival Friday Night Block Party and Tioga Journeys Bus and Walking Tours. She originated and/or assisted on such projects including the Riverwalk Interpretive Signage, the Owego Self-guided Cell Phone Walking Tour, the Badass Bike Tours of Southern Finger Lakes, Trails of Tioga brochure, Leaf Peeping Guide, and Historic Owego Marketplace brochure, creating and promoting tourism attractions for Tioga County. Stella worked closely with the LDC and provided support to all tourism entities; and

WHEREAS: Stella received many awards such as the "Best County Travel Guide" in 2004, "Preserve America" designation to Owego in 2008, "The Coolest Small Town" in 2009, and an Exceptional Merit award for "Prettiest Painted Places in America" in 2012; and

WHEREAS: Stella will be retiring on April 25, 2014; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens and tourism businesses of Tioga County, express sincere gratitude to Stella Reschke for her 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

LeeAnn Tinney spoke. "Here is what I have learned. Working with Stella Reschke is a lot like winding up a Jack in the Box. You crank it along, the music plays, everything seems perfectly normal, and then pop out comes the next big idea. I have worked alongside Stella for 16 years and she has never stopped amazing me with the great new ideas that continue to come popping out. As Marte mentioned, Stella and her high school sweetheart husband Don came to Tioga County as Chicago transplants in 1977. What they expected would be a short-term adventure, fully intending to return to the Chicago area, became a lifelong commitment to Tioga County.

"Stella has told me several times about how much she loves this area and how she could not imagine raising their family anywhere else. This is particularly evident in the outstanding work she exhibited, first as an Administrative Assistant and ultimately as Director of the Tioga County Tourism Office. As you might imagine, thinking outside of the Jack in the Box, is a critical job requirement. Stella has shown this unique ability time and time again and she has done so with precision, perception, and pride. It is very clear that Stella Reschke is proud of what Tioga County has to offer and so she should also be proud of her contribution presenting Tioga County to our visitors from inside and outside the area.

"The list of projects that she has either implemented or played a key role in are too numerous to count. When I asked Stella what she felt her greatest accomplishments were, she talked specifically about the 2004 award winning travel guide named best in New York State, initiating the Coolest Small Town in America campaign, and her involvement in the Riverwalk project to name a few. Ultimately however she states she finds her greatest joy in getting people to experience Tioga and to enjoy the many opportunities available here. Now Stella will be able to enjoy her two grown daughters, Gretchen and Jen, as well as her grandson and the newest arrival her granddaughter who was born just last week.

"Husband Don will retire from Lockheed Martin on the very same day as Stella will retire from Tourism. Together they will start a new chapter in their lives as they have purchased a home in the Town of Ontario where Lake Ontario serves as their backyard and I am sure where they will spend many hours sailing. In closing, I would simply like to say thank you. Please accept our sincere gratitude for your 18 years of dedicated service on behalf of the residents of Tioga County."

Stella Reschke spoke. "I am honored and just humbled by the recognition today, so I thank you very much for the support that you have given me and our office over the years, and I just pray that you will continue to support and value the tourism industry of Tioga County. It has been a joy and a blessing from God. I cannot even express my words of the privilege of working for the people of Tioga County. Thank you very much."

Chair Sauerbrey introduced the new Tourism Director who is here with us today, Rebecca Maffei.

Legislator Standinger read the following Proclamation on American Stroke Month.

Legislator Standinger spoke. "This has been my passion since I came on the Legislature because I found out five years ago what it is like to have a stroke."

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fourth leading cause of death in the United States, killing over 134,000 people nationwide and more than 30 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 24.9% between 2010 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 238% from \$28.3 billion in 2010 to \$95.6 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and;

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of May 2014 as:

*AMERICAN STROKE MONTH IN TIOGA COUNTY*

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "I can tell you personally I had no idea I was having a stroke when I was, but I was fortunate enough to be able to call somebody on the phone who recognized that I was having a problem and got treatment, and that is why I am here today instead of on the other side of the grass. I appreciate all the efforts the Health Department has done on my behalf."

Margaret Shuler spoke. "My first job before the Health Department was on a neurosurgical/neurological floor and I saw firsthand the effects of stroke on relatively young adults and they seem younger the older I get. I was up close and personal, and I really admire the struggle of what people went through. This is a really wonderful issue to hi-light. Thank you."

The Chair noted the following four Proclamations.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: The nurses who live and who work in Tioga County while serving in many roles are all members of one profession, and as such have shown strength, commitment, professional skill and compassion directed at improving the health of the residents of Tioga County; and

WHEREAS: The nursing profession is rapidly changing, requiring nurses to expand their role through critical thinking, and holistic analysis of patient care, to meet the new challenges; and

WHEREAS: Tioga County nurses serve in many capacities within Tioga County; e.g., immunization clinics, control of communicable disease, homecare, mental health, Department of Social Services, doctor's offices, prenatal care programs, nursing homes, and more; and

WHEREAS: The week of May 6 through 12, 2014 is "NATIONAL NURSES WEEK" and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 6 – 12, 2014 as:

*NATIONAL NURSES WEEK IN TIOGA COUNTY*

and encourage businesses, government agencies, community-based organizations, service groups and our fellow citizens to recognize the many nurses who work and live in Tioga County as being nurses with strength, commitment and compassion.

*County of Tioga  
EXECUTIVE PROCLAMATION*

WHEREAS: Giving babies the recommended immunizations by age two is the best way to protect them from 14 serious childhood diseases; and

WHEREAS: Vaccine-preventable diseases still circulate in the United States and around the world, so continued vaccination is necessary to protect everyone from potential outbreaks. Even when diseases are rare in the U.S., they can be brought into the country, putting unvaccinated children at risk; and

WHEREAS: Most parents vaccinate their children, resulting in high vaccine coverage rates in the U.S.; and

WHEREAS: It is important to vaccinate children on time, according to the childhood immunization schedule, to provide the best protection early in life, when babies are vulnerable and before they are likely to be exposed to diseases; and

WHEREAS: For 20 years, National Infant Immunization Week has encouraged parents, caregivers, and health care professionals to participate in educational, recognition, and media events to increase the awareness of the importance of immunizing children before their second birthday; and

WHEREAS: This year, National Infant Immunization Week will be celebrated as part of World immunization Week, an initiative of the World Health Organization (WHO) where all six WHO regions, including more than 180 Member States, territories, and areas will simultaneously promote immunization, advance equity in the use of vaccines and universal access to vaccination services, and enable cooperation on cross-border immunization activities in April 2014; and

WHEREAS: The week of April 26-May 3, 2014, has been declared National Infant Immunization Week to help ensure that children should be protected against 14 vaccine-preventable diseases by the age of two; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 26-May 3, 2014 as:

INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY

and encourages parents to make vaccinating their children a priority and to talk to family and friends about protecting their children with vaccines. We also encourage businesses, government agencies, community-based organizations, and service groups to spread the immunization message throughout their communities.

2014 PROCLAMATION

*Mental Health Awareness Month & Children's Mental Health Week*

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness, and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2014 as *Mental Health Awareness Month* and May 4th – 10th, 2014 as *Children’s Mental Health Week* in Tioga County.

### **Child Abuse Prevention Month Proclamation**

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WHEREAS: The Tioga County Department of Social Services received 965 reports of alleged abuse/neglect involving 2,119 children in 2013; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: The Family Resource Centers of Tioga County will host open houses in the month of April to increase awareness of Child Abuse Prevention Month; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2014 as

#### ***Child Abuse Prevention 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 insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

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		404.00
A1165	District Attorney		812.50
A1170	Public Defender		2,436.73



A1172	Assigned Counsel		6,359.44
A1355	Assessments		5,255.98
A1362	Tax Advertising and Expenses		1,136.80
A1410	County Clerk		171.04
A1420	Law		3,485.00
A1430	Personnel		3,739.86
A1450	Elections	41,963.00	278.50
A1460	Records Management		100.00
A1490	Public Works Administration		150.00
A1620	Buildings		37,626.21
A1621	Buildings		14,081.71
A1680	Information Technology		9,957.12
A2490	Community College Tuition		41,036.60
A2960	Education Handicapped Children		102,530.89
A3020	Public Safety Comm E911 System		3,291.25
A3110	Sheriff	1,449.68	20,522.20
A3140	Probation		6,890.61
A3146	Sex offender Program		9,240.00
A3150	Jail		53,504.10
A3315	Special Traffic Programs		7,157.70
A3410	Fire		4,939.34
A3415	State Interoperable Comm Grant		3,070.00
A3640	Emergency Mgmt Office		734.42
A4010	Public Health Nursing		359.80
A4011	Public Health Administration		1,584.45
A4042	Rabies Control		144.53
A4044	Early Intervention		534.80
A4053	Preventive/Primary Health Services		7.19
A4054	Preventive Dental Services		2,944.34
A4064	Managed Care-Dental Services		11,803.72
A4070	Disease Control		1,761.99
A4090	Environmental Health	74.16	103.95
A4210	Alcohol and Drug Services		13,008.45
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene County Administration		5,813.51
A4310	Mental Health Clinic		75,687.17
A4311	Rehabilitation Support Services		3,708.00
A4320	Crisis Intervention Services		10,136.67
A4321	Intensive Case Management		14,872.79
A4333	Psycho Social Club		23,146.00
A4390	Criminal Psychiatric Expenditures		4,073.27
A5630	Bus Operations		222,837.46

A6010	Social Services Administration		41,137.74
A6422	Economic Development	87.00	457.00
A6610	Sealer Weights and Measures		165.14
A8020	Planning		432.80
A9060	Health Insurance		2,453.70
SOLID WASTE FUND			176,330.93
SPECIAL GRANT FUND			10,514.35
LIABILITY INSURANCE			291.60
COUNTY ROAD FUND			57,338.53
CAPITAL FUND			92,448.30
CONSOLIDATED HEALTH INSURANCE FUND			1,179.43
SELF-INSURANCE FUND			<u>2,650.00</u>
GRAND TOTAL			\$ 1,171,403.78

Legislator Hollenbeck made a motion to approve the minutes of March 6 and 11, 2014, seconded by Legislator Monell, and carried.

Chair Sauerbrey made the following appointment to the Broome-Tioga Workforce Development Board:

Theresa Nugent – 4/16/14 – 6/31/17

Chair Sauerbrey made the following appointments to the Information Technology Steering Committee effective 4/16/14:

Representative from Soil & Water  
 Representative from Department of Social Services  
 Representative from Mental Hygiene

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

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

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 77-14	<i>ERRONEOUS TAX PAYMENT TOWN OF RICHFORD</i>

WHEREAS: The Town of Richford returned the 2013 tax Bill #403, Acct #690, assessed to John F & Barbara Keener, Jr to the County Treasurer as unpaid and the taxes were entered into the county system for collection, and on 3/31/14 Barbara Keener paid \$2,625.04 for the outstanding 2013 taxes and interest to the County Treasurer's Office even though she thought they had been paid; and

WHEREAS: Barbara Keener provided sufficient proof to the County Treasurer's Office that the 2013 taxes had been paid to the Town of Richford in 2013, in the form of her cancelled check and a paid receipt received from the Town of Richford; be it therefore

RESOLVED: That a refund of \$2,625.04 be issued to Barbara and John Keener for the duplicate payment of the 2013 taxes; and be it further

RESOLVED: That the Town of Richford tax collector be requested to forward payment in the amount of \$2,163.77 to the County Treasurer at their earliest convenience for the erroneously returned 2013 taxes and second notice fee for which they received credit at settlement between Town of Richford and the Tioga County Treasurer's Office.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 78-14 REAPPOINT MEMBERS  
BOARD OF ETHICS

WHEREAS: The terms of F. John Waite and John Hitchings on the Board of Ethics are due to expire March 31, 2014; and

WHEREAS: F. John Waite and John Hitchings have both agreed to serve another term; therefore be it

RESOLVED: That F. John Waite, Minority nomination, and John Hitchings, Chair nomination, are hereby reappointed to the Board of Ethics for a term of April 1, 2014 through March 31, 2017.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 79-14                      *APPOINT MEMBER  
BOARD OF ETHICS*

WHEREAS: There is a vacancy on the Board of Ethics; and

WHEREAS: Craig Jochum has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Craig Jochum, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2014 through March 31, 2015.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 80-14                      *APPOINT MEMBER  
BOARD OF ETHICS*

WHEREAS: There is a vacancy on the Board of Ethics due to the resignation of Charles DiGiacomo; and

WHEREAS: Gwen Kania has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Gwen Kania, Chair nomination, is hereby appointed to the Board of Ethics to fill the unexpired term of Charles DiGiacomo from April 16, 2014 through March 31, 2016.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 81-14                      *RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Vicki Comstock's appointment to the Community Services Board will expire on March 31, 2014; and

WHEREAS: The Community Services Board has recommended Vicki's reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Vickie Comstock be reappointed to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 82-14      *RESOLUTION REAPPOINTING  
MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Christine Schweitzer's appointment to the Community Services Board will expire on March 31, 2014; and

WHEREAS: The Community Services Board has recommended Christine's reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Christine Schweitzer be reappointed to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 83-14      *RESOLUTION APPOINTING  
NEW MEMBER TO COMMUNITY  
SERVICES BOARD*

WHEREAS: Denise Brown has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Denise's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Denise Brown be appointed a new member to the Community Services Board, for term starting April 1, 2014 and ending March 31, 2018.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 84-14

*AUTHORIZE UPDATED BROOME-TIOGA  
STORMWATER COALITION INTERMUNICIPAL  
AGREEMENT OF 2014*

WHEREAS: Per resolution 268-03, the Tioga County Legislature authorized Tioga County's participation in an intermunicipal agreement with 16 other municipalities in Broome and Tioga Counties for the purpose of cooperatively implementing mandated stormwater activities in a manner that is compliant with NYS DEC's Phase II Stormwater regulations; and

WHEREAS: The Broome-Tioga Stormwater Coalition (BTSC) has updated this Intermunicipal Agreement to reflect changes in the Phase II Stormwater regulations since the initial agreement was approved, continual municipal stormwater audits conducted by NYS DEC and EPA, and results of audits conducted to date; and

WHEREAS: The updated BTSC Intermunicipal agreement now requires each participating municipality to designate an official representative that will participate in the Coalition's activities and meetings; and

WHEREAS: The updated BTSC Intermunicipal agreement also now requires each participating municipality to pay dues each year in the amount of \$1,000 to cover the costs of administration such as preparing the annual reports due to NYS DEC every year, and coordination and execution of various BTSC mandated activities; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize continued participation in the Broome-Tioga Stormwater Coalition, and designates the County Planning Director to be Tioga County's official BTSC Representative, and be it further

RESOLVED: That the Tioga County Legislature authorizes the payment of annual dues to the Broome-Tioga Stormwater Coalition in the amount of \$1,000 from Planning Appropriation account A8020.40-180, and authorizes the Tioga County Legislative Chair to sign all related BTSC intermunicipal agreement paperwork, contingent upon review and approval of the County Attorney.



## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 85-14      *APPROVE PUBLIC TRANSPORTATION  
BUS ROUTE CHANGES  
SOCIAL SERVICES*

WHEREAS: Revenue to support the Tioga County public transportation system, Ride Tioga, has been reduced; and

WHEREAS: Increases in fares and reductions in fixed route and demand response service need to be considered in order to minimize the local share of public transportation; and

WHEREAS: The Department of Social Services, in consultation with the Tioga County Legislature, has been working with First Transit on a revised schedule of fare increases and service reductions; therefore be it

RESOLVED: That the Department of Social Services be authorized to make appropriate fare increases and service reductions necessary to minimize the impact of the local share of public transportation until December 31, 2014.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
JOB TRAINING COMMITTEE

RESOLUTION NO. 86-14 AMEND TIOGA EMPLOYMENT  
CENTER BUDGET

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is fully funded under the federal Workforce Investment Act; and

WHEREAS: NYS Department of Labor has allocated administrative funds to administer the NEG-OJT contracts; and

WHEREAS: The funding is in the amount of \$1,354.08; and

WHEREAS: This funding can only be expended for personnel salaries; therefore be it

RESOLVED: That the Tioga Employment Center allocates the funds as follows:

From: CD4791 – Federal Aid-Federal Employment Program \$ 1,354.08

To: CD6293.10-10 –Federal Employment Program \$ 1,354.08

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 87-14 *AUTHORIZE CANCELLATION OF AGREEMENT  
WITH XENOS GROUP, INC.*

WHEREAS: In 2005, Tioga County entered into a License, Services and Support Agreement with Xenos Group Inc. for software licenses and support for the County's Infoweb; and

WHEREAS: Said license and support agreement has been renewed on an annual basis since 2005 and is set to expire May 14, 2014; and

WHEREAS: The annual maintenance fee being requested by the parent company of Xenos, namely Acuate Corporation, has greatly increased the cost of staying with this solution; and

WHEREAS: The IT Department has found another solution that exceeds the capabilities of the Xenos software at less cost to the County; and

WHEREAS: Tioga County wishes to cancel the current Agreement with Xenos; therefore, be it

RESOLVED: That the Chair of the Legislature is authorized, retroactive to April 8, 2014, to sign a letter providing the requisite 30 days' notice of cancellation to Xenos Group Inc, thereby cancelling the Agreement and subsequent renewals entered into with Xenos Group Inc.; and be it further

RESOLVED: That the County Attorney is authorized to engage the services of a process server in Ontario Canada to serve the notice of cancellation upon Xenos Group Inc.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 88-14 AMEND POLICY 23  
PROCUREMENT POLICY

WHEREAS: The Tioga County Legislature wishes to amend Policy 23; therefore be it

RESOLVED: That Policy 23 Procurement Policy be amended to provide as follows:

Section I. Procurement Procedures (second paragraph) states:

"and up to \$25,000 for larger departments".

Should be changed to read:

"and up to \$50,000 for larger departments".

Section IV. Determining the Necessity for Competitive Bidding – The chart is amended to provide as follows: "#16 should read Section 162; #17. Goods purchased from agencies for the blind or severely handicapped (Section 175-b) has been deleted; and #18 is now numbered #17 as reflected in the following chart.

	SUBJECT TO COMPETITIVE BIDDING (SECTION 103)	LOCAL POLICIES (SECTION 104-b)
Purchase and Contracts for Public Works		
1. Purchase Contract - Above \$20,000	X	
2. Purchase Contract - \$20,000 or less		X
3. Contract for Public Works - Above \$35,000	X	
4. Contract for Public Works - \$35,000 or less		X
Procurements Exempt from Both Section 103 and 104-b		
5. Preferred Source (State Finance Law, Section 162; Correction Law, Sections 184, 186)		X(a)
6. State Contract (GML, Section 104)		X(a)
7. County Contract (GML, Section 103[3])		X(a)
Procurements Exempt from Section 103		
8. Emergency (GML, Section 103[4])		X
9. Sole Source		X

10. Professional Service		X
11. True Leases	X(b)	
12. Insurance		X
13. Surplus/Second-hand Materials, Supplies, Equipment from certain Other Governments (GML, Section 103[9][10])		X
14. Certain Food, Milk Purchases (GML, Section 103[9][10])		X(c)
15. The contract is for standardized equipment, materials or supplies previously awarded by the County of Tioga to a supplier pursuant to General Municipal Law Section 103(5);		
16. The procurement is to be made pursuant to Correction Law Section 186 or State Finance Law Section 162		
17. Certain Municipal Hospital or Nutrition Program Purchases (GML, Section 103[8])		X

Section V. Methods of Procurement Not Covered by Bidding - The Purchasing Processing chart is amended to provide as follows: "Professional Services GML 104-b "x" removed from RFP column and "a" placed in other column as reflected in the following chart.

Procurements	Verbal Quotes		Written Quotes		RFP	Formal Bid	Other
	0	3	3	≥3*			
Commodities (Equipment, Materials & Supplies)							
\$500	X						
\$500 - \$1,499		X					
\$1,500 - \$4,999			X				
\$5,000 - \$19,999				X			
\$20,000 & over						X	
Public Works and Contracted Services							
\$10,000	X						
\$10,000 - \$19,999		X					
\$20,000 - \$34,999			X				
\$35,000 & over						X	
Over \$35,000 - sealed bids in conformance with GML, Section 103.						X	
Emergencies GML 103(4)							a.
Insurance							a.
Professional Services GML 104-b							a.
True Leases (other than school districts)				X			
Second-Hand Equipment from Other Governments							a.
Sole Source (i.e., patented or monopoly item)							a.

Section VI. Procedure to Be Used When Competitive Bidding Not Required, paragraphs C & D are amended to provide as follows:

Paragraph C shall have added a #4 as follows:

4. For Professional Services; or

Paragraph C – what is currently labeled D is now labeled #5 with section of Law changes to b. and c. as follows:

5. Made pursuant to any one of the following:

- a. General Municipal Law Section 103(3) or Section 104; or
- b. State Finance Law Section 162; or
- c. Correction Law Section 186; or
- d. The policies and procedures adopted by the Legislature pursuant to General Municipal Law Section 104-B (2) (f) and Paragraph 3 of the Bidding Policy.

Paragraph C – what is currently labeled E is now labeled “D” as follows:

D. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Section VII. Exemption by Act of the County Legislature, paragraph C.2. is deleted “When the contract is for professional services or involves professional skills and knowledge”, and the numbers are renumbered 1 through 4;

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 89-14 AMEND COUNTY POLICY 44:  
NON-UNION BENEFITS

WHEREAS: County Policy 44 indicates, amongst other things, how much Non-Union employees contribute toward the health insurance; and

WHEREAS: For the past several years, the County has been consistently increasing health insurance contributions from all employee groups; and

WHEREAS: A desire to establish a multi-year plan for Legislator’s contributions has been expressed by some of the Legislators; therefore be it

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 be amended so that the Contributions Chart appears as follows:

	Contributions (% of Premium)				
	2013	2014	2015	2016	2017
Legislators	7%	8½ %	10½%	12½%	15%
Full-time hired prior to 1/1/09	10%	12½%			
Full-time hired after 1/1/09	15%	15%			
4 day/week Attorneys	-----	15%			
Part-time Attorneys	20%	20%			

and be it further

RESOLVED: That the remainder of the Policy remain unchanged at this time.

Legislator Sullivan spoke. “I think it is important to clarify what this resolution does and in the third whereas statement it points that out, and that is it is an increase to Legislators health insurance contributions for the next three years. We had already increased our health insurance contributions four of the last five years. In 2009 our health insurance contribution was slightly less than 2%

of our salary. The amount we pay this year is nearly eight times more than what we paid in 2009 and it equates to nearly 14% of our current salary. With the increases called for in this resolution, by the year 2017 the Legislators who participate in the health insurance program will be paying almost 17 times the amount than we paid in 2009."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRING TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 90-14 RECLASSIFY VACANT POSITION; AUTHORIZE  
WAIVER OF 90-DAY HIRING DELAY  
MENTAL HYGIENE

WHEREAS: Legislative approval is required for all position reclassifications; and waivers of 90-day hiring delay; and

WHEREAS: One Senior Clinical Social Worker position (CSEA Salary Grade XVII) will become vacant on May 1, 2014 due to the retirement of an incumbent; and

WHEREAS: Director of Community Services has reviewed the staffing needs within the Mental Hygiene Department and has determined that said vacancy would be better utilized in the service of clients if the position was classified as a Clinical Social Worker; and

WHEREAS: Due to program needs, there is an immediate need to fill the vacancy as a Clinical Social Worker; therefore be it



RESOLVED: That the Legislature hereby authorizes the reclassification of one vacant, full-time Senior Clinical Social Worker position (CSEA Salary Grade XVII) to a full-time Clinical Social Worker (CSEA Salary Grade XVI); and be it further

RESOLVED: That the Director of Community Services is authorized a waiver from the 90-day delay in filling the full-time Clinical Social Worker position effective May 1, 2014 on a provisional basis, pending the outcome of the civil service examination.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:21 P.M.