

Third Regular Meeting
March 11, 2014

The Third Regular Meeting of 2014 was held on March 11, 2014 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "As I was driving here today for this special occasion, a wonderful example of democracy, which many countries are unable to enjoy, I said to myself this is as good as it gets. I thought isn't it great to be an American and we are so lucky and blessed to be born in a great caring, loving and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let us take the time to thank the many people from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our leaders and military forces who are making many sacrifices to ensure and protect our freedom. Let us pray that the entire world will someday be able to live in peace and all people will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to guide and bless this Legislative body, our department heads, and employees."

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

Chair Sauerbrey gave the State of the County Address.

"Good evening ladies and gentleman and thank you for being here tonight for the State of the County Address. The information I am going to share was collected with the staff from the county and I appreciate their support.

"Tonight we will talk about the challenges and success of 2013 and talk about our goals and objectives for 2014.

"Tioga County provides many services to the public such as the care and maintenance of county roads and bridges, election services, public defenders for those that cannot afford an attorney, health care clinics, food stamps, services to veterans, foster care and the list goes on.

"The legislature works with department heads and staff to provide services in the most affordable way. It's a challenge to provide needed services and keep the taxes low for county property owners. Even though we are organized, plan well, and run our departments efficiently, there are always unplanned surprises that come our way.

"One example is the flood of 2011 for which we are still recovering. We are still dealing with FEMA and working on mitigation plans to prevent damage from future floods. Another unplanned surprise was the change in Medicare funding for rural transportation. We knew changes were coming but we were totally unprepared for what happened. The change came when the state contracted with an outside vendor to handle Medicaid transportation. The vendor chose to use taxis instead of our bus system. We are now in a position where we have to modify or cut the bus system or experience a 1.7% in taxes.

"I will share an overview of 2013 as it relates to each area of business in the county.

Administration

"In 2013 the Board of Elections provided the opportunity for a complete review of the street file database, which is the fundamental element in providing Election District integrity for elections held in Tioga County.

"Managing important county documents is critically important and the Records Management Department is still in recovery mode from the flood of 2011. In March 2013 there was a major shred of 17,318 pounds of documents.

"The Tioga County Clerk's Office made progress by hiring Cott Systems as the new ERMS software vendor. The software is now installed, operational and is helping to make the department more efficient. A total of all fees collected by the County Clerk were 4.9 M, 3 M went to New York State and 1.9 M went to Tioga County.

"In the Real Property Tax Services Department, Terie Huseby was appointed in October 2013 to the position of Real Property Tax Services Director for a six-year term. This department continues to produce tentative and final assessment rolls, tax bills for villages and town and county bills.

"Tioga County Historian, Emma Sedore handled, 64 genealogy requests and completed her third book "Gone, but not Forgotten, History of the Ahwaga Hotel".

"As a service to our US Veterans, the Tioga County Veterans Office reaches out and supports the nearly 4,700 veterans in Tioga County. Last year they provided support for 511 individuals in 2013. The Veterans Office has relocated to the Health and Human Services Department.

Finance/Legal

"The Law Department under the supervision of our Attorney Judy Quigley, reviewed 165 contracts for 2013, worked with the County's Labor Counsel, Roemer, Wallens, Gold & Mineaux and the Personnel Department in matters relating to the administration of the civil service, personnel related challenges, benefits administration issues and the administration of labor contracts and grievances. All of this while continuing to address issues surrounding the 2011 flood including document recovery, insurance issues, audit of clean up bills, and processing of FEMA paperwork.

"William Kenville came on board on August 26, 2013 as our Safety Officer and went to work immediately addressing numerous issues and making sure we are safe in our work environments.

"Kirk Martin was elected District Attorney in November 2013 for a four-year term and took office on January 1, 2014. Previous to that on November 7, 2013 the Defense in the Calvin Harris murder conviction served and filed a Motion for Change of Venue with the New York State Appellate Division which creates a challenge for the future. In 2013, the District Attorney's Office had 126 County Court Indictments and Superior Court informations filed.

"In 2013, the Public Defender's Office covered 1,816 cases for Drug Treatment Court, Felony, and Violations/Misdemeanor and Parole Hearings. Looking to 2014 we have Mari Townsend coming on as the new Family Court Public Defender.

Health and Human Services

"Tioga County's Health and Human Services Departments provide valuable services to the citizens of Tioga County. The Department of Social Services Preventive Unit provided direct preventive services to 70 families with 165 children. There were 10 admissions to foster care and 14 discharges from foster care. The Department of Social Services reported local revenues and recoveries totaled approximately 1.3 M. Medicaid recoveries from accident settlements, estates, and liens totaled \$418,797, an increase of \$181,729 (77%). Child Support Enforcement Unit collected 5.6 M for children in Tioga County.

"The Federally funded HEAP Unit processed 7,876 benefits to customers totaling 3.8 M for the 2012-2013 seasons. This is an increase in HEAP benefits of almost 32%, but a decrease of almost 17% in benefits processed from the previous year.

"Our Mental Health Clinic provided 15,499 services to citizens of Tioga County. The Mental Hygiene Department purchased new electronic healthcare record/billing software so that we are in compliance with the Affordable Care Act requirements.

"Tioga County Alcohol and Drug Services continue to be the primary provider of outpatient and alcohol services within the County. During 2013, a total of 6,169 services were provided to individuals.

"Tioga County welcomed James Rich, MPH, as he was appointed to Tioga County as Public Health Director effective November 12, 2013. Health Educators facilitated the 2014-2017 Community Health Assessment and the Community Health Improvement Plan. Lasts year the Health Department held the largest car seat event in the region for National Child Passenger Safety Week.

"Tioga County Employment Office. Long term unemployment benefits, which extended unemployment benefits from the regular 26 weeks to up to 99 weeks, were discontinued as of 12/31/13. The annual unemployment rates in Tioga County decreased in 2013 to 7.9%.

"Transportation, Tioga County Bus Transportation System. The Governor's Medicaid Redesign plans kicked in late last year regarding transportation for Medicaid beneficiaries. The state secured an outside vendor to arrange transportation, and took away local control from the counties. Medicaid recipients used our bus transportation to go back and forth for their appointments and now those Medicaid recipients are being transported by taxi, not by bus. Therefore the funding Tioga County received to provide transportation has gone away and we are now responsible for funding the bus system. The contract with our transportation provider also ran out this year, the county went out for bids as required by law and First Transit secured the bid.

Information Technology Department

"2013 was a year of significant change affecting the County's Information Technology Department. Douglas Camin was appointed the permanent Director in November. Several significant technology projects were undertaken,

including upgrade and replacement of approximately 75% of the county's desktop and laptop computers; redistributing many servers of the County to better prepare for any network failures and placing key servers in every building.

Legislative Support

"The Legislative Office completed the Journal of Proceedings which are the minutes and official resolutions for the county for 2013 and they are posted on the County website. Staff continues to help with the education and transition of the new county chair.

Personnel Department

"The Personnel Department conducted 36 Civil Service Examinations in which 246 candidates participated. This was the 2nd year the County had the high deductible health insurance and health reimbursement accounts in place for over 300 employees.

Public Safety

"The safety of Tioga County Citizens is of upmost concern for county leaders. We are pleased that our Public Safety departments work together to ensure the safety and security of our residents.

"The Road Patrol Division recorded 402,607 miles of patrol, and handled 8,733 calls for service. The total number of calls-for-service comprised of 45,417 for police related incidents and 8,101 were calls for EMS or Fire services.

"Stop DWI operational costs came in 11% under budget with expenditures totaling \$101,787.54 for 2013. Revenues from fines collected totaled \$88,097.22. The Coroner's Office handled 62 cases in 2013.

"The ATI Weekend Work Program conducted by Public Safety performed more than 2936 hours of community service labor during 2013. The Civil Office received and disbursed \$767,998.73 during the year; a 41.5% increase from 2012, \$189,890 in bail money was received and disbursed. The Division earned \$62,308.64 in revenue, a 1.5% increase from 2012.

"Pistol permit transactions increased 32% from 2012, a total of 1,536. Since 2011, the program has realized a 73% increase in transactions.

"In the Probation Department officers completed 292 Investigations, which were ordered during 2013 by the 18 courts serviced by the Probation Department. Probation collected \$67,966 in restitution, designated surcharges, and DWI Supervision fees, and disbursed to Tioga County government and crime victims.

"The Bureau of Fire and EMS Services total calls were up slightly again from the past year. In 2013 there were 8,101 calls for service. Good news regarding grants, the Bureau of Fire received a 2.3 Million interoperable communications grant to enhance infrastructure of the aging County Public Safety Communications System.

"Emergency Management Office. The Emergency Management Office testified before the Governor's Mooreland Commission on NYSEG response for major disasters on 4/22/2013. The Chair of the Legislature completed the mandatory training for the NYS Division of Homeland Security and Emergency Services.

Public Works Department

"The Department of Public Works maintains our buildings, keep our roads and bridges secure. In 2013 the Department of Public Works managed the Pennsylvania Avenue Bridge construction using 100% FHWA emergency funds stemming from the Topical Storm Lee flood.

"Buildings & Grounds Dept. constructed a new entry/waiting area for Mental Health, new offices for STIC, new storage room for Information Technology, and reconditioned an office for the new Assistant Public Defender.

"Recycling. Recycling revenues went up by 67.3%. The sixth annual tire and scrap metal collection program was held in 2013 and there have been more than 600 tons of tires cleaned up and properly disposed of since its inception.

Economic Development and Planning.

"We look to the Economic Development and Planning Department to bring jobs and create opportunity for Tioga County. July 2013 brought a change in leadership to the Economic Development and Planning Department. LeeAnn Tinney with sixteen years of experience at the Tioga County Industrial Development Agency took over as Director of the Department. Since that time, she and her staff are actively pursuing new opportunities for Tioga County.

"They secured 1 M for site preparation and infrastructure expansion to the Tioga County Industrial Development Agency owned ESite on 434 in the Village of Owego.

"On the Western end of the county Tioga County ED&P Assisted Rynone Manufacturing to help keep the longstanding Tioga County based business at their current locations in the Town of Barton and Village of Waverly.

"As a priority, work is being done to support Tioga Downs in their efforts to obtain the Southern Tier Region gaming license. Last fall they helped Tioga Downs in their efforts to promote Proposition One, the amendment to the New York State Constitution to allow table gaming.

- Worked with the Town of Nichols, Village of Owego, and Town of Tioga to complete Long Term Community Recovery strategies.
- Facilitated the New York Rising Community Reconstruction Program involvement for the Town of Nichols, Village of Nichols, Town of Owego, Village of Owego, and Town of Tioga.
- Assisted the Town of Nichols in the sale of 15 acres and extension of existing water/sanitary sewer for the construction of the Army Reserve Training Center located in Lounsberry.

Financial news for the County.

"The County's financial reporting received a clean audit from our independent auditors. Although the County Sales Tax collections were down 4.98%, collections exceeded the prudent budgeted amount. The annual summer auction of tax foreclosed properties produced winning bids of \$910,000. After recovering the \$205,000 in back taxes, the auction closings produced a surplus of \$700,500 to the county's general fund.

"Last August the Treasurer bonded 9.9 M at a low interest rate of 2.27%. The 10-year debt issuance will pay for capital fund infrastructure improvements to a dozen bridges and an energy savings project including two new roofs in 2014.

"General fund appropriations came in at 67.362 M, down from 2.1 M from 2013, and revenue was set at 44.655 M, down 1 M from 2013.

"In the 2014 budget the appropriated fund balance was reduced from 2.956 M to 1.5 M to reduce taxes.

"FEMA and insurance reimbursements continued in 2013 with the county recovering close to 95% to date of the 4.8 M in various damages from the 2011 flood of county assets by over 1 M. 4.9 M in sales tax dollars was distributed to towns and villages.

Challenges for 2014.

"2014 has brought us several challenges. Working with our experienced department heads and staff the legislature is working with other rural counties to resolve the rural bus transportation issue. We are looking to Albany for some relief and restore the former funding for our bus system. We fear that if that does not happen, Tioga County will not be able to pay for a bus transportation system. We are looking at many options and working to make the best decisions for the Tioga County Citizens

"We are also concerned about the Governor's Property Tax Freeze Proposal. As it stands now we fear that the process of implementing this program lies heavily with the county, requiring extra staff hours to implement the program over the next few years. There are many unanswered questions to this project and the information is confusing.

"We are working on good news.

"The FMAS – Financial Management Accounting System Project is now underway. We have secured Jeff Morgan from Evolve to help us with our RFP, request for proposal to purchase new financial software for the county. This is expected to be a two year project that should bring more efficiency and help our departments run more effectively. This is a badly needed upgrade and I am pleased that we are off to a good start.

"More activity for 2014 include: Continue to work on space allocation and place Departments in the most efficient and practical spaces.

"Tioga County Public Works has an ambitious program this year including the reconstruction of as many as eight (8) bridges including the E. River Road Bridge at Kirby Park in Nichols.

"We look for new opportunity for the E-Site on 434 in the Village of Owego as we begin construction on that property.

"Tioga County will benefit by the Southern Tier Network 5 M project that will extend the dark fiber backbone into Tioga and Broome Counties from Steuben and Chemung Counties.

"Property improvements will be completed in the Village of Waverly under the \$137,000 Rural Area Revitalization Program Grant

"NY Rising Community Reconstruction Program priority projects will be underway and the Ag and Farmland Protection Plan update will be complete.

"We look forward to The Army Reserve Facility opening in the spring. They are located in Lounsberry in the Town of Nichols and will be in operation in 2014.

"The County will also be doing 1 M of flood mitigation work in our Owego County Office Building, a \$350,000 improvement project at the Court House and a 2 M energy project including new roofs at the Public Safety Building and County Office Building.

"In closing...Running county government takes a team effort.

"Thank you to our dedicated employees, professional staff, directors, and hardworking legislators who work together to get positive results. I look forward to making progress this year, and along with my fellow legislators, we expect to make good decisions and do the right thing for our Tioga County Citizens."

Chad Post presented the Employee of the 1st Quarter 2014 to William Ackley of the Department of Public Works.

"I would first like to thank the Legislature on behalf of the Employee Recognition Committee for their continued support of the ERC Program. This evening we are pleased to recognize Tioga County Mechanic and Working Supervisor William "Zeb" Ackley as Employee of the 1st Quarter of 2014.

"William began his career in Tioga County on October 1, 1979 as a laborer and on February 1, 1981 he was promoted to auto mechanic. Over the years Zeb has continued to work his way up the ladder, being promoted to parts clerk on June 11, 1984, automotive stock clerk on July 10, 1990, and mechanic and working supervisor on January 2, 1999. Zeb's job is very hectic as he is in charge of keeping the county trucks and equipment in good working order.

"He is often called upon to go out to various job sites and fix equipment in inclement weather. Winter can bring long hours for the Highway Department and Zeb is always there when he was needed, whether day or night. Zeb lives in Berkshire with his wife Patty and he has two grown sons, Brian and David, both of whom work for Tioga County Buildings & Grounds. Zeb also has daughter-in-laws, Alana and Jess as well as two grandchildren. Zeb enjoys the outdoors including hunting, fishing, boating, snowmobiling, and four-wheeling. Zeb and Patty also enjoy vacationing in the Adirondacks. Thank you Zeb for your outstanding service and for the hard work you do for the County. Your dedication is appreciated by all."

Ken Del Bianco, Commissioner of Public Works, spoke. "I finally found out how he got his nickname "Zeb" after working with him for almost 14 years. It was a previous employee gave him the nickname of Zeb and that is how we all know him as Zeb. 37 years with the County, I do not know what you can say about that, it is amazing and the dedication is unbelievable. It is hard to believe he is younger than I am.

"As mentioned in the biography, this is the guy that when it is zero degrees out and we are plowing snow and a truck is broke down, he is out there in that weather dealing with the situation and the temperatures. He is always there when you need him. I think the guys at the shop would all say that about him. If there is a piece of equipment that is broke down and we need to find a way to make it work, Zeb finds a way to make it work. He will fit some part in there. He will find some way to do it and we get that piece of equipment up and running when we need it.

"On a personality note, Zeb is kind of a jokster I would say. He likes to start things up a little bit. He is also known to exaggerate a little, especially about the weather. If it is 5 degrees at the County Highway Department, it is always 5 degrees below zero where Zeb lives. If we have 12 inches of snow, they have 18 inches wherever Zeb is, but because of it we have had several bets over the years on how much snow we are going to get for storms and I think I have won quite a few more than he has won. Zeb's favorite words, at least to me, the words I hear the most are when I ask him if a piece of equipment is ready, if it is fixed, is "oh waiting on parts boss". I think I have heard that probably about a hundred times since I have been working, but I will say in most cases it is true because when we do get the parts in he gets the piece of equipment up and running, and it is fast. I just want to give him a lot of credit and congratulate him on being the Employee of the 1st Quarter."

Legislator Standinger read and presented the following recognition resolution to Sue Hall of the Department of Social Services.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 52-14 *RECOGNIZE SUE HALL'S TWENTY-NINE YEARS OF
DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Sue Hall began her career with the Tioga County Department of Social Services as a Community Services Worker on December 11, 1984, and was promoted to a Social Welfare Examiner on January 16, 1985, and promoted to her current title of Senior Social Welfare Examiner on November 14, 1988; and

WHEREAS: Sue Hall has been a dedicated and loyal employee in the performance of her duties as a Senior Social Welfare Examiner; and

WHEREAS: Sue Hall has shown the highest levels of integrity, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Sue Hall will retire on March 31, 2014; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sue Hall for her twenty-nine years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Sue Hall.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Gail Barton spoke. "Before I start, I just want to say how nice it is to see the many DSS retirees who are here this evening and they all look great, so I do not know what that means about retirement, but nice to see you all.

"The story was told at the Employee Recognition luncheon when Sue was honored for 25 years of service that on her first application with the County in 1984 under previous experience and within the box that asks you to describe duties below, Sue simply wrote "none that pertain to this type of work". Despite her lack of pertinent related experience, she was hired. Those who interviewed her must have been confident that Sue would be able to learn and develop the needed job skills. They must have also known that having a kind and compassionate attitude towards those we work with in the world of DSS is something that cannot be taught and that those personal qualities are just as important as the skills we can teach you.

"Here we are 29 years later and Sue has accumulated a wealth of knowledge and experience about working with the diverse people that we serve day in and day out. Sue has done a little bit of everything in her years with the Department from which she began as a Community Services Worker to her current role within the HEAP and Energy Unit where there is such a high demand for both quantity and quality. Sue adjusted to the fast paced high volume crisis driven world of HEAP with good humor, a positive attitude, and chocolate.

"One of Sue's favorite roles over the years was that of teaching our employment workshop. Sue put much effort into developing the employment classes. In that role, Sue found a niche that was both rewarding for the people she taught basic work skills to as well as rewarding for her. Touching each and every client's life and lifting them up was an important accomplishment for her.

"What has always been true about Sue is her ability to always keep a steady focus on how she treated the person sitting across the desk from her. There has always been a high level of compassion and empathy for those we serve. Sue has received countless thank you notes and notes of appreciation from people she has served. Sue has a humorous and caring side to her when it comes to her coworkers, enjoying playing practical jokes on them, something about tinfoil and tinfoiling an office, but also feeding them delicious baked goods.

"Sue's coworkers appreciate her great listening skills, ability to keep a confidence, and her willingness to do whatever is asked without complaint. Even though Sue has had much to overcome personally and was ready to retire last fall, she stuck it out until HEAP closing because of her loyalty to her coworkers and extreme dedication to the clients we serve.

"Thank you Sue sincerely for your 29 years of service. Thank you for your dedication to the Department of Social Services, to your coworkers, and most importantly for your dedication to anyone who has ever been in need of another person's concern and compassion. We hope you recognize how important you have been to the thousands of individuals and families you have helped. Congratulations on reaching a most well deserved retirement. We all wish you much good health and happiness as you continue along life's journey."

Sue Hall spoke. "I just want to say thanks and I have enjoyed it. I have learned a lot along the way. I have met a lot of friends, wonderful coworkers, and thanks."

Chair Sauerbrey noted the following Proclamation on Public Health Week.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, learning about prevention of deadly diseases or receiving vaccinations; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore be it

RESOLVED: That the Tioga County Legislature does hereby ask all residents of our county to join in declaring the week of April 7, 2014 to April 13, 2014 be designated as Public Health Week in Tioga County.

George Penney had privilege of the floor. "I do not think that I need to remind any of you that farming is still the number one industry in Tioga County and now with increasing world population I think it will remain so for some time. As yet the drilling for gas industry in New York State has not been prohibited, such drilling would have a severe impact on Tioga County farms. It is very important that any drillers be required to post a bond for removal of equipment and debris. I thank you for listening."

Cynthia Roy had privilege of the floor. "Hi, I just want to let you know I ride the Tioga County bus and I depend on it, and I wanted to give you a few things about the bus that I ride. I ride the Waverly to Ithaca to Cornell bus and it encourages us to buy locally I believe because where I park my car I get off the bus and I actually do my shopping in Spencer, and I buy my gas in Spencer, so it all goes towards Tioga County.

"I ride the bus with a lot of people and I just want to tell you about the people that I ride with, just some of them. There is a man who works at Ithaca College. There is a young woman who works downtown Ithaca and she works making stuffed animals. There is a man who goes to Ithaca who is a dog behavioralist. There are Cornell employees. There is a lady who goes to Ithaca twice a week to go visit her mother. There is a lady who goes to Ithaca to see her doctor. There are people whose cars break down and they ride the bus for a week or so while their car is being worked on. Some of them find out they like

it and they quit driving, and they take the bus, which is good. There is a guy who walks a mile every day to the bus stop there in Spencer. There is a lady who takes the bus who works at Walmart and at Christmastime she had two different jobs in Ithaca and she took the bus. There is a guy who rides the bus to Ithaca so he can go to unemployment services. He lost his job recently. We lost a construction worker recently who used to ride the bus because on January 2 and 3 our bus did not actually show up and his boss had told him the next time he is late he is fired, so he does not ride the bus anymore. In general the bus is there and it is there for us.

"There are many people who ride the bus at our stop and right now the webpage shows there are two stops in Spencer, West Danby and then Green Street when in actuality in Spencer it stops at Dollar General, stops at the Big M. We have a flag stop between the Big M and Liberty Street. We stop at Liberty Street. We have a flag stop at Fisher Settlement Road. We have a flag stop at the subdivision and flag stops are where people do not ride it every day, maybe two times a week. We have a stop at Michigan Hollow Road. We have a stop at Hill View Road. We have a stop at the Nature Center. We have a stop in West Danby. We have a stop at VanBrusser Road. We have a flag stop at Piper Road. We have a flag stop at Home Depot when we get to Ithaca. We have a stop at the Mobile in Ithaca and we have a stop at Kwik Fill. These are all stops of ones we stop at every day and there are multiple people. We also have a flag stop at Tops, flag stop at Dunkin Donuts, and then we get to Green Street. Where you show we have two stops to Ithaca from Spencer to Green Street, there are actually eight all time stops and there are another seven flag stops that vary from time to time. We ride the bus because it is economical. Thank you very much."

Anie Clark had privilege of the floor. "I just want to share my story about how I ride the bus. I gave a call to Loretta and thank you so much, she was very attentive and helpful. I started riding the bus in 2008 after I hit a deer and my car was totaled, so I had no car for a month. If the bus service had not been available I would not have had a way to get to work and get back on my feet so I could put a down payment on a car. It is a very long ride from Spencer to Ithaca and there is people that ride from Waverly. There are people that ride all the way from Owego.

"I think why to keep the service is to have available for people. Now I have a car, but I do not know if I will hit another deer, which it is highly likely in this area. I do not know if my car is going to break down. Also, my husband became disabled last year and our income went down like 50%. If I ride the bus, my expense in gas is more than half of what I would pay driving every day to

get to work in Ithaca because that is where Cornell and Ithaca College are, which are the largest employers in the area, and in the end I pay taxes in Tioga County. If we say we lose the bus, there is a tax increase. I will guess that nobody is going to like to hear those words. I do not have any kids, but my taxes pay for services for kids, so I think that in the end we all pay for services for everybody and everybody benefits directly or indirectly from those services. I would invite you if you want to hear from your constituents and you want to know what riding the bus or going to work every day 50 miles, do hop on the bus and go talk to the people that are on the bus, they are the ones that are using the service, ask them why are they riding the bus and why would it benefit them or how would it affect them if the bus was not there anymore. Thank you."

Richard Vanderpoel had privilege of the floor. "First and foremost I want to thank all of you for serving and I know it is not a great gratitude job, but you are all doing a wonderful job. My wife has been riding for a few years. She never dreamed of it. She loves it, of the time that she gets to do things that you could not do if you were not here, but I understand a lot of folks think that it is a service for a few, mainly large corporations in Ithaca or Colleges and things like that, and I imagine the majority is that.

"As I was talking to the Legislature not long ago, I got thinking about that and if we are doing transportation for a big part of Cornell or a big part of Ithaca College, or Walmart or Wegman's, or Tops, I wonder if it is possible if they would like to pay for some advertising on the side of our buses or even the car dealers, which are now just a few, one that has many of them, which you cannot get any better advertising than going through every rural town in Tioga County and that could set off some of the costs, maybe for fuel and for repair, and I really believe that they would jump at it because there is no other way, the newspapers today do not go out as much, people do not take them anymore, they are not worth it, people do not listen to a lot of shows on radio anymore, so I really think that kind of advertisement you could afford and they would be more than glad to do. Thank you."

Wendy Deis had privilege of the floor. "Thank you for letting me speak today. My comments are brief. It is my understanding that you are thinking about cutting the bus system and there is a lot of misconception that I have heard, you know just kind of rumors that people think that it is just Medicaid patients who are riding the bus or people who do not have cars, that should go out and buy them. I just am here to tell you that never did I think I would ride the bus, but I do ride the bus and I am a taxpayer, and I do own a car, but I have epilepsy and so I cannot drive, and cutting the bus is cutting away my independence, my ability to go shopping and get clothes. I have a lot of great

friends who take me a lot of places, but I cannot count on the people all of the time to take me every way I need to go. I am really begging you not to do this. Thank you."

Charles Kerr had privilege of the floor. "I am not the democrat of the family. I own a fair amount of property. I owe lots of money on taxes. My new car is a 2003 so I guess I am cheap, but the bus service makes a difference. I had one question, the Veterans' Center moved to where something else was, where is that, is that up the road by the Jail? Without the bus, I am not sure how I could get there as a Veteran. The other thing is it is independence. My wife has a medical condition. She is still able to drive. We do have only one working car. I drive her to the bus at Dunkin Donuts every morning and give her a kiss and see her again 11 hours later.

"I had two strokes in my 40s because I was too stubborn to have a nervous breakdown. I was one of the nerds for one of the blue collar companies around here. Oh and by the way the only person I recognize in the room is Zeb because I have seen him out under equipment. I grew up in an area like this. My city wife here, it took her five years to admit she liked it better. It took me seven years to get her pizza. I wish those were all on the bus route. I tried not to repeat anything to respect your things, but actually I repeat most of the things the other bus people said.

"Our independence goes away when driving stops and the reason we use the buses is because we do not have trains. I see a sign everyday on the old Owego/Ithaca train route and I lived in New York for quite a while, and I took trains to places we have to take buses or we take cabs, and you can be as conservative as you like, it is a waste of money. It is a shame we lost a free ride off of the folks that get extra benefits, but if my taxes go up, they go up. You are not talking a lot of money for a bus service.

"I think there is a lot of talent right here plus some of your colleagues of these other counties that might be the same way, they can think of a solution. My job used to only be working at problems other people gave up on because they were not interested, so please do not give up on this one. It is solvable and it is part of the community, and we are all getting older, our whole community is getting older. Things like this are going to become more important. I have one question later if someone could tell me the answer. Since the new bus company took over, I have seen the small little buses early in the morning on rural roads I had not seen previously. They are picking up somebody and doing something, I would love to know how they are being utilized even though the

contract for stuff went away. They are doing stuff before 8:00 in the morning. Thank you."

Russ Barber had privilege of the floor. Thank you for giving me the time here. I come from a different unique position, I am not a bus rider, but I do have a vested interest in the public transportation considering the fact that I spent a fair amount of time as the operations manager of the previous contractor. I can tell you some things, but I guess my first question that seems to be aloof here is whether or not we are considering other alternatives. So far all I have heard in every domain is it is one or the other. It is either we end the service or we raise taxes. I am convinced it does not have to be either.

"The service as it stands today, given the current contract, I believe is overvalued. It is archaic. There are routes that should not be run. There are routes that could be far more effective than they currently are. My basic philosophy during the time that I was at Tioga Transport was that we need to start putting the buses where the people are because at the time that whole system was developed, it may have made sense then, but does not make sense now.

"Unfortunately I went through a catastrophic event, we call it the flood and that kind of ended my time in Tioga Transport. Prior to that, we were already working on some plans and some ideas and revisions for changing the routes that would make them far more effective. You have heard, I am sure everybody has heard, that yea we frequently see buses running empty. Yes you do. There are a lot of buses that do run empty because they are not effective routes. You are also hearing a lot about the Medicaid. This is one of the issues that bothers me the most. It is well known that the State took over the Medicaid function, the nonemergency medical transportation portion. That leaves a quandary. How can the current contract be more expensive than the previous one when you have lost one-third of your demand for service and certainly the funding that went with it. How does the new contract exceed the old one? That is a mystery to me. Having said that, I do not know where the County is in this conversation, nothing has been published at least that I have seen in terms of what the actions are going forward and what the intent is going forward, but I can tell you having been in that position, that there are a lot of people, a lot of residents in this County that depend on that service and if it should go away certainly will be catastrophic to those people.

"From my perspective, I do not think it is an either or. I do not think it is a matter of raising taxes and I do not believe it has anything to do with cutting out the service. Thank you."

Joe Dabbracci had privilege of the floor. "I am a bus rider from the Owego to Ithaca route. I work at Cornell University. I am the Director of Human Resources for the Division of Alumni Affairs there. I want to first thank Ms. Sullivan here who spent some time with me this week explaining the difficult challenge that each of you face as you try to resolve a tough conundrum here. I think though instead of spending time telling you my personal needs and why I enjoy riding a bus, I would want to point out to you that I think there may be other solutions as prior speakers have enumerated on that we have yet to tap, and it is important that we do that for a couple of reasons.

"I can tell you and I am speaking on behalf of myself, I am not representing the University in any way here, but I could tell you in the short time I have ridden this bus in the three years since I left Lockheed Martin to seek other employment, I have seen that service grow and more and more people become riders on a regular basis with no advertising, no publicity virtually, and basically by word of mouth. This is important for you to understand because while the employment level here in Tioga County has remained steady and we would like it to be lower, Ithaca I can tell you as a Human Resources Director for a large employer there is struggling to find employees, many of which they continue to draw from this County, employees who come to work there every day, who earn a paycheck and come back and spend it here in Tioga County, who pay taxes here in Tioga County, and this bus is a key service that enables them to be able to take advantage of the jobs that are being filled there.

"I just would ask that before any hasty decisions and I recognize again from Ms. Sullivan's explanation there are some significant budget deficits realized right now, but if we have any ability to go back to the State, to try to find a way to get the taxi service turned into something that Tioga Transit could take over, I strongly encourage you to do that. We have an opportunity to help many many more citizens in this community. Thank you."

Susan Chambers had privilege of the floor. "I am not a public speaker. I have been riding the bus for about five years, but I live in Tioga County, I have lived there about 30 years, and worked in Ithaca for about 30 years. Since the State has revoked the Medicaid, I do not want to disparage any Medicaid patients, but I have a hard time believing 100% of them need taxi service door to door. Most of New York State consists of rural communities and I have to believe this action has affected all those counties as well.

"I have been in touch with a gentleman from Tompkins County and he said that the Governor can make administration changes on how Medicaid transportation is managed. He said the operating rules have changed so Medicaid trips are booked with local transit systems before using taxis and have fares to cover the cost of providing the service. He also says they have taken several ideas to the Legislature including giving counties the right to broker their own Medicaid trips, thus opting out for the State brokerage and requiring Medicaid trips to be booked first on local transit systems, that seems like a reasonable alternative.

"Also a lady wrote to me and said another point to bring out is those of us who ride tend to keep our business local in Tioga County as we are parked there as opposed to driving to Tompkins County and parking there. She says I know for me I buy my gas in Tioga County and intend to stop at the local stores, and this is where my car is parked. If I were driving to Ithaca each day, Tompkins County would be getting more of my business. As a matter of convenience I would be more likely to stop at Tops in the East Hill Plaza and get gas there, and use the restaurants there as opposed to stopping here and grabbing something to take home for dinner. She also said she probably would stop at Rite Aid for her prescriptions as opposed to coming back here to get her prescriptions filled. It is just a matter of convenience. She would rather stay here, I would rather stay here and spend the money in Tioga County as opposed to spending it all in Tompkins County as if we were to drive that is where we would stay."

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		509.69
A1165	District Attorney		2,243.99
A1170	Public Defender		6,363.14
A1172	Assigned Counsel		2,000.00
A1325	Treasurer		843.48
A1355	Assessments		232.00
A1362	Tax Advertising and Expense		8,520.00
A1410	County Clerk		1,594.76
A1411	Department of Motor Vehicles		178.09
A1420	Law		3,545.00
A1430	Personnel		1,772.50
A1450	Elections	1,300.47	144.22
A1460	Records Management		268.40
A1490	Public Works Administration		100.00
A1620	Buildings	25.98	37,743.75

A1621	Buildings		18,479.42
A1680	Information Technology		18,988.91
A2490	Community College Tuition		40,719.53
A2960	Education Handicapped Children		178,297.37
A3020	Public Safety Comm E911 System		1,993.67
A3110	Sheriff	2,985.52	18,112.10
A3140	Probation		98.00
A3146	Sex Offender Program		9,240.00
A3150	Jail	78.50	49,707.64
A3315	Special Traffic Programs		600.00
A3410	Fire		4,012.65
A3640	Emergency Mgmt Office		482.44
A3641	Emergency Mgmt Grant Program		1,264.90
A4010	Public Health Nursing		4,462.66
A4011	Public Health Administration		8,961.63
A4012	Public Health Education		475.00
A4042	Rabies Control		322.02
A4044	Early Intervention		6,550.00
A4053	Preventive/Primary Health Services		44.00
A4054	Preventive Dental Services		1,758.95
A4064	Managed Care-Dental Services		7,623.49
A4070	Disease Control		2,355.60
A4090	Environmental Health		187.29
A4210	Alcohol and Drug Services		12,231.07
A4211	Council on Alcoholism		10,990.33
A4309	Mental Hygiene Co Admin		7,723.42
A4310	Mental Health Clinic		106,840.01
A4320	Crisis Intervention Services		24,379.67
A4321	Intensive Case Management		1,438.90
A4333	Psycho Social Club		26,854.00
A6010	Social Services Administration	2,500.00	57,195.78
A6422	Economic Development		2,333.00
A6510	Veterans' Service		398.00
A6610	Sealer Weights and Measures		25.00
A9060	Health Insurance		4,907.40
SOLID WASTE FUND			89,603.93
SPECIAL GRANT FUND			1,396.96
LIABILITY INSURANCE FUND			1,756.88
COUNTY ROAD FUND			70,293.27
CAPITAL FUND			940,817.52
CONSOLIDATED HEALTH FUND			1,179.43
SELF-INSURANCE FUND			<u>4,975.00</u>

GRAND TOTAL \$ 1,813,026.33

Legislator Hollenbeck made a motion to approve the minutes of February 11 and 20, 2014, seconded by Legislator Monell, and carried.

Chair Sauerbrey made the following appointments to the Financial Management/Accounting System Committee:

County Attorney	Probation Director or Designee
Commissioner of Public Works or Designee	Information Technology Director
Legislative Clerk	Legislator Hollenbeck
Chair Sauerbrey	Accounting Supervisor DSS
Undersheriff	Confidential Secretary to Sheriff
Director of Admin Svcs Mental Hygiene	Deputy County Clerk
Director of Admin Svcs Public Health	Treasurer
Deputy Treasurer	Budget Officer
Personnel Officer or Designee	

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 Case.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 53-14 *RESOLUTION OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS*

WHEREAS: The Governor and State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS: The Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS: The proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS: County government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works"; and

WHEREAS: Recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS: County elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state; and

WHEREAS: The levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs; and

WHEREAS: County officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth); and

WHEREAS: Recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS: The cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS: The benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS: New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program; now therefore be it

RESOLVED: That counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction; and be it further

RESOLVED: That the state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs; and be it further

RESOLVED: That copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Thomas Libous, Assemblyman Chris Friend, Congressman Tom Reed, Towns and Villages, and all others deemed necessary and proper.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 54-14 APPOINT MEMBERS TO TRAFFIC SAFETY BOARD

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

TITLE	TERM
James DeVita	4/1/14-3/31/17
Tioga County STOP DWI Coord or Designee	4/1/14-3/31/17
Tioga County Fire Coord or designee	4/1/14-3/31/17

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 55-14 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Debra Twigg, will expire as of March 31, 2014; and

WHEREAS: Debra Twigg has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Debra Twigg for another three-year term of 4/1/14 – 3/31/17.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 56-14 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

WHEREAS: Eric Krenner’s term on the Tioga County Local Development Corporation has expired as of March 31, 2014; and

WHEREAS: Lisa Engelbert has expressed a desire to replace Eric Krenner on the Tioga County Local Development Corporation; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Lisa Engelbert to the Tioga County Local Development Corporation to replace Eric Krenner and serve a three year term of 4/1/14 – 03/31/17.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 57-14 *APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD*

WHEREAS: Arrah Richards has resigned as of February 20, 2014, as Town of Barton representative on the Tioga County Planning Board; and

WHEREAS: The Town of Barton has nominated David Mumbulo to serve as their representative; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint David Mumbulo to the Tioga County Planning Board to fill Arrah Richards unexpired term effective 3/12/14 – 12/31/16.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 58-14 *APPOINT MEMBERS AND EXTEND MEMBER TERM TO YOUTH BOARD YOUTH BUREAU*

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

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

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

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 90-13 and vacancies exist and terms have expired; now therefore be it

RESOLVED: That the following listed representatives be appointed and term be extended as members of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation.

	<u>TERM</u>
Hilary Albrecht (Replacing H. Robinson)	03/01/14-12/31/17
Barbara Pralat (Replacing Corrine Polhamus)	03/01/14-12/31/16
Katelynn Wahl (Replacing Brittney Magoon)	03/01/14-12/31/16
Teresa Corson (Replacing Nicole O'Connel)	03/01/14-12/31/17
Kayla Hart-Cummings (Raymond Paul)	03/01/14-12/31/17
Barbara Crannell (Extending Term)	01/01/14-12/31/17

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO 59-14 *AUTHORIZE 2014 REQUESTS FOR INCLUSION OF
LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared the required report listing these requests, which are located within the Spencer, Owego/Nichols and North Tioga Agricultural Districts, and just over 410 acres; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the district and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature approve the 2014 requests for inclusion of land listed in said report into the Spencer, Owego/Nichols and North Tioga Agricultural Districts, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRING TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 60-14 *JAIL SECURITY SYSTEM UPGRADE –
PROCUREMENT EXEMPTION*

WHEREAS: The Jail Security System electronically controls all security functions at the Jail and Public Safety Building; and

WHEREAS: The majority of the original Jail Security system was replaced and retrofitted in 2006 by Black Creek Inc., with hardware and software specific to Black Creek's security system design; and

WHEREAS: It has been determined that the remaining equipment, original to the buildings' construction be replaced and upgraded to avoid a potential catastrophic failure; and

WHEREAS: The estimated cost of the system upgrade will exceed \$20,000, thus requiring that the upgrade be put out for public bidding, or that an exemption by act of the County Legislature be granted; and

WHEREAS: This system upgrade will require that the contractor possess an intimate knowledge of the Security System, and interoperability with Black Creek hardware and software so as to warranty successful completion of the upgrade and successful operation of the security system; and

WHEREAS: Black Creek, Inc. has served as the sole contractor for troubleshooting and maintenance of the security system at the Jail since 2006 and the majority of the existing system is Black Creek equipment and/or specific to Black Creek operating design, and that it is financially and practically in the best interest of the Jail to continue with this relationship; and

WHEREAS: The County has consulted with an independent Engineering firm to review the feasibility of obtaining the software and hardware through the competitive bidding process, and has been advised that Black Creek has specific equipment required to drive its operating system, making it the sole source for the equipment, since no other software and hardware would provide substantially equivalent or similar benefits to the County and that the cost of the

software and hardware is reasonable in comparison to other software and hardware; therefore be it

RESOLVED: That a "sole source" procurement exception is hereby found for the reasons set forth above and that it is in the public interest of the County to contract with Black Creek, Inc. to complete this work; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be authorized to sign any and all documents to effectuate this contract with Black Creek, Inc. upon approval by the County Attorney.

ROLL CALL VOTE

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

No – Legislators Standinger and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 61-14 *TRANSFER OF FUNDS FROM
CAPITAL HARDWARE RESERVE FUND
CAPITAL SOFTWARE RESERVE FUND
BUILDINGS CAPITAL EQUIPMENT (JAIL
RENOVATION) EQUIPMENT ACCOUNT*

WHEREAS: Resolution No. 119-13 and 120-13 established a Capital Hardware Reserve Fund and a Capital Software Reserve Fund; and

WHEREAS: Black Creek Inc., has presented a proposal to acquire and install both hardware and software upgrades to the existing Black Creek jail security system; and

WHEREAS: Funds for said purchase need to be transferred from the Capital Hardware Reserve Fund, Capital Software Reserve Fund, and the Buildings Capital Equipment (Jail Renovation) Account; therefore be it

RESOLVED: That sums be transferred as follows:

From: H878.05-Capital Hardware Reserve Fund	\$ 50,000
From: H878.04-Capital Software Reserve Fund	\$193,266
From: H1620.21-913-Buildings Capital Equipment (Jail renovations)	\$ 21,133
To: H3150.21-Jail Capital Equipment Account	\$264,399

ROLL CALL VOTE

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

No – Legislators Standinger and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 62-14 *FUND SHERIFF'S GRANT – NYS
PSAP GRANT*

WHEREAS: The Sheriff's Office has been awarded a 2012 NYS PSAP (Public Service Answering Point) Grant in the amount of \$28,711; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the 2012 NYS PSAP Grant be appropriated as follows:

From: State Aid-Sheriff (2012 PSAP Grant) A3388.00	\$28,711
To: Sheriff (2012 PSAP Grant)-Equipment A3122.20.130	\$28,711

ROLL CALL VOTE

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

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
FINANCE COMMITTEE

RESOLUTION NO. 63-14 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: New York State Child Passenger Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

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

RESOLVED: That funding be appropriated as follows:

From: A3401.12 State Aid – Health Education	\$ 7,000
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To: A4012.40-640 Health Education: Supplies	\$ 7,000
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ROLL CALL VOTE

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

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
FINANCE COMMITTEE

RESOLUTION NO. 64-14 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: New York State Highway Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

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

RESOLVED: That funding be appropriated as follows:

From: A3401.12 State Aid – Health Education \$ 3,000

To: A4012.40-640 Health Education: Supplies \$ 3,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 65-14 *TRANSFER OF FUNDS*
TROPICAL STORM LEE DISASTER

WHEREAS: There are mitigation repairs that have been approved by FEMA to the three County buildings in the Village of Owego caused by the Tropical Storm Lee Disaster; and

WHEREAS: Funds need to be spent before we can get reimbursed from FEMA and/or the State; and

WHEREAS: Department of Public Works is in the process of securing contracts to complete the projects; and

WHEREAS: Funds need to be allocated to the flood accounts from monies we will receive from FEMA and the State Homeland Security to cover these expenses; therefore be it

RESOLVED: That the following sums be transferred:

From:	H3510.00 State Aid-FEMA	\$200,000
	H4510.00 Federal Aid-FEMA	\$600,000
To:	H1624.20-400 Tropical Storm Lee Disaster (Mitigation 56 Main Street)	\$300,000
To:	H1624.20-401 Tropical Storm Lee Disaster (Mitigation Court House)	\$200,000
To:	H1624.20-402 Tropical Storm Lee Disaster (Mitigation County Clerk)	\$300,000

ROLL CALL VOTE

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

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. 66-14 *AUTHORIZATION TO APPLY FOR GRANT
TIOGA COUNTY MENTAL HYGIENE*

WHEREAS: Mental Health Association of New York State (MHANYS) has released grant opportunities to communities titled "New York State Suicide Prevention Initiative MHANYS Local Mini-grants 2014"; and

WHEREAS: The Tioga County Department of Mental Hygiene desires to pursue this grant opportunity to assist in the Coalition Building efforts in Tioga County; and

WHEREAS: The maximum amount of the grant funding is 10,000, as it will be based upon projects directly related to suicide prevention; and

WHEREAS: The grant does not require matching expenditures; and

WHEREAS: The Tioga County Department of Mental Hygiene is the lead agency of the Tioga County Suicide Prevention Coalition on this potential grant opportunity; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that will require the signature of the Chief Elected Official; therefore be it

RESOLVED: That the Tioga County Department of Mental Hygiene is authorized to submit a grant application for the "New York State Suicide Prevention Initiative MHANYS Local Mini-grants 2014" grant.

ROLL CALL VOTE

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

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. 67-14 *INCREASE MONTHLY BUS PASS FARES FOR PUBLIC TRANSPORTATION*

WHEREAS: The Tioga County public transportation system, Ride Tioga, faces a serious shortfall in revenue due to the loss of Medicaid funding; and

WHEREAS: The monthly bus pass rates have not been increased in over ten years; now therefore be it

RESOLVED: That the monthly rate for an in county pass be increased from \$30 to \$45 and the rate for an out of county pass be increased from \$60 to \$90 effective April 27, 2014.

ROLL CALL VOTE

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

No – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. 68-14 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State Tax Law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's Office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$102,882.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$102,882.00 for the period of April 2014 – April 2015; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$8,573.50 at a total annum amount of \$102,882.00.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 69-14

*AUTHORIZING THE IMPLEMENTATION
AND FUNDING IN THE FIRST INSTANCE
100% OF THE FEDERAL AID-ELIGIBLE
COSTS OF A TRANSPORTATION
FEDERAL-AID EMERGENCY RELIEF
PROJECT TO FULLY FUND THE LOCAL
SHARE OF FEDERAL-AID ELIGIBLE AND
INELIGIBLE PROJECT COSTS AND
APPROPRIATING FUNDS THEREFORE*

WHEREAS: A project for the Storm of September 7-11, 2011, Pennsylvania Ave Bridge (County Route 41) in Tioga County, PIN 9L97.17(the "Project") is eligible for funding under Title 23 U.S. Code, as amended, for Federal emergency relief that calls for the apportionment of the costs of such project to be borne at the ratio of 100% Federal Funds; and

WHEREAS: Tioga County desires to advance the Project by making a commitment of 100% of the Federal share of the costs thereof; and

WHEREAS: Tioga County has previously executed Federal Emergency Relief Project Agreement for the Construction and Construction Supervision, and Inspection work for \$469,084.00 (Reso#127-12); therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the Project; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to pay in the first instance 100% of the Federal share of the cost of Construction and Construction Inspection work for the Project or portions thereof; and be it further

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

RESOLVED: That the Chair of the Legislature of Tioga County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of Tioga County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-aid-eligible; and be it further

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

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 70-14 *INTER-MUNICIPAL AGREEMENT*
HAZARDOUS WASTE

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last fourteen years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the year 2014; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the year 2014.

ROLL CALL VOTE

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

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. 71-14 *AUTHORIZE TIOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO HAVE COLES & ASSOCIATES TO COMPLETE AN APPRAISAL OF COUNTY'S OLD GRAVEL PIT ON CORPORATE DRIVE, OWEGO, NEW YORK*

WHEREAS: The Material Recovery Manager received verbal quotes to conduct an appraisal on the County's old gravel pit on Corporate Drive from the following:

Armstrong, \$1,900.00 with a 3 week turn-around

Coles & Associates \$1,500.00 with a 2-3 week turn-around

therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Department of Public Works to have Coles & Associates conduct an appraisal on the County's old gravel pit not to exceed \$1,500.00 and to be paid for out of the Public Works Account.

ROLL CALL VOTE

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

No – None.

Abstain – Legislator Huttleston.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 72-14

*RESOLUTION IN SUPPORT OF STATEWIDE
INDIGENT DEFENSE LEGAL SYSTEM AND
SETTLEMENT OF HURRELL-HARRING ET AL. V.
STATE OF NEW YORK*

WHEREAS: In 1963 the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with crime is fundamental and that states need to supply lawyers for those unable to afford them; and

WHEREAS: In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS: The decision to entrench responsibility at the county level in the State of New York has resulted in the inefficient patchwork of services provided at the county level which are deficient; and

WHEREAS: Implementation of the Constitutional right to counsel under *Gideon* is a state, not county, obligation; and

WHEREAS: Public defense services are inadequately financed by the State of New York; and

WHEREAS: In 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission overseeing a state-funded, statewide defender system; and

WHEREAS: The State of New York is now a defendant in Hurrell-Harring, et. al. v. State of New York, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system into a statewide defender system; and

WHEREAS: Governor Cuomo is in a position to be a powerful, persuasive, and moving voice for the creation of a statewide defender system; and

WHEREAS: Governor Cuomo can fix the public defense system, incrementally develop a state funded model for the nation, design a cost-effective way to finance that system over time, and relieve counties of a responsibility originally delegated to them in 1965; now therefore be it

RESOLVED: That the Tioga County Legislature supports the transformation of the current County provided indigent defense system into a New York statewide defender system and calls upon the State of New York and Governor Cuomo settle the pending litigation of Hurrell-Harring, et. al. v. State of New York; and be it further

RESOLVED: That this resolution be forwarded to Governor Andrew Cuomo, Senator Thomas Libous, Assembly Chris Friend, Congressman Tom Reed, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties, and all counties in New York State.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 73-14 ABOLISH VACANT CASEWORKER POSITION
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Resolution 160-13 authorized that a vacant full-time Social Welfare Examiner position be reclassified to the title of full-time Caseworker; and

WHEREAS: Said resolution required the Commissioner of Social Services to abolish, upon the next occurrence, a full-time Caseworker vacancy in an effort to maintain his headcount budget figures; and

WHEREAS: A full-time vacant Caseworker position presently exists; now therefore be it

RESOLVED: That the Commissioner of Social Services is hereby authorized to abolish one (1) full-time Caseworker position (CSEA Salary Grade XI) effective March 12, 2014.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 74-14 CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION; WAIVE 90-DAY
HIRING DELAY – PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2014; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; and

WHEREAS: A delay in filling the Highway Worker (Seasonal) position beyond April will hinder the Public Works Department's ability to complete various projects during the 2014 season; therefore be it

RESOLVED: That the Commissioner is hereby authorized to create one (1) temporary full-time Highway Worker (Seasonal) position effective April 7, 2014 through November 26, 2014 at an hourly rate of \$9.40, however no more than 1248 hours may be worked April 7 - October 14, 2014; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Commissioner of Public Works a waiver from the 90-day hiring delay upon the creation of the Highway Worker (Seasonal) position.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Case made a motion to have the following late-filed resolution considered, seconded by Legislator Monell and carried.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 75-14

*INSURANCE FUND TRANSFER-REPLACE
SHERIFF'S PATROL CAR*

WHEREAS: A Sheriff's patrol car was involved in a motor vehicle accident and the damage was estimated to be beyond repair; and

WHEREAS: The county's insurance carrier has agreed to fund the replacement of the vehicle; and

WHEREAS: A new 2014 Ford Police Utility Interceptor Vehicle under NYS Contract must be ordered prior to March 14, 2014; now therefore be it

RESOLVED: That the following funds be transferred and appropriated as follows:

From:	H2680	Insurance Recoveries	\$26,000.00
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To:	H3110.21.60	Sheriff Capital Car	\$26,000.00
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ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 7:21 P.M.