

First Regular Meeting
January 13, 2015

The First Regular Meeting of 2015 was held on January 13, 2015 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for this day that we can be here and we pray Lord that you would direct us as we go about the business of the County. Help us Lord to do the things that we need to to make things run smoothly. Help us Lord to do the things that will make our constituents pleased in the progress that we make every day. We pray that you would continue to bless this meeting and each one of us as we make the decisions."

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

Chris Kallin of the Employee Recognition Committee presented the Employee of the year 2014 to Stephen Bidwell of the Buildings & Grounds Department. "Thank you. Good afternoon. On behalf of the Employee Recognition Committee I would like to thank this Legislature for its continued support of the Employee Recognition Program and we would ask that you join us in congratulating Steve Bidwell as Tioga County's 2014 Employee of the Year. Unfortunately Steve could not be here today.

"Just a few items about Steve. He began his career with Tioga County on January 10, 1994 as a laborer in the Buildings & Grounds Division of the Department of Public Works. On January 1, 1997 he was promoted to Maintenance Mechanic I. On January 1, 2002 he was promoted to Maintenance Mechanic II and on January 1, 2009 he was promoted to Maintenance Mechanic III. Steve subsequently retired from Tioga County on December 15, 2014.

"Steve's job was very hectic. He helped keep all the County buildings functioning and looking great from mowing the lawn in the spring and summer to plowing snow in the winter, from painting to moving furniture. Steve was always willing to work whenever and wherever he was needed.

“Steve and his wife Edna live in Owego. They have three children, Mike, Scott, and Amy. His son Mike also works for Tioga County and was, in fact, Steve’s boss. Steve and Edna also have four grandchildren, Evan, Steven, Emily, and Jackson. Steve and Edna enjoy spending time in their lovely home, which they remodeled courtesy of Tropical Storm Lee, and even though his home was flooded Steve spent numerous hours helping the County clean out after the flood. Steve and Edna also enjoy gardening together. We thank Steve for his outstanding loyalty, dedication and hard work for all of the residents of Tioga County and congratulate him again on being selected as the 2014 Tioga County Employee of the year. Steve could not be here today. Ellen Pratt is here to receive his plaque. His name will go on the plaque outside this Auditorium as Employee of the year. Thank you again for your support”

There was no privilege of the floor.

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		422.20
A1165	District Attorney	692.19	8,094.35
A1170	Public Defender		12,685.82
A1172	Assigned Counsel		24,721.67
A1173	ILS Grant		1,020.80
A1185	Medical Examiners/Coroners		5,015.83
A1325	Treasurer		36,553.57
A1355	Assessments		15,938.81
A1362	Tax Advertising/Expenses		1,384.44
A1410	County Clerk		1,419.52
A1420	Law		3,100.00
A1430	Personnel		8,816.84
A1450	Elections		39,528.29
A1460	Records Management		262.40
A1490	Public Works Administration		191.46
A1620	Buildings		45,063.45
A1621	Buildings		10,461.57
A1680	Information Technology		10,214.89
A2490	Community College Tuition		70,832.49
A2960	Education of Handicapped Children		196,613.44
A3020	Public Safety Comm E911 System		4,445.78
A3110	Sheriff		10,709.01
A3140	Probation		40.00
A3146	Sex Offender Program		18,480.00
A3150	Jail		19,175.71
A3360	State Aid Homeland Security	14,140.00	

A3410	Fire	3,508.48
A3412	2012 NYS Tech Rescue Grant	1,540.32
A3640	Emergency Mgmt Office	335.55
A4010	Public Health Nursing	276.40
A4011	Public Health Administration	10,007.07
A4042	Rabies Control	241.00
A4044	Early Intervention	483.60
A4053	Preventive/Primary Health Services	52.28
A4054	Preventive Dental Services	1,928.70
A4070	Disease Control	2,183.70
A4090	Environmental Health	3,316.56
A4210	Alcohol and Drug Services	6,581.87
A4211	Council on Alcoholism	10,990.37
A4309	Mental Hygiene Co Administration	8,467.14
A4310	Mental Health Clinic	69,830.68
A4320	Crisis Intervention Services	5,620.67
A4321	Intensive Case Management	2,332.30
A4322	Suicide Prevention	329.00
A5630	Bus Operations	99,654.33
A6010	Social Services Administration	75,568.20
A6422	Economic Development	17,128.00
A6510	Veterans' Service	424.25
A6610	Sealer Weights/Measures	174.98
A7310.41	Youth Programs, Refundable	1,655.00
A8020	Planning	350.00
A8752	NYS Ag Market Grant	5,100.00
SOLID WASTE FUND		93,842.73
SPECIAL GRANT FUND		7,510.72
LIABILITY INSURANCE FUND		190.00
COUNTY ROAD FUND		92,016.02
CAPITAL FUND		231,906.65
CONSOLIDATED HEALTH FUND		<u>1,146.95</u>
GRAND TOTAL		\$ 1,314,718.05

Legislator Case made a motion to approve the minutes of December 9, 2014, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey made the following appointment to Cornell Cooperative Extension for a one year term.

Legislator William Standinger

Chair Sauerbrey made the following appointment to Explore Long Term Options for Mental Health Committee

Commissioner of Social Services

Chair Sauerbrey made the following appointments to County-Wide Citizen Safety Committee

Legislator Roberts
 Legislator Hollenbeck
 Legislator Weston
 Legislator Standinger
 Chair/Legislator Sauerbrey

Chair Sauerbrey announced the 2015 Standing Committees.

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE
 OF THE COUNTY OF TIOGA FOR 2015**

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Case	Standinger
2. Economic Development/ Planning/Tourism/ Agriculture	Case	Roberts	Hollenbeck	Weston
3. Finance/Legal & Safety	Hollenbeck	All Legislators		
4. Information Technology	Sullivan	Case	Monell	Huttleston
5. Legislative Worksessions/ Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standinger	Sullivan	Case	Monell
7. Public Safety/ Probation & DWI	Weston	Hollenbeck	Roberts	Standinger
8. Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9. Personnel/ADA	Monell	Hollenbeck	Weston	Standinger

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 11-15 *TERMINATE THE TIOGA COUNTY PUBLIC TRANSIT ADVISORY COUNCIL*

WHEREAS: Resolution No. 202-05 created a Tioga County Public Transit Advisory Council; and

WHEREAS: The purpose and intent of establishing the Public Transit Advisory Council was to act as an advisory body to the County Legislature for purposes of providing oversight of the County Public Transit System; and

WHEREAS: Resolution No. 211-14 terminated the Tioga County Public Transit System effective November 30, 2014; now therefore be it

RESOLVED: That the Tioga County Legislature terminates the Tioga County Public Transit Advisory Council effective January 14, 2015.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 12-15 APPOINT - FIRE ADVISORY BOARD

RESOLVED: That upon recommendation of the Tioga County Fire Chiefs, the following members be and are hereby appointed to the Tioga County Fire Advisory Board for the year 2015:

OFFICERS: CHAIRMAN STEVE FEDOROWICZ
 VICE CHAIRMAN MICHAEL GEORGE
 SECRETARY GINA KLETT

Membership:

<u>DEPARTMENT</u>	<u>DELIGATE</u>	<u>ALTERNATE</u>
APALACHIN	MIKE GEORGE	ANDREW FOLEY
BERKSHIRE	KEN BEAN	JEFF BROWN
CAMPVILLE	MARK DANIEL	DIANA FORD
CANDOR	JON ROMAN Jr.	TOM KING
HALSEY VALLEY	RON FRISBIE	KEITH MERRILL
LOCKWOOD	DAVE CURTIS	BOB LONG
NEWARK VALLEY	GEORGE WAHL	JOHN HANEY
NICHOLS	ROB MINER	EVAN SMITH
OWEGO	DANIEL GAVIN	JAMES MORRIS
RICHFORD	JOHN KEENER	ZACH ARMSTRONG
SOUTHSIDE	DAVID RATHKE	DAVID RADIGAN
SPENCER	SCOTT GILLETTE	ROB ERVAY
TIOGA CENTER	MILTON KEMP	ART MAYER
WAVERLY	DON HOWARD	JEFF WHEELER
WELTONVILLE	TONY ROSENBERGER	JOHN WAHL

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 13-15 *APPROPRIATION OF FUNDS*
 MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has subleased part of the Waverly Mental Hygiene Clinic to Victor Idahosa and Ejiro Idahosa, until TCMH lease expires in August of 2016 ; and

WHEREAS: TCMH will be receiving rent and 34 % of the buildings utilities from the sub-lessee; and

WHEREAS: The appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

To:	A2440.00	Rents Other Revenue (Rent)	\$ 20,400.00
To:	A2440.00	Rents Other Revenue (Utilities)	\$ 2,300.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 14-15 *AUTHORIZE DRAW-DOWN FOR FINANCIAL MANAGEMENT ACCOUNTING SYSTEM (FMAS)*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: Tioga County is incurring expenses from Tyler Technologies, Inc. for services to implement the Financial Management Accounting System; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chief Accountant/Budget Officer and Tioga County’s Project Manager to transfer funds out of the Financial Management Accounting System (FMAS) Capital Reserve Account H878.08 into the dedicated FMAS Capital Account H1325.21 for 2015 as a drawdown quarterly to fund the following:

Tyler Services (implementation days, implementation costs, purchase of modules, dedicated consultants, Tyler Project Manager, forms, travel and hotel expenses, third party hardware and services, recurring fees, etc.)

Total for 2015	\$800,000.00
January 1 st quarter draw-down	\$200,000.00
April 2 nd quarter draw-down	\$200,000.00
July 3 rd quarter draw-down	\$200,000.00
October 4 th quarter draw-down	\$200,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY
COMMITTEE & PUBLIC WORKS
COMMITTEE

RESOLUTION NO. 15-15 *AUTHORIZE AND FUND FIBER-OPTIC
LINK TO HIGHWAY BUILDING*

WHEREAS: Tioga County has made investments in enhancing data network connectivity between County buildings for the purposes of increased efficiency and realizing cost reductions; and

WHEREAS: The Information Technology department has identified a strategic need to extend the County's fiber-optic network infrastructure to the Highway Department building at 477 State Route 96 ; and

WHEREAS: The Legislature wishes to encourage the construction of a fiber-optic trunk managed by the non-profit, public trust entity Southern Tier Network down the State Route 96/96B corridor to meet future economic development goals; and

WHEREAS: The Information Technology department has received a quotation from Southern Tier Network that utilizes said trunk to link the Highway Department building to the Ronald E. Dougherty County Office Building at 56 Main Street at a cost of \$23,505; and

WHEREAS: The Information Technology department has recommended acceptance of this proposal to meet the above goals; therefore be it

RESOLVED: That the Information Technology department be authorized to contract with Southern Tier Network to construct said fiber-optic extension from the Ronald E. Dougherty County Office Building to the Highway Department building; and be it further

RESOLVED: That the following funds be transferred for this purpose:

From: A1990.40-715 – Contingency Account	\$23,505
To: A1680.40-140 – Contracted Services (ITCS)	\$23,505

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 16-15 *AUTHORIZE ESRI GIS AGREEMENT*

WHEREAS: The Tioga County Legislature makes a significant investment in Geographic Information System (GIS) software to enhance the tools available for County departments; and

WHEREAS: The County utilizes a suite of software from Esri to carry out the GIS goals; and

WHEREAS: The Information Technology department has concluded that it would be more cost-efficient for the County to change licensing terms from individual software tools to a unlimited usage license with Esri; and

WHEREAS: The revised agreement is in the amount of \$35,000 per year over three years, which was already included in the 2015 ITCS adopted budget; therefore be it

RESOLVED: That the Information Technology department be authorized to enter into an agreement with Esri for the offered three year unlimited usage license package at a cost of \$35,000 per year, utilizing funds already allocated upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 17-15 *APPROVE SUPPLEMENTAL AGREEMENT 2
WEST CREEK RD BRIDGE – DELTA ENGINEERS*

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

WHEREAS: West Creek Rd. Bridge BIN 3335150 is one of the bridges in the bridge bond program; and

WHEREAS: The cost for the project was estimated in August of 2013 prior to the actual bid opening for this project during the 2014 budget process; and

WHEREAS: There were additional inspection hours due to the extension of the construction contract and there was additional laboratory and field testing costs in the amount of \$7,358; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement #2 for Delta Engineers not to exceed \$7,358 for inspection services for West Creek Rd. Bridge BIN 3335150 to be paid out of account H2013.07 - West Creek Rd Bridge.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 18-15 *APPROVE DESIGN SERVICES FOR
BRIDGE MAINTENANCE PROGRAM
MCFARLAND JOHNSON*

WHEREAS: The Bridge Preventative Maintenance Project PIN 9753.83 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

Federal:	80%
State	15%
Local	5%

and

WHEREAS: McFarland Johnson has submitted a proposal for design service in the amount of \$24,000; therefore be it

RESOLVED: That the Tioga County Legislature approve awarding the design services for the Bridge Preventative Maintenance Project to McFarland Johnson, Binghamton, NY not to exceed \$24,000 to be paid out of the Bridge Maintenance Program Account H2014.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 19-15 *APPROVE INSPECTION SERVICES FOR
EAST RIVER RD BRIDGE PROJECT
LABELLA ASSOCIATES
PIN 9753.73 BIN 3335410*

WHEREAS: The East River RD. Bridge over Wappasening Creek BIN 3335410 has been placed on the FHWA Program; and

WHEREAS: LaBella Associates, Rochester, NY did the design phase for this bridge project; and

WHEREAS: This Project is funded as follows:

Federal:	80%
State:	15%
Local:	5%

and

WHEREAS: The Commissioner of Public Works received a proposal for the inspection services for the East River Rd. Bridge over Wappasening Creek BIN 3335410 in the amount of \$176,059; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract to LaBella Associates, Rochester, NY not to exceed \$176,059 to be paid out of East River Rd. Bridge Account H2009.02.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS
RESOLUTION NO. 20-15	<i>AWARD DESIGN SERVICES TO MCFARLAND JOHNSON FOR HALSEY VALLEY RD BRIDGES BIN 3335000 & BIN 3334990</i>

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

WHEREAS: The Halsey Valley Rd. Bridges BIN 3335000 & BIN 3334990 are a couple of bridges in the bridge bond program; and

WHEREAS: The Commissioner of Public Works received a proposal for design of these bridges from McFarland Johnson, Binghamton, NY; and

WHEREAS: The proposal for both bridges came in at \$119,557; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Halsey Valley Rd. Bridges for McFarland Johnson not to exceed \$119,557 to be paid out of the Halsey Valley Rd. Bridges accounts as follows:

H2015.01	Halsey Valley Rd .Bridge	BIN 3334990	\$59,778.50
H2015.02	Halsey Valley Rd. Bridge	BIN 3335000	\$59,778.50

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 21-15

*APPROVE CHANGE ORDERS
PANKO ELECTRIC FOR
FLOOD MITIGATION PROJECT/COB*

WHEREAS: Panko electric was the electrical contractor for the Flood Mitigation Project at the County Office Building; and

WHEREAS: A couple of change orders were submitted for the following:

Additional Phase Conductor for new Panel	\$ 888.55
Feed Pump Control Panel P-9 from Panel PBN	\$ 1,055.93
In lieu of Panel PP	
Total	\$ 1,944.48

Therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds be appropriated for these change orders not to exceed \$1,944.48 to be paid out of the Tropical Storm Lee Disaster account H1624.20-400.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 22-15 AWARD CONSTRUCTION CONTRACT FOR COURT HOUSE EXTERIOR REHABILITATION PHASE 3

WHEREAS: The Department of Public Works received sealed bids on January 6, 2015 for the construction of the Court House Exterior Rehabilitation Phase 3 Project; and

WHEREAS: The bids were received as follows:

<u>Contractor</u>	<u>Base Price</u>	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Total</u>
Craig Lee Construction Mansfield, PA 16933	\$139,500.00	\$88,000.00	\$45,000.00	\$86,000.00	\$358,500.00
The Tradesman Group Plain City, OH	\$247,810.00	\$294,827.00	\$339,727.00	\$90,129.00	\$972,493.00
Tower Roofing Johnson City, NY	\$118,000.00	\$120,000.00	\$510,000.00	\$103,000.00	\$851,000.00

And

WHEREAS: C & S Engineers has reviewed the bids and has sent a recommendation to award the bid to the low bidder Craig Lee Construction, Mansfield, PA; therefore be it

RESOLVED: That the Tioga County Legislature award the construction contract for the Court House Exterior Rehabilitation Phase 3 to Craig Lee Construction Mansfield, PA not to exceed \$358,500 to be paid out Account H1620.20 use code 927 (Court House Ext. Renovation)

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 23-15 *AUTHORIZE CONTRACT WITH
H2O PARTNERS*

WHEREAS: Tioga County sustained significant damage in the Tropical Storm Lee flood event of September 2011; and

WHEREAS: FEMA prepared 54 Project worksheets (PWs) for repair work and mitigation on County roads, streams & buildings and for debris cleanup resulting from the disaster; and

WHEREAS: Tioga County issued a Request For Proposals (RFP) for Services for Project Closeout and Compilation of Necessary Documents for FEMA audit and for related services; and

WHEREAS: Tioga County received four Proposals in response to the RFP from:

Simmons Recovery Consulting
H2O Partners
Witt/O'Brien's
Marsh Risk Consulting

And

WHEREAS: Using the methodology set forth in the RFP, the Tioga County Flood Recovery Oversight Committee initially recommended that Simmons Recovery Consulting be awarded the contract for the above services; and

WHEREAS: By resolution adopted October 14, 2014 the Tioga County Legislature authorized entering into said contract with Simmons, but thereafter Simmons withdrew its proposal and subsequent attempts to negotiate a contract were unsuccessful; and

WHEREAS: Inasmuch as said contract negotiations between Simmons and Tioga County were unsuccessful, the Tioga County Flood Recovery Oversight Committee reevaluated said RFPs and recommends that award of the contract be withdrawn from Simmons and that the contract be awarded to H2O Partners, the second lowest bidder; therefore be it

RESOLVED: That the Tioga County Legislature withdraws the award of the contract to Simmons Recovery Consulting; and be it further

RESOLVED: That the Tioga County Legislature hereby awards the contract to H2O Partners and authorized and directs the Chair to execute a contract, approved as to form by the Tioga County Attorney, between Tioga County and H2O Partners, which will be paid out of Tropical Storm Lee Disaster Account H1624.20 for:

1. The services for Project Closeout and Compilation of Necessary Documents for FEMA audit at a cost of \$30,250.00; and
2. Any additional services that Tioga County may request related to future flood recovery efforts, including preparation of RFPs for those services, Debris Management Services and Project Management Services for our Flood Damaged Document Recovery project at the pricing as set forth in the H2O Partners proposal dated August 20, 2014.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 24-15 *RESOLUTION CANCELLING THE
ENFORCEMENT OF THE COLLECTION OF
DELINQUENT TAXES AND FUTURE TAXES OF
CERTAIN PROPERTY PURSUANT TO ARTICLE
ELEVEN OF THE REAL PROPERTY TAX LAW*

WHEREAS: The Treasurer of the County of Tioga has recommended that the property listed below be removed from the collection of past delinquent taxes and future Real Property taxes due to the environmental contamination on the property that creates a significant risk that it might expose Tioga County to a liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

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

RESOLVED: That the Tioga County Legislature has and does hereby determine that there is no practical method to enforce the existing tax lien on the following property and that a supplementary proceeding under §1138(5) of the Real Property Tax Law would not be effective and therefore does hereby cancel the delinquent tax lien on the property listed below; and be it further

RESOLVED: That the Tioga County Legislature further has and does hereby determine that there is no practical method to enforce any future tax liens against the said parcel, and directs the enforcing officer to issue a Certificate of Prospective Cancellation and file a copy of the Certificate with the Assessor of the assessing unit in which the parcel is located and with the County Director of Real Property Tax Services.

PROPERTY:

Town of Newark Valley Tax Map Number 64.19-3-32.2
 Northern Tioga Enterprises, LLC – Now owned by Leroy Eiklor
 Act. 65
 Years owed 2010, 2011, 2012, 2013, & 2014
 Cancelled delinquent tax lien: \$49,641.89

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGAL/FINANCE

RESOLUTION NO. 25–15

AMEND POLICY 41
 TIOGA COUNTY COMMERCIAL
 DRIVER LICENSE
 DRUG AND ALCOHOL TESTING

WHEREAS: Policy 41 Tioga County Commercial Driver License Drug and Alcohol Testing needs to be amended to reflect references to alcohol and also to reflect the change of name from Personnel Officer to Safety Officer; therefore be it

RESOLVED: That Policy 41 Tioga County Commercial Driver License Drug and Alcohol Testing be amended as follows:

SECTION IV – Testing for Prohibited Drugs and Alcohol

B. Testing – 1b Pre-Employment Testing – remove the words “and alcohol” and also remove the words “and that breath will be tested for alcohol”.

SECTION V – Collection and Analysis

A. Replace Personnel Officer with “Safety Officer”.

J. Replace Personnel Officer with “Safety Officer”.

K. Replace Personnel Officer with “Safety Officer”.

SECTION VI – Alcohol Testing Procedures

F. Confirmation Test – 5. Replace Personnel Officer with “Safety Officer”.

SECTION IX – Employee Rights

B. Confidentiality – Second Sentence replace Personnel Officer with “Safety Officer”. Last sentence add “Safety Officer”.

And be it further

RESOLVED: That the remainder of Policy 41 Tioga County Commercial Driver License Drug and Alcohol Testing shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 26-15 *APPLY FOR INDIGENT LEGAL SERVICES GRANT*

WHEREAS: The New York State Office of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$123,804 to improve the quality of indigent legal services provided under Article 18-B of the County Law; and

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

WHEREAS: The grant funds will be used:

1. To partially fund the position of Family Court Public Defender and to entirely fund the office of Assigned Counsel Administrator and staff;
2. To partially fund Attorney's fees for Assigned Counsel Panel;
3. To purchase a laptop computer for the Assigned Counsel Administrator;
4. To purchase on-line research tool for Public Defender's Office;
5. To fund additional hours for Public Defender and hire additional staff positions for the Public Defender's Office;
6. To purchase additional technological upgrades for the Public Defender's Office;

And

WHEREAS: There are no local matching funds required under this grant; now therefore be it

RESOLVED: That the Tioga County Legislature authorizes the submission of said grant to the Office of Indigent Legal Services for the sum of \$123,804, and authorizes and directs the Chair of the Tioga County Legislature to execute any contracts, or other necessary documents to proceed with the grant, subject to approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 27-15 *AUTHORIZE CONTRACTUAL MEDICAL
CONSULTANT – DEPARTMENT OF HEALTH
PUBLIC HEALTH*

WHEREAS: Tioga County policy #46 outlines the procedure for contractual hires; and

WHEREAS: Tioga County is mandated to have a Medical Consultant as set forth in the NYS Sanitary Code 11.181 and 11.182; and

WHEREAS: Rani Kapur-Pado, DO, is willing and has agreed to act as Medical Consultant to Tioga County Department of Health, replacing Drs. James Skiff and Michael Murphy; and

WHEREAS: Costs for the Medical Consultant were included in the 2015 Budget; therefore be it

RESOLVED: That the Medical Consultant be paid at an all-inclusive rate of \$125 per hour, effective January 15, 2015; and be it further

RESOLVED: That the Public Health Director be authorized by the Legislature to replace the contract with United Health Services Hospitals, Inc. for Tioga County Medical Consultant services with a contract with Dr. Kapur-Pado; and be it further

RESOLVED: That Dr. Kapur-Pado's qualifications be submitted to the NYSDOH for approval; and be it further

RESOLVED: That the Legislature authorizes the Public Health Director to enter into a contract with Dr. Kapur-Pado.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 28-15 *AUTHORIZE CONTRACT WITH SPENCER VAN
ETTEN SADD
SCHOOL ASSOCIATE FOR 2015*

WHEREAS: It is the desire of the STOP DWI Program to award a contract with a Spencer Van Ethen SADD School Associate which is defined as an Independent contractor not entitled to County Employee benefits; and

WHEREAS: It is the desire to award a SADD School Associate contract for the calendar year 2015 to Tabitha Carey to serve the Spencer Van Ethen School District; and

WHEREAS: The SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associate; therefore be it

RESOLVED: That a contract for the Spencer Van Ethen SADD School Associate be authorized for the 2015 calendar year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 29-15	<i>ABOLISH ONE (1) PART-TIME LICENSED PRACTICAL NURSE POSITION PUBLIC HEALTH DEPARTMENT</i>
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WHEREAS: Tioga County has discontinued its Certified Home Health Agency licensing; and

WHEREAS: A part-time Licensed Practical Nurse position is no longer necessary due to eliminated work load; and

WHEREAS: The incumbent of this position was informed of the lay-off on November 20, 2014, but the abolishment of the position was inadvertently not addressed until now; therefore be it

RESOLVED: That one (1) part-time Licensed Practical Nurse position be abolished within the Public Health Department retroactive effective as of November 20, 2014; and be it further

RESOLVED: That the Public Health Department's authorized part-time headcount for 2015 shall be reduced from 14 to 13.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 30-15

*AMEND RESOLUTION 266-14;
AUTHORIZE APPOINTMENT OF
PARALEGAL
TREASURER'S OFFICE*

WHEREAS: Resolution 266-14 authorized the creation of a temporary, full-time Paralegal position in the Tioga County Treasurer's Office to provide an orientation period prior to the current permanent, full-time Paralegal incumbent's retirement on January 28, 2015; and

WHEREAS: The effective date of retirement has changed and it shall now be effective as of January 31, 2015; and

WHEREAS: The Treasurer will have an immediate need to backfill the permanent, full-time Paralegal position upon said retirement; therefore be it

RESOLVED: That Resolution 266-44 is hereby amended to authorize the temporary Paralegal appointment through January 31, 2015; and be it further

RESOLVED: That the Treasurer is hereby authorized to provisionally appoint Kevin A. Humes to the full-time, permanent, Paralegal position effective February 2, 2015, pending the outcome of the civil service examination; and be it further

RESOLVED: That Mr. Humes' 2015 non-union, annual salary shall be set at \$33,000.

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

The last Resolved figure should be changed from \$33,000 to "\$34,000".

ROLL CALL VOTE ON AMENDMENT

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORK SESSION

RESOLUTION NO. 31-15 *CREATE AND FILL TEMPORARY POSITION
LEGISLATIVE OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions; and

WHEREAS: An unexpected leave of absence has caused a staffing shortage in the Legislative Office; and

WHEREAS: The upcoming preparation meetings for the FMAS project will create further office coverage issues for that office; and

WHEREAS: The County Legislature is supportive of creating a temporary full-time position to alleviate the staffing shortage; therefore be it

RESOLVED: That the Legislative Office is hereby authorized to create and fill one full-time temporary Account Clerk/Typist position effective January 6 – February 20, 2015; and be it further

RESOLVED: That an hourly rate of \$15.00 is authorized in recognition of the incumbent's past experience with Tioga County; and be it further

RESOLVED: That this temporary position shall end as of the close of business February 20, 2015, or upon the expiration of the aforementioned leave of absence, whichever occurs first.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

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

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 32-15

*AUTHORIZATION TO EXECUTE
ENGAGEMENT LETTER FROM
COUGHLIN & GERHART, LLP
TO PROVIDE SERVICES REGARDING DIANE
FRITZSCH vs. TIOGA COUNTY*

WHEREAS: Diane Fritsch has commenced a lawsuit against Tioga County; and

WHEREAS: Tioga County wishes to retain the services of Coughlin and Gerhart LLP to defend the action; and

WHEREAS: Coughlin and Gerhart LLP has set forth the services they will provide in an engagement letter; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to sign said engagement letter from Coughlin and Gerhart LLP for said services.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:15 p.m.