

Second Regular Meeting
February 15, 2011

The Second Regular Meeting of 2011 was called to order by the Chair at 1:30 P.M. All Legislative members were present.

Chair Weston asked Legislator Hollenbeck to have a moment of prayer. "God Bless our brave men and women who keep this Republic free and keep us safe, and God help this Legislature lead this County in a prosperous way."

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

There were 6 people in attendance.

Legislator Quinlan spoke. "I would like to take this time for a moment of silence for Legislator Hollenbeck's mother who passed away recently.

"I had an unfortunate accident three and a half months ago, and I have not been here to cause any confusion or trouble, but I just wanted to take time out, I wish it was a bigger crowd, to tell you people how fortunate I am that I came through this. I had a very serious accident. I do not think people realized it, but I want to thank every one of the Legislators here and all the people who sent me cards, who said prayers for me, and did everything on my behalf, and I think that is one reason I got well so quick plus with the help of my wonderful wife. God bless every one of you and I am glad you are all here together because it is hard to thank everyone individually, but I want to thank you all for all the cards and for everything you did for me.

"I have another announcement to make. The Mayor of Waverly called me and asked me to invite everybody from the Legislature to an open house Saturday, February 19 at 10:00 a.m. for the recognition of the opening of the Ithaca Street School building offices. Supposedly the Lieutenant Governor is coming. It has been a long time coming and it is a beautiful facility. We took over the Ithaca Street School. We have the Village Police there, all the Public Works, Village Offices, and we have a big recreation room for the Senior Citizens. I would like to invite everyone because I know you people are good people. Thank you."

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		680.03
A1165	District Attorney		5,909.52
A1172	Assigned Counsel		18,471.73
A1325	Treasurer		1,700.00
A1345	Budget		50.00
A1355	Assessments		178.41
A1410	County Clerk		12,481.67
A1420	Law		1,769.10
A1430	Personnel		6,073.95
A1450	Elections		31,033.32
A1460	Records Management		79.84
A1490	Public Works Administration		772.89
A1620	Buildings		82,251.30
A1680	Information Technology		39,254.19
A2960	Education Handicapped Children		103,556.37
A3020	Public Safety Comm E911 System		17,856.71
A3110	Sheriff	306.81	30,047.22
A3140	Probation		812.83
A3142	Alternatives to Incarceration		759.00
A3150	Jail		65,339.71
A3315	Special Traffic Programs		8,802.19
A3410	Fire	526.15	1,633.80
A3552	EMO Grant-SHSP C837970		42,884.73
A3640	Emergency Mgmt Office		461.97
A3992	EMO C837990 Grant	33,009.84	
A4010	Public Health Nursing	122.39	54,038.47
A4011	Public Health Administration		12,639.59
A4012	Public Health Education		75.00
A4042	Rabies Control		4,956.02
A4044	Early Intervention	186.00	38,911.90
A4053	Preventive/Primary Health Svcs	134.00	44.79
A4054	Preventive Dental Services		764.26
A4064	Managed Care-Dental Services		15,516.69
A4070	Disease Control		2,340.40
A4090	Environmental Health		884.31
A4210	Alcohol and Drug Services		10,177.54
A4211	Council on Alcoholism		30,923.32
A4309	Mental Hygiene Co Admin	8.59	10,513.37
A4310	Mental Health Clinic		89,105.03

A4311	Rehabilitation Support Services	3,705.78
A4315	Mental Retardation	614.41
A4320	Crisis Intervention Services	7,035.84
A4321	Intensive Case Management	2,985.82
A4333	Psycho Social Club	38,739.38
A6010	Social Services Administration	191,921.42
A6141	Energy Crisis Assistance Programs	43,302.30
A6422	Economic Development	333.12
A6515	Veterans' Service	60.00
A6610	Sealer Weights/Measures	85.64
A7180	Snowmobile Grant Program	35,227.50
A7310.41	Youth Programs, refundable	7,812.05
A7989	Tourism	123,898.65
A8020	Planning	690.11
A8025.41	Regional Planning 7-County Board	11,137.00
A9060	Health Insurance	1,596.82
SOLID WASTE FUND		70,479.07
COUNTY ROAD FUND		156,686.24
SPECIAL GRANT FUND		9,279.88
CONSOLIDATED HEALTH FUND		1,307.32
CAPITAL FUND		20,740.50
LIABILITY INSURANCE FUND		40.00
WORKERS' COMP		<u>12,865.00</u>
GRAND TOTAL		\$ 1,518,588.80

Legislator Monell made a motion to approve the minutes of January 3 and 11, 2011, seconded by Legislator McEwen, and carried.

Chair Weston abolished the following committees effective February 15, 2011:

County Attorney Search Committee
 Non-Union Evaluation Committee
 Veterans' Director Interview Committee

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

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

REFERRED TO: COUNTY CLERK COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 36-11 *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 is reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$85,977.00 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 \$85,977.00 for the period of April 2011 – April 2012; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements \$7,164.75 for the months of April 2011 through month of April 2012, for a total annum amount of \$85,977.00.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 37-11 *ENCUMBER FUNDS FROM
STATE AID-RECORDS MANAGEMENT
#0580-10-1406*

WHEREAS: Records Management was awarded a Local Government Records Management Improvement Fund Grant (Project # 0580-10-1406) in the amount of \$50,331; and

WHEREAS: This funding was appropriated in 2009 and unspent funds remain which need to be re-appropriated in 2011; therefore be it

RESOLVED: That the remaining funds in the Local Government Records Management Improvement Fund Grant (Project #0580-10-1406) be reappropriated in 2011 as follows:

From: State Aid-Records Management #0580-10-1406 A3060 \$1,322.49

To: Records Management-Contracting Services A1460.41.140
\$1,322.49

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 38-11 *ENCUMBER FUNDS FROM NEW YORK STATE MAIN
 STREET PROGRAM GRANT FOR THE OWEGO
 HISTORIC DOWNTOWN PROGRAM*

WHEREAS: Tioga County Economic Development & Planning was awarded a New York State Main Street Program Grant through the New York State Housing Trust Fund Corporation's Office of Community Renewal in the amount of \$471,143.00; and

WHEREAS: The Tioga County Legislature authorized the acceptance of said grant through Resolution 182-10 on September 14, 2010 and unspent funds remain which need to be re-appropriated in 2011; therefore be it

RESOLVED: That the total grant fund in the amount of \$471,143.00 in said grant be re-appropriated in 2011 as follows:

From: CE3990/2010 New York Main Street Program	\$471,143.00
To: CE8510.40/2010 New York Main Street Program	\$471,143.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 39-11 *TRANSFER OF FUNDS*
WORKERS' COMPENSATION

WHEREAS: Resolution 271-10 authorized the Personnel Officer to purchase workers' compensation specific excess Insurance from Safety National for the period of January 1, 2011 through December 31, 2011; and

WHEREAS: The 2011 renewal rate for this policy was not finalized by Safety National until late December 2010; and

WHEREAS: The 2011 amount budgeted for this policy was \$99,215 but the actual cost came in at \$100,698.00; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1710.40 (270) insurance-liability	
	\$ 862.00
Workers' Compensation Account S1710.10 (10) personal services	
	\$ 621.00

To: Workers' Compensation Account S1722.40 (270) insurance-liability	
	\$1,483.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
JOB TRAINING COMMITTEE

RESOLUTION NO. 40-11 *AMEND TIOGA EMPLOYMENT
CENTER BUDGET*

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

WHEREAS: The Tioga Employment Center has been allocated additional funds: New York State Disability Program Navigator in the amount of \$4,802.00; Dislocated Worker Supplemental Funds in the amount of \$12,044.00; and Youth Incentive Funds in the amount of \$3,001.00; therefore be it

RESOLVED: That the Tioga Employment Center budget be amended as follows:

From: CD4791 – Federal Aid-Federal Employment Program	\$19,847.00
To: CD6293.10-10 – Federal Employment Program 1	\$ 4,802.00
CD6293.40-190- Federal Employment Program 1	\$12,044.00
CD6293.40-733- Federal Employment Program 1	\$ 3,001.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 41-11 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: Tioga County Health Department (TCHD) has received American Recovery and Reinvestment Act Early Intervention funding through the NYS Department of Health; and

WHEREAS: TCHD has received approval of the workplan and budget, and is required to appropriate the funds into the proper account codes that match the approved budget; and

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

RESOLVED: That funding be appropriated as follows:

From: A4401.00 Federal Funds	\$23,079
To: A4044.20-130 Early Intervention: Equip	\$ 4,600
To: A4044.40-640 Early Intervention: Supplies	\$18,479

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 42-11 *APPROPRIATION OF FUNDS*

WHEREAS: Tioga County Health Department (TCHD) has received American Recovery and Reinvestment Act Immunization funding through the NYS Department of Health; and

WHEREAS: TCHD has received approval of the workplan and budget, and is required to appropriate the funds; and

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

RESOLVED: That funding be appropriated as follows:

From: A4401.00 Federal Funds	\$20,000
To: A4053.20-130 Preventive & Primary Health: Equip	\$ 8,400
To: A4053.40-640 Preventive & Primary Health: Supplies	\$11,600

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 43-11 *RE-ESTABLISH PRIOR YEAR
PUBLIC WORKS PROJECTS*

WHEREAS: Prior year Public Works Projects need to be re-established for the remaining balance as of year end 2010 for completion in 2011; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>Bridge Projects</u>	<u>BIN #</u>	<u>Amt to Establish</u>
H2006.03 Halsey Valley Rd.	3335010	\$ 31,526.78
H2009.02 East River Rd.	3335410	\$ 35,790.23
H2009.05 Main St. Bridge	3334800	\$ 56,869.37

<u>Federal Bridge Program</u>	<u>BIN#</u>	<u>Amt to Establish</u>
H2008.08 Southside Dr.	3335530	\$ 309,932.56
H2010.07 Lillie Hill RD	3335510	\$ 57,125.00

CHIPS Program

H2008.02 Bodle Hill Rd.		\$ 20,970.26
H2008.04 Montrose Turnpike Resurf.		\$ 25,621.88
H2009.01 West Creek Rd. Resurf.		\$ 157,193.27
H2010.01 West River Rd.		\$ 49,170.25
H2010.02 Halsey Valley Rd.		\$ 30,928.32
H2010.03 Hamilton Valley Rd.		\$ 10,485.50
H2010.05 Crumtown Rd.		\$ 35,076.21
H2010.06 Straits Corners Rd.		\$ 37,625.00
H2010.10 Halsey Valley Rd.		\$ 10,658.90

Capital Projects

H2010.08 Culvert Replacement		\$ 42,160.60
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Capital Construction

H1620.20-121 Elevators		\$ 50,000.00
H1620.20-924 Court House Façade		\$ 53,876.96
H1620.20-925 56 Main St Façade		\$ 3,101.00
H1620.20-926 HVAC Control System		\$ 30,000.00
H1620.20-927 Court House Ext. Renov.		\$ 126,321.78

Capital Equipment

H1620.21-913	Jail Renovations	\$	10,000.00
H1620.21-929	Boiler	\$	7,065.00
H1620.21-988	Court House Renov.	\$	234,930.00
H1620.21-996	PSB Lighting	\$	43,250.00
And be it further			

RESOLVED: That the corresponding revenue sources shall also be re-established in the 2011 modified budget.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
AG COMMITTEE

RESOLUTION NO. 44-11 *SET PUBLIC HEARING FOR 2011
ANNUAL AGRICULTURAL DISTRICT
INCLUSIONS*

WHEREAS: The Tioga County Legislature, as per resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2011 on February 24th, 2011 at 10:00 AM in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, NY.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 45-11 *APPORTION DOG FUND MONIES*

WHEREAS: There has been received from the County Treasurer a report of the expenditures and surplus from the Dog License Fund monies for the year ended December 31, 2010; be it therefore

RESOLVED: That the County Treasurer is hereby authorized and directed to pay to the several Towns the surplus monies apportioned to them as follows:

Town of Barton	\$1,500.61
Town of Berkshire	\$ 336.94
Town of Candor	\$1,484.10
Town of Newark Valley	\$ 806.14
Town of Nichols	\$ 710.02
Town of Owego	\$2,337.77
Town of Richford	\$ 96.83
Town of Spencer	\$ 461.29
Town of Tioga	<u>\$1,024.43</u>
TOTAL	\$8,758.13

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator McEwen made a motion to have the following resolutions (11), all on erroneous assessments, passed as one, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 46-11

*ERRONEOUS ASSESSMENT
TOWN OF CANDOR*

WHEREAS: An application for corrected tax roll indicates that property no. 287 assessed to William & Patricia Kramer in the 2010 tax roll of the Town of Candor is erroneous in that a 2009-10 school tax relevy was added to the tax bill in error; and

WHEREAS: The 2010 tax bill of \$1,941.48 for property no. 287 was paid in full to the Town of Candor on 1/15/10 including the erroneous school relevy amount of \$78.87; be it therefore

RESOLVED: That the \$78.87 erroneous school tax amount be refunded to William & Patricia Kramer; and be it further

RESOLVED: That the erroneous school tax of \$73.71 be charged back to the Candor School District; and be it further

RESOLVED: That the erroneous penalty of \$5.16 be charged to the proper account in the records of the County Treasurer

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 47-11

*ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

WHEREAS: An application for corrected tax roll indicates that property no. 606 assessed to State of New York in the 2011 tax roll of the Town of Richford is erroneous in that the assessor inadvertently omitted a code to exempt the parcel from county taxes; and

WHEREAS: The NYS bills are special franchise and paid to the County Treasurer's Office, and NYS contacted the Treasurer's Office to discuss the erroneous bill; be it therefore

RESOLVED: That the State of New York pay a reduced amount of \$93.23 for the 2011 tax bill for property no. 606 in the Town of Richford, the total of the original bill amount of \$167.43 less the erroneous county tax of \$70.59 and the erroneous recycle tax of \$3.61; and be it further

RESOLVED: That the erroneous solid waste tax of \$3.61 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$70.59 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 48-11

*ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

WHEREAS: An application for corrected tax roll indicates that property no. 606 assessed to State of New York in the 2010 tax roll of the Town of Richford is erroneous in that the assessor inadvertently omitted a code to exempt the parcel from county taxes; and

WHEREAS: The NYS bills are special franchise and paid to the County Treasurer's office, and NYS contacted the Treasurer's office to discuss the erroneous bill; be it therefore

RESOLVED: That the State of New York pay a reduced amount of \$106.67 for the 2010 tax bill for property no. 606 in the Town of Richford, the total of the original bill amount of \$178.89 less the erroneous county tax of \$58.31 and the erroneous recycle tax of \$3.39 and the penalties of \$10.52; and be it further

RESOLVED: That the erroneous solid waste tax of \$3.39 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$58.31 and penalty amounts of \$10.52 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 49-11 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll indicates that property no. 1546 assessed to Si & Chan Vo on the 2011 tax roll of the Town of Owego is erroneous in that the 2010-11 village taxes were releived to the town and county bill in error; be it therefore

RESOLVED: That a new bill be issued to Si & Chan Vo for property no. 1546 by the Town of Owego tax collector as follows:

	<u>Vo #1546</u>	<u>Corrected Vo #1546</u>
County	\$ 623.55	\$ 623.55
Recycle	26.07	26.07
Townwide	50.28	50.28
Return Village	<u>1,157.96</u>	<u> </u>
	\$1,857.86	\$ 699.90

and be it further

RESOLVED: That the erroneous village tax and interest of \$1,082.21 be charged back to the Village of Owego; and be it further

RESOLVED: That the erroneous penalty amount of \$75.75 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 50-11

*ERRONEOUS ASSESSMENT
TOWN OF RICHFORD*

WHEREAS: An application for corrected tax roll indicates that property no. 183 assessed to Jonathan W Harrington on the 2011 tax roll of the Town of Richford is erroneous in that the 2010-11 school taxes were releived to the town and county bill in error; be it therefore

RESOLVED: That a new bill be issued to Jonathan W Harrington for property no. 183 by the Town of Richford tax collector as follows:

	<u>Harrington #183</u>	<u>Corrected Harrington #183</u>
County	\$ 324.96	\$ 324.96
Recycle	16.64	16.64
Townwide	375.70	375.70
Return School	238.70	-
Richford Fire	<u>53.48</u>	<u>53.48</u>
	\$1,009.48	\$ 770.78

and be it further

RESOLVED: That the erroneous school tax and interest of \$223.08 be charged back to the Whitney Point School District; and be it further

RESOLVED: That the erroneous penalty amount of \$15.62 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 51-11 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll indicates that property no. 230 assessed to Wade M Harding on the 2011 tax roll of the Town of Owego is erroneous in that the 2010-11 village taxes for property no. 1145 assessed to Simon Caudullo on the 2011 tax roll of the Town of Owego were relevied to the town and county bill for property no. 230 in error; and

WHEREAS: The 2011 town and county bill for property no. 230 assessed to Wade M Harding has been paid to the Town of Owego tax collector including the erroneous village tax relevy amount of \$2,464.18; be it therefore

RESOLVED: That a new bill be issued to Simon Caudullo for property no. 1145 by the Town of Owego tax collector as follows:

	<u>Caudullo #1145</u>	<u>Corrected Caudullo #1145</u>
County	\$ 1,269.75	\$ 1,269.75
Recycle	53.08	53.08
Townwide	102.39	102.39
Return School	3,243.96	3,243.96
Return Village	<u> </u>	<u>2,464.18</u>
	\$4,669.18	\$ 7,133.36

and be it further

RESOLVED: That a refund of \$2,464.18 for the erroneous village tax amount be issued to Wade M Harding for property no. 230 by the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 52-11

*ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll indicates that property no. 208 assessed to Ann Marie Elliker on the 2011 tax roll of the Town of Owego is erroneous in that the 2010-11 village taxes for property no. 517 assessed to James & Karen Campbell on the 2011 tax roll of the Town of Owego were relevied to the town and county bill for property no. 208 in error; and

WHEREAS: The 2011 town and county bill for property no. 208 assessed to Ann Marie Elliker has been paid to the Town of Owego tax collector including the erroneous village tax relevy amount of \$1,058.64; be it therefore

RESOLVED: That a new bill be issued to James & Karen Campbell for property no. 517 by the Town of Owego tax collector as follows:

	<u>Campbell #517</u>	<u>Corrected Campbell #517</u>
County	\$ 367.87	\$ 367.87
Recycle	15.38	15.38
Townwide	29.66	29.66
Return School	352.78	352.78
Return Village	<u> </u>	<u>1,058.64</u>
	\$ 765.69	\$ 1,824.33

and be it further

RESOLVED: That a refund of \$1,058.64 for the erroneous village tax amount be issued to Ann Marie Elliker for property no. 208 by the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 53-11 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll indicates that property no. 218 assessed to Philip & Barbara Byrd on the 2011 tax roll of the Town of Owego is erroneous in that the 2010-11 village taxes for property no. 1333 assessed to Julie L Carrigan on the 2011 tax roll of the Town of Owego were relevied to the town and county bill for property no. 218 in error; and

WHEREAS: The 2011 town and county bills for these properties have not yet been paid to the Town of Owego tax collector; be it therefore

RESOLVED: That a new bill be issued to Philip and Barbara Byrd for property no. 218, and a new bill be issued to Julie L Carrigan for property no. 1333 by the Town of Owego tax collector as follows:

	<u>Byrd #218</u>	<u>Carrigan #1333</u>
County	\$ 1,310.53	\$ 596.58
Recycle	54.79	24.94
Townwide	96.41	48.11
Return School		1,524.14
Return Village	<u> </u>	<u>1,544.18</u>
	\$ 1,461.73	\$ 3,737.95

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 54-11

*ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for corrected tax roll indicates that property no. 1025 assessed to Georgia Fey on the 2011 tax roll of the Town of Owego is erroneous in that the 2010-11 village taxes for property no. 1053 assessed to William D & Carmelita Oakes on the 2011 tax roll of the Town of Owego were releived to the town and county bill for property no. 1025 in error; and

WHEREAS: The 2011 town and county bills for these properties have not yet been paid to the Town of Owego tax collector; be it therefore

RESOLVED: That a new bill be issued to Georgia Fey for property no. 1025, and a new bill be issued to William D & Carmelita Oakes for property no. 1053 by the Town of Owego tax collector as follows:

	<u>Fey #1025</u>	<u>Oakes #1053</u>
County	\$ 933.16	\$ 293.43
Recycle	39.01	12.27
Townwide	75.25	23.66
Return School		749.67
Return Village	<u> </u>	<u>757.08</u>
	\$ 1,047.42	\$ 1,836.11

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 55-11 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for corrected tax roll indicates that property no. 1748, assessed to Andrea L Battaglia-Lawrence, on the 2011 tax roll of the Town of Spencer is erroneous in that the assessment of \$11,700 included a doublewide mobile home that is located on another parcel, and the actual assessment should be \$2,500; and

WHEREAS: The 2011 Town and County tax bill of \$919.15 for property no. 1748 was paid to the Town of Spencer tax collector by CFCU Community Credit Union on 1/14/11; be it therefore

RESOLVED: That a refund of \$722.74 be issued to CFCU by the Town of Spencer tax collector; and be it further

RESOLVED: That the erroneous town tax of \$265.51 be charged back to the Town of Spencer, and the erroneous fire tax of \$27.92 be charged back to the Spencer Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$17.24 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$412.07 be charged to the proper account in the records of the County Treasurer

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 56-11

*ERRONEOUS ASSESSMENT
TOWN OF CANDOR*

WHEREAS: A Supreme Court Order has reduced the assessments for property no. 200 and property no. 3019 assessed to Julie A Mix in the 2011 tax roll of the Town of Candor; and

WHEREAS: Property no. 200 is assessed at \$25,000 on the 2011 tax roll and has been reduced to \$7,718 by the court, and property no. 3019 is assessed at \$1,500 on the 2011 tax roll and has been reduced to \$1,103 by the court; and

WHEREAS: The reduced assessments apply to both school and town and county, and the school taxes for both properties were not paid and have been relieved to the 2011 town and county bills; the tax bills for these properties have not yet been paid to the Town of Candor tax collector; be it therefore

RESOLVED: That the Town of Candor tax collector issue new bills to Julie A Mix for properties no. 200 and no. 3019 as follows:

	<u>Mix Acct #200</u>	<u>Mix Acct # 3019</u>
County	\$ 860.67	\$ 123.00
Recycle	36.02	5.15
Townwide	477.60	68.26
Part Town	111.73	15.97
Returned School	2,199.50	314.33
Candor Fire	<u>168.95</u>	<u>24.15</u>
Total Tax Bill	\$ 3,854.47	\$ 550.86

and be it further

RESOLVED: That the erroneous town tax of \$1,349.95 be charged back to the Town of Candor, and the erroneous fire tax of \$387.02 be charged back to the Candor Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$82.51 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous school tax and interest of \$4,708.59 be charged back to the Owego-Apalachin School District; and be it further

RESOLVED: That the erroneous county tax of \$1,971.48 and school penalties of \$329.61 be charged to the proper accounts in the records of the County Treasurer

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 57-11 *APPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH*

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: John Ober, DVM, resigned from the Board of Health 3/17/2010; and

WHEREAS: The appointed term for John Ober, DVM, on the Board of Health expires 12/31/2011; and

WHEREAS: Joseph Picco, DDS, has agreed to fill the unexpired term of John Ober, DVM; therefore be it

RESOLVED: That Joseph Picco, DDS, be appointed to the Board of Health to fill the unexpired term of John Ober, DVM, for a term of 2/17/2011-12/31/2011.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 58-11 *APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD*

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/11-3/31/12
Crime Victim	4/1/11-3/31/12
Rep for Private Organization Operating within County	4/1/11-3/31/12
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/11-3/31/12

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 59-11	<i>APPROVE ALTERNATIVES TO INCARCERATION 2011 CONSOLIDATED SERVICE PLAN</i>

WHEREAS: The Alternatives To Incarceration Service Plan for 2011 has been presented to and approved by members of the Alternatives To Incarceration Committee on January 20, 2011; now therefore be it

RESOLVED: That the Tioga County Legislature approve the Alternatives To Incarceration Service Plan for the time period of 1/1/2011 to 12/31/2011 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized & Drug/Alcohol Programs.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 60-11 *AMEND POLICY 29
RULES OF PROCEDURE OF THE
TIOGA COUNTY LEGISLATURE*

WHEREAS: Policy 29 Rules of Procedure of the Tioga County Legislature needs updating as to Section 2-Committees; and

WHEREAS: Section 2-Committees Finance/Legal needs to have Safety added; and

WHEREAS: Section 2-Committees Public Safety/Probation, DWI, Safety & Coroner needs to have Safety removed; therefore be it

RESOLVED: That Policy 29 Rules of Procedure of the Tioga County Legislature be amended as follows:

Section 2-Committees – Finance/Legal – add Safety to now read Finance/Legal & Safety.

Section 2-Committees – Public Safety/Probation, DWI, Safety & Coroner – remove Safety to now read Public Safety/Probation, DWI & Coroner

And be it further

RESOLVED: That the remainder of Policy 29 Rules of Procedure of the Tioga County Legislature shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 61-11 *DEFERRED COMPENSATION EXTENSION AGREEMENT*

WHEREAS: Tioga County currently use the services of Nationwide Retirement Solutions to administer the deferred compensation program, 457 plan, available to all employees; and

WHEREAS: The contract with Nationwide Retirement Solutions expires on March 8, 2011; and

WHEREAS: The County has the option of renewing the contract for 2 one year periods; and

WHEREAS: Nationwide Retirement Solutions is the named deferred compensation carrier in the CSEA contract; and

WHEREAS: All terms and provisions of the original contract will remain in full force and effect; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute the necessary documents, subject to review by the County Attorney, to extend the services of Nationwide Retirement Solutions as our deferred compensation administrator for the period of March 8, 2011 through March 8, 2012.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 62-11 *STANDARD WORK DAY AND
REPORTING RESOLUTION
PUBLIC HEALTH*

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials							
Public Health Director	Johannes Peeters	8507	10560233	7	1/11/11-1/10/17	Y	N/A

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE
ECONOMIC DEVELOPMENT &
PLANNING COMMITTEE

RESOLUTION NO. 63-11

*AMEND RESOLUTION 275-10
STAFF CHANGES 2011;
AGRICULTURE PROGRAM ASSISTANT*

WHEREAS: Resolution 275-10 authorized the creation of a temporary, part-time Agriculture Program Assistant position for the period of 1/1/11 – 12/31/2012; and

WHEREAS: This position was created to coincide with two anticipated agricultural district reviews as mandated by Article 25AA of the NYS Agricultural Districts Law; and

WHEREAS: NYS Department of Agriculture & Markets' Agriculture Protection Division has rescheduled one of the said reviews for Tioga County to coincide with its' original anniversary date and thus the use of a temporary, part-time position staff person will not be needed until 12/1/12 and last only 13 months in duration instead of 24 months since both reviews will be conducted virtually concurrently instead of one after the other; therefore be it

RESOLVED: That Resolution 275-10 is hereby amended to reflect the duration of the temporary, part-time Agricultural Program Assistant shall be in effect from 12/1/12 through 1/31/13 at the established hourly rate of \$20.36.

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

The third Whereas change 12/1/12 to "12/1/11" and change 13 months to "14 months".

The Resolved change 12/1/12 to "12/1/11".

ROLL CALL VOTE ON THE AMENDMENT WAS AS FOLLOWS:

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

AMENDMENT ADOPTED

ROLL CALL VOTE ON THE AMENDED RESOLUTION WAS AS FOLLOWS:

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION AS AMENDED ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 64-11

*REQUEST WAIVER OF HIRING FREEZE
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Resolution 269-10 instituted a 90-day hiring delay, in accordance with Resolution 147-09, for most positions sought for backfill which could not otherwise be filled by promotion; and

WHEREAS: The Public Health Department has been carrying a vacant Senior Typist position since 8/13/10; and

WHEREAS: On 1/26/11, the Public Health Director filled said vacancy by promotion of a Typist, Denise Morykan, within his department; and

WHEREAS: The Public Health Director is now in need of backfilling a Typist vacancy; and

WHEREAS: The Public Health Director received verbal approval at the 1/20/11, legislative work session to begin recruiting for the Typist position due to the fact he has carried a vacancy at the promotional level for more than 90 days; therefore be it

RESOLVED: That the Public Health Director is hereby granted a waiver from the 90-day hiring freeze for a Typist position, vacated by Ms. Morykan, and is authorized to fill said position as of 2/16/11, from the appropriate civil service eligible list at an annual salary of \$21,874.00 (CSEA Grade III).

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Sauerbrey, and Sullivan.

No – Legislator Roberts.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 65-11 *BACKFILL FULL TIME
DEPUTY SHERIFF POSITION;
AUTHORIZE HIRING WAIVER
SHERIFF'S OFFICE*

WHEREAS: The Tioga County Sheriff's Office has a need to backfill a full-time Deputy Sheriff position due to the promotion of a Deputy Sheriff effective February 12, 2011; and

WHEREAS: The Tioga County Legislature established a 90-day delay in backfilling vacant positions for the purpose of cost savings; and

WHEREAS: The Sheriff is in need of backfilling this most recent Deputy Sheriff vacancy in order to maintain adequate staffing levels for the road patrol division; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay for the position of Deputy Sheriff; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to fill the full-time Deputy Sheriff position from the appropriate civil service list at an annual salary of \$42,108 per year, effective March 12, 2011.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 66-11

*AUTHORIZE CONTRACT
TREASURER'S OFFICE*

WHEREAS: Jane Bradley, former Deputy Treasurer and Chief Accountant, resigned December 31, 2010 after 3 years of service; and

WHEREAS: Mrs. Bradley had minimal time to train her replacement and the County Treasurer expects additional technical training will be needed as the new replacement encounters new financial reporting tasks; and

WHEREAS: The County Treasurer would like Mrs. Bradley to provide said training and Mrs. Bradley is willing; and

WHEREAS: The County Attorney has reviewed the contract; now therefore be it

RESOLVED: That the County Treasurer is hereby authorized to enter into a contract with Jane Bradley to provide training at an hourly rate of \$50.00, not to exceed a total of \$3,000, for the period of February 16, 2011 through August 31, 2011.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL
FINANCE/LEGAL

RESOLUTION NO. -11 APPOINTMENT OF REPLACEMENT
DEPUTY TREASURER

WHEREAS: Jane Bradley, Deputy Treasurer, has announced her resignation with the Treasurer's Office effective 12/31/10; and

WHEREAS: James P. McFadden, County Treasurer, has the need to appoint a replacement for position of Deputy Treasurer; therefore be it

RESOLVED: That the Treasurer be allowed to appoint Margareta C. Olin to the title of Deputy Treasurer; and be it further

RESOLVED: That this title is an exempt class and will have a probationary period until September 30, 2011, and the annual salary will be \$43,000 effective 2/16/11.

Legislator McEwen made a motion to withdraw the above resolution, seconded by Legislator Roberts.

ROLL CALL TO WITHDRAW THE ABOVE RESOLUTION WAS AS FOLLOWS:

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 67-11

*CREATE AND FILL TEMPORARY
SEASONAL HIGHWAY WORKER
POSITIONS; AUTHORIZATION OF
90-DAY HIRING FREEZE
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ two seasonal Highway Workers for 2011; and

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

WHEREAS: A delay in filling the seasonal Highway Worker Positions beyond March will hinder the Public Works Department's ability to complete various projects during the 2011 season; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Commissioner of Public Works a waiver from the 90-day hiring freeze upon the creation of two (2) Highway Worker positions at an hourly rate of \$9.00/hr. effective 03/01/11 for a temporary duration not to exceed 11/30/11.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator McEwen made a motion to have the following four late-filed resolutions considered, seconded by Legislator Sauerbrey and carried.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 68-11 *ERRONEOUS ASSESSMENT
TOWN OF NEWARK VALLEY*

WHEREAS: An application for corrected tax roll indicates that property no. 507 assessed to Richard & Patricia Brink on the 2011 tax rolls of the Town of Newark Valley is erroneous in that the parcel was assessed with a house in error and the assessor has corrected the assessment to reflect only a barn, acreage and an adjusted ag exemption, thus reducing the taxable value from \$98,101 to \$25,733; and

WHEREAS: The 2011 tax bill for property no. 507 has not yet been paid to the Town of Newark Valley tax collector; be it therefore

RESOLVED: That a new bill be issued to Richard & Patricia Brink for property no. 507 in the Town of Newark Valley by the Town of Newark Valley tax collector as follows:

Corrected 2011 Tax Bill – Brink Acct #507

County	\$ 327.94
Recycle	13.72
Townwide	124.83
<u>Newark Valley Fire</u>	<u>37.94</u>
Total Bill	\$ 504.43

and be it further

RESOLVED: That the erroneous town tax of \$351.06 be charged back to the Town of Newark Valley, and the erroneous fire tax of \$106.71 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the erroneous solid waste tax of \$38.57 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$922.26 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 69-11 *TRANSFER OF FUNDS*
TREASURER'S OFFICE

WHEREAS: The County Treasurer received authorization to enter into contract with Jane Bradley on a contractual basis for training purposes; and

WHEREAS: The maximum amount the County Treasurer was authorized to spend on such contract was \$3,000; and

WHEREAS: The County Treasurer will need \$3,000 transferred from his personal services account into the contracting services line of his budget in order to cover the cost of said contract; therefore be it

RESOLVED: That the following funds be transferred as follows effective February 15, 2011:

From: Treasurer Account A1325.10-10 Personal Services \$3,000

To: Treasurer Account A1325.40-140 Contracting Services \$3,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 70-11 *ABOLISH POSITION AND TRANSFER FUNDS
TREASURER'S OFFICE AND
BUDGET OFFICE*

WHEREAS: The County Treasurer's Office has a vacant position of Deputy County Treasurer; and

WHEREAS: The County Legislature recognizes the need to have greater devotion to the County Budget preparation and tracking than has been allocated the past few years; and

WHEREAS: In order to address this need, a new position is required; therefore be it

RESOLVED: That the vacant position of Deputy County Treasurer is abolished effective February 15, 2011; and be it further

RESOLVED: That the following transfer of funds take place effective February 15, 2011:

From: Treasurer Account A1325.10-10	\$62,631
To: Budget Account A1340.10-10	\$62,631

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Roberts, Sauerbrey, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 71-11 *DEPUTY COUNTY TREASURER
SALARY ADJUSTMENT
TREASURER'S OFFICE*

WHEREAS: Jane Bradley, Deputy County Treasurer, resigned from the Treasurer's Office effective 12/31/10; and

WHEREAS: James P. McFadden, County Treasurer, has the need for the remaining Deputy County Treasurer to assume additional duties; therefore be it

RESOLVED: That the Treasurer be allowed to increase the salary of Margareta C. Olin in her current Deputy County Treasurer position; and be it further

RESOLVED: That the 2011 annual salary will be \$43,000 effective 2/16/11.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, McEwen, Monell, Weston, Quinlan, Sauerbrey, and Sullivan.

No – Legislator Roberts.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:48 P.M.