

***Fourth Regular Meeting***  
**April 13, 2010**

**The Fourth Regular Meeting of 2010 was called to order by the Chair at 1:30 P.M. Eight Legislative members were present, Legislator Roberts being absent.**

**Chair Weston asked Legislator Sullivan to have a moment of prayer. “Heavenly Father we ask for your guidance today and everyday that we conduct County business on behalf of our residents. Keep us mindful of their needs, grant us the wisdom to understand the issues and solve the problems, grant us the courage to stand up for the best interests of the people and to make the tough decisions.”**

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

**There were 14 people in attendance.**

**Legislator Huttleston presented the following Proclamation on Child Abuse Prevention Month to Gail Barton, Deputy Director Social Services.**

**Child Abuse Prevention Month Proclamation**

Whereas: The Tioga County Department of Social Services received 902 reports of alleged abuse/neglect involving 1,980 children in 2009; and

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

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

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

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

Whereas: The Family Resource Centers of Tioga County, a program of Cornell Cooperative Extension of Tioga County in collaboration with Tioga County families and agencies, will again sponsor a Family Fun Night on May 22nd, 2010 to celebrate Tioga County’s investment in the safety and nurturing of all children; and

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

**THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2010 as**

### **Child Abuse Prevention Month**

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

**Gail Barton spoke. "I gave each one of you a button to wear in support of April as Child Abuse Prevention Month. How do we prevent child abuse and neglect? If you would like to hear more about this topic you are invited to attend the next Community Resource Forum sponsored by Catholic Charities this Thursday, April 15 at 8:30 a.m. at St. Patrick's Church hall here in Owego.**

**"If you were asked that question as an individual, how do you prevent child abuse and neglect, what would you say? If you were asked that question as a member of the community you live in, how would you respond? Hopefully your answer would not be to involve Social Services, Law Enforcement, or the Legal System because by the time those systems are called into action it is not about prevention. An easier question to answer might be why should we prevent child abuse and neglect? The answer we all would probably give is because I want all children to be safe, happy, and healthy, and to have the best chance in life they possibly can. A less obvious answer might be I would like to prevent child abuse and neglect because I would like to decrease mental illness, decrease domestic violence, decrease substance abuse, and decrease the number of people who are in prisons. These are all problems that have a huge direct cost to society and all problems that can be the consequences of child abuse and neglect.**

**"Child abuse and neglect are caused by a complex mix of child, family, community, and social factors. There are no simple solutions to preventing it. Child abuse and neglect prevention is about doing what we need to do as soon as we can so families are connected to the resources and supports they need to ensure the healthy development of children. Research findings in the area of early care and support and education have been impressive. Because early childhood interventions have been shown to substantially affect many aspects of children's well being they may also provide avenues for reducing abuse and neglect.**

**“In Tioga County we are very fortunate to have the Lourdes Pact Program that works with parents prenatally in their own homes. We have a great resource in the parenting education programs of Cornell Cooperative Extension. The Tioga County Youth Bureau prioritizes funding programs that address the prevention of child abuse and neglect, and there are other fine community organizations and individuals in Tioga County dedicated to helping parents. I appreciate the resources and support already available here, but I strongly support increasing our child abuse and neglect prevention efforts whether individually as a community or as leaders responsible for allocating valuable resources.**

**“I thank the Tioga County Legislature for the recognition of April as Child Abuse Prevention Month. I hope we will each do something not only in recognition of April as Child Abuse Prevention Month, but every month to support a parent who may be in need of help before Social Services, Law Enforcement, or the Legal System become a reality in their lives. Thank you.”**

**Judy Wolfe from Cooperative Extension spoke. “You can help prevent child abuse by supporting parents in your community. The Family Resource Center is our child abuse prevention project and we are inviting everybody to help support the parents around them so they can take care of their kids.”**

**Legislator Huttleston presented the following Proclamation on Infant Immunization Awareness Week in Tioga County to Marilyn Reynolds of the Public Health Department.**

County of Tioga County

### **EXECUTIVE PROCLAMATION**

**WHEREAS:** Vaccines are among the 20th Century's most successful and cost-effective public health tools available for preventing disease and death; and

**WHEREAS:** National immunization levels are at or near record highs for most vaccines and most vaccine-preventable diseases have been reduced by 99 percent or more since the introduction of vaccines; and

**WHEREAS:** Children need a series of vaccinations, starting at birth, to be fully protected against 14 potentially serious diseases; and

**WHEREAS:** Immunizations are one of the most important ways parents can protect their children against serious diseases; and

**WHEREAS:** Tioga County recognizes National Infant Immunization Week (NIIW) to focus attention on the importance of timely immunization for infants and toddlers 2 years old and younger; and

**WHEREAS:** The Tioga County Legislature and the Health Department declare that National Infant Immunization Week (NIIW) serve as a call to parents, caregivers, and healthcare providers to participate in activities to increase the awareness of immunizing children before their second birthday; and

**WHEREAS:** The week of April 24 –May 1, 2010 has been declared National Infant Immunization Week to help ensure that children have all their vaccinations by the age of two; therefore be it

**RESOLVED:** That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 24 –May 1, 2010 as:

#### **INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY**

and encourages businesses, government agencies, national organizations, community-based organizations, and service groups to spread the immunization message throughout their communities. It is also encouraged that health care providers, parents, and children's caregivers in Tioga County advance the health of children by ensuring early and on-time immunization against preventable childhood diseases.

**Marilyn Reynolds from the Public Health Department spoke. Thank you very much for your support in such an important endeavor. It is very important for us to immunize our children. It is one of the most important things we can do for our children and to prevent vaccine preventable diseases. Thank you."**

**Legislator Huttleston presented the following Proclamation on National Nursing Week in Tioga County to Elaine Doupe of the Public Health Department.**

#### *County of Tioga*

#### ***EXECUTIVE PROCLAMATION***

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

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

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

**WHEREAS:** The week of May 6 through 12, 2010 is “NATIONAL NURSING WEEK” and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County; therefore be it

**RESOLVED:** THAT THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 6 – 12, 2010 as:

***“NATIONAL NURSING WEEK IN TIOGA COUNTY”***

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

Elaine Doupe from the Public Health Department spoke. “I do not know how many of you know this, but his wife is a nurse. I do want to thank you all for the proclamation. I bring you words of greeting from the Nurses at the Health Department and this proclamation will go to the District 5 Nurse’s Association Nurse’s Day Breakfast. That is an organization that is combined with Broome and Tioga Counties, and the Nurse’s Day breakfast I believe is on May 6 at 7:00 a.m. If anyone would like to go give me a call, I would be happy to have you go on behalf of Tioga County. Thank you.”

Legislator Huttleston presented the following Proclamation on Mental Health Awareness Month to Sue Romanczuk-Smelcer, Community Services Board Director.

**2010 PROCLAMATION**

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

**WHEREAS:** The citizens of Tioga County value the health and well-being of their families and fellow citizens of Tioga County, and therefore they are proud to support observances of Mental Health Awareness Month and Children’s Mental Health Week; and

**WHEREAS:** Tioga County has made a commitment to a community-based system of care that provides opportunities for the promotion of health, wellness, and recovery; and

**WHEREAS:** There is an expectation of hope, healing and recovery for both children with serious emotional disturbances, and adults who experience symptoms of mental illness; and

**WHEREAS:** The citizens of Tioga County support successful inclusion and participation of all individuals who are managing a serious mental health condition in their community through employment, education, and other community activities; and

**WHEREAS:** The citizens of Tioga County recognize that the reduction of mental health symptoms is one aspect of successful treatment, and the achievement of development milestones and experiences that reinforce resiliency are integral for preparing youth to become successful adults; and

WHEREAS: Stigma prevents many families from seeking help, even though the treatment success rate for children with mental health challenges is 80%; and

WHEREAS: It is important that children, adolescents, families, and communities learn about the warning signs of mental illness and where to obtain necessary assistance and treatment; and

WHEREAS: Early detection, identification and treatment for children and adolescents can prevent mental health conditions from becoming more serious or long-lasting; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2010 as *Mental Health Awareness Month* and May 2-8, 2010 as *Children's Mental Health Week* in Tioga County.

Sue Romanczuk-Smelcer, Community Services Board Director, spoke. "Thank you for this. It seems like this is a month to remember our children in our community. I think that the work that all of us in Health & Human Services do with the children in our County, the more we can work with them the healthier adults that we have and the healthier community that we have. I appreciate your support and remembrance of the complete well being of our children."

George Penney had privilege of the floor. "Sometime ago this body was asked to make changes in procedures in order to make them less burdensome on the various departments. I would suggest also that changes be made to make it easier for the general public to know what is going on. Perhaps both objectives could be achieved by doing away with the many committees in effect making all decisions as a committee of the whole and that issues be discussed at the regular public meeting. 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		819.37
A1165	District Attorney		2,692.45
A1170	Public Defender		2,289.42
A1172	Assigned Counsel		14,112.46
A1185	Medical Examiners/Coroners		495.00
A1325	Treasurer		355.25
A1345	Budget		115.91
A1355	Assessments		2,016.79
A1362	Tax Advertising and Expense		8.34
A1410	County Clerk		787.84
A1411	Department of Motor Vehicles		221.17
A1420	Law		5,657.63
A1430	Personnel		1,531.25
A1450	Elections		630.85
A1460	Records Management		49.99
A1490	Public Works Administration		144.82

A1620	Buildings	139.99	60,640.32
A1680	Information Technology		19,525.81
A2490	Community College Tuition		762,906.10
A2960	Education of Handicapped Children		236,618.01
A3020	Public Safety Comm E911 System	714.00	3,193.63
A3110	Sheriff	1,000.92	14,610.05
A3140	Probation		799.50
A3142	Alternatives to Incarceration		949.20
A3146	Sex Offender Program		8,766.67
A3150	Jail		61,948.20
A3315	Special Traffic Programs	309.00	600.00
A3410	Fire		3,801.63
A3640	Emergency Mgmt Office		354.06
A3641	Emergency Mgmt Grant Program	2,537.40	
A3654	EMO Grant Buyout		400.00
A4010	Public Health Nursing		44,637.27
A4011	Public Health Administration	5.00	5,856.19
A4012	Public Health Education	2,228.00	3,614.04
A4042	Rabies Control		217.35
A4044	Early Intervention	69.99	45,563.67
A4053	Preventive/Primary Health Services		142.86
A4054	Preventive Dental Services		936.33
A4062	Lead Poisoning Program		36.00
A4064	Managed Care-Dental Services		14,359.44
A4070	Disease Control		3,957.83
A4090	Environmental Health		1,558.58
A4210	Alcohol and Drug Services		13,538.25
A4211	Council on Alcoholism		22,922.66
A4309	Mental Hygiene Co Admin	133.00	8,579.21
A4310	Mental Health Clinic		68,373.01
A4315	Mental Retardation		1,241.98
A4320	Crisis Intervention Services		17,205.71
A4321	Intensive Case Management		1,351.84
A4333	Psycho Social Club		39,170.25
A6010	Social Services Administration		56,908.08
A6422	Economic Development		558.04
A6510	Veterans' Service		776.46
A6610	Sealer of Weights/Measures		192.05
A7180	Snowmobile Grant Program		39,669.00
A8020	Planning		116.65
A9060	Health Insurance		1,537.34
<b>SOLID WASTE FUND</b>			<b>162,120.39</b>
<b>COUNTY ROAD FUND</b>			<b>39,208.12</b>
<b>SPECIAL GRANT FUND</b>			<b>34,338.81</b>

CONSOLIDATED HEALTH FUND	43,079.48
CAPITAL FUND	194,859.41
LIABILITY INSURANCE FUND	127.17
WORKERS' COMP	<u>43,908.00</u>
GRAND TOTAL	\$ 2,124,840.49

Legislator Sauerbrey made a motion to approve the minutes of March 9, 2010, seconded by Legislator McEwen, and carried.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 93-10 *ERRONEOUS ASSESSMENT  
TOWN OF NEWARK VALLEY*

Adoption moved by Legislator McEwen,  
Seconded by Legislator Monell.

**WHEREAS:** An application for corrected tax roll indicates that property no. 846 assessed to Alfred F Budney on the 2010 tax rolls of the Town of Newark Valley is erroneous in that an alternative veterans exemption was not applied due to a clerical error, and the 2010 taxable value for town and county should be lowered from \$85,000 to \$73,625; and

**WHEREAS:** The 2010 tax bill of \$1,596.14 for property no. 846 was paid to the Town of Newark Valley tax collector on 1/21/2010; be it therefore

**RESOLVED:** That the Town of Newark Valley tax collector issue a refund of \$197.18 to Alfred F Budney for overpayment of the 2010 taxes; and be it further

**RESOLVED:** That the erroneous town tax of \$57.35 be charged back to the Town of Newark Valley; and be it further

**RESOLVED:** That the erroneous solid waste tax of \$5.61 be charged back to the Solid Waste Fund; and be it further



**RESOLVED:** That the erroneous county tax of \$134.22 be charged to the proper account in the records of the County Treasurer.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 94-10** *ERRONEOUS ASSESSMENT  
TOWN OF BERKSHIRE*

Adoption moved by Legislator McEwen,  
seconded by Legislator Oberbeck.

**WHEREAS:** An application for corrected tax roll indicates that property no. 235, assessed to Ronald K Jerauld on the 2008 and 2009 tax rolls of the Town of Berkshire, is erroneous in that the property owner had applied for an enhanced star exemption but received the basic star exemption for the 2007/08 and 2008/09 school taxes; and

**WHEREAS:** The school tax bills for 07/08 and 08/09 for property no. 235 in the Town of Berkshire were relevied to the 2008 and 2009 Town and County bills; and

**WHEREAS:** The 2008 taxes were paid on 2/24/09 and the 2009 taxes were paid on 2/25/09, including the school relevies; be it therefore

**RESOLVED:** That a refund be issued to Ronald K Jerauld for overpayment of the 07/08 and 08/09 school taxes for the amount of \$1,466.20 (\$757.07 for 07/08 school, and \$709.13 for 08/09 school); and be it further

**RESOLVED:** That the erroneous school tax and interest of \$1,370.28 be charged back to the Newark Valley School District; and be it further

**RESOLVED:** That the erroneous county penalty of \$95.92 be charged to the proper account in the records of the County Treasurer.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE**

**RESOLUTION NO. 95-10      *TRANSFER OF FUNDS*  
*PURCHASE OF EQUIPMENT*  
*VETERANS' SERVICE OFFICE***

Adoption moved by Legislator Monell,  
Seconded by Legislator Oberbeck.

**WHEREAS:** The Veterans' Office has a need to replace the copier in their office;  
and

**WHEREAS:** The Veterans' Office has no equipment budget and there are  
sufficient funds in the contractual budget; and

**WHEREAS:** The Information Technology Director has approved the purchase of a  
copier at a cost not to exceed \$2,492.00; therefore be it

**RESOLVED:** That the Veterans' Service Officer be authorized to purchase a  
copier at a cost not to exceed \$2,492.00 and that the following sums be transferred:

<b>From:</b>	<b>Veterans' Account A6510.40-320</b>	<b>\$2,492.00</b>
<b>To:</b>	<b>Veterans' Account A6510.20-100</b>	<b>\$2,492.00</b>

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE**

**RESOLUTION NO. 96-10      *APPROPRIATION OF FUNDS*  
*PUBLIC HEALTH***

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Sauerbrey.

**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 final 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:

<b>From:</b>	<b>A4401.00 Federal Funds</b>	<b>\$20,000</b>
<b>To:</b>	<b>A4053.20-130 Preventive &amp; Primary Health: Equip</b>	<b>\$12,800</b>
<b>To:</b>	<b>A4053.40-640 Preventive &amp; Primary Health: Supplies</b>	<b>\$ 7,200</b>

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO:** **PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 97-10**                      ***AUTHORIZE THE SUBMISSION OF  
2010 NYS GTSC STEP GRANT  
APPLICATION - SHERIFF'S OFFICE***

**Adoption moved Legislator Sauerbrey,  
seconded Legislator Huttleston.**

**WHEREAS:** The NYS Governors Traffic Safety Council has announced a FY '10 STEP (Selective Traffic Enforcement Program) grant; and

**WHEREAS:** Applications for this grant must be received no later than May 1, 2010; and

**WHEREAS:** County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

**RESOLVED:** That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 98-10**                    *AUTHORIZE THE SUBMISSION OF  
2010 NYS GTSC BUNY GRANT  
APPLICATION - SHERIFF'S OFFICE*

Adoption moved Legislator Sauerbrey,  
seconded Legislator Huttleston.

**WHEREAS:** The NYS Governors Traffic Safety Council has announced a  
FY '10 BUNY (Buckle Up New York Program) grant; and

**WHEREAS:** Applications for this grant must be received no later than May  
1, 2010; and

**WHEREAS:** County Policy #47 requires that a resolution be approved  
before any such grant application be submitted; therefore be it

**RESOLVED:** That the Tioga County Sheriff's Office be authorized to  
submit the appropriate grant application for the purpose of securing this  
funding, and authorizes the Chair of the Legislature to sign such application.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 99-10**                    *AUTHORIZE THE SUBMISSION OF  
2010 NYS GTSC CHILD SAFETY  
SEAT GRANT APPLICATION -  
SHERIFF'S OFFICE*

Adoption moved Legislator Sauerbrey,  
seconded Legislator Huttleston.

**WHEREAS: The NYS Governors Traffic Safety Council has announced a FY '10 Child Safety Seat Program grant; and**

**WHEREAS: Applications for this grant must be received no later than May 1, 2010; and**

**WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it**

**RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:**

**PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 100-10**

***AUTHORIZE THE SUBMISSION OF  
EPC GRANT APPLICATION  
EMERGENCY MANAGEMENT***

**Adoption moved Legislator Sauerbrey,  
seconded Legislator Huttleston.**

**WHEREAS: Tioga County currently has a Local Emergency Planning Committee (LEPC); and**

**WHEREAS: New York State is soliciting Counties to apply for grant monies to offset the expense of the LEPC; and**

**WHEREAS: This grant would be at no expense to Tioga County; therefore be it**

**RESOLVED: That the Tioga County Emergency Management Office apply for said grant.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:** ED&P COMMITTEE

**RESOLUTION NO. 101-10** *RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)*

Adoption moved by Legislator Sullivan,  
seconded by Legislator Monell.

**WHEREAS:** The term of Tioga County Local Development Corporation member, Kristin Barnhardt, expires as of March 31, 2010; and

**WHEREAS:** Kristin Barnhardt has expressed a desire for re-appointment to serve another term; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby re-appoints Kristin Barnhardt for another three-year term of 4/1/10 – 3/31/13.

**CARRIED**

**REFERRED TO:** ED&P COMMITTEE

**RESOLUTION NO. 102-10** *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION*

Adoption moved by Legislator Sullivan,  
seconded by Legislator Monell.

**WHEREAS:** Simon Caudullo has resigned from the Tioga County Local Development Corporation; and

**WHEREAS:** The Tioga County Local Development Corporation Board of Directors has found Annette Schweiger willing and able to fill said vacancy; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby appoints Annette Schweiger to fill said vacancy and serve the remainder of Simon Caudullo's unexpired term of 4/14/10 – 3/31/11.

**CARRIED**

**REFERRED TO:**

**ED&P COMMITTEE**

**RESOLUTION NO. 103–10**

***APPOINT MEMBER TO THE  
TIOGA COUNTY LOCAL  
DEVELOPMENT CORPORATION***

**Adoption moved by Legislator Sullivan,  
seconded by Legislator Monell.**

**WHEREAS: Aaron Gowan resigned from the Tioga County Local Development Corporation as of December 31, 2009; and**

**WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Debra Twigg willing and able to fill said vacancy; therefore be it**

**RESOLVED: That the Tioga County Legislature hereby appoints Debra Twigg to fill said vacancy and serve the remainder of Aaron Gowan’s unexpired term of 4/14/10 – 3/31/11.**

**On roll call vote on the above resolution, six members voted Aye, Legislators Oberbeck and Sauerbrey voting no, Legislator Roberts being absent, and the resolution was adopted.**

**REFERRED TO:**

**HEALTH & HUMAN SERVICES COMMITTEE**

**RESOLUTION NO. 104–10**

***APPOINT MEMBERS YOUTH BOARD  
YOUTH BUREAU***

**Adoption moved by Legislator Huttleston,  
Seconded by Legislator McEwen.**

**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 Youth Bureau has communicated with Municipalities, School Districts and Youth Agencies in the County regarding Youth Board positions filled and vacant, and the process for filling vacancies; 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. 325-08 and vacancies still exist and terms have expired; now therefore be it

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

	<u>TERM</u>
Brittney A. Magoon (Replacing Sabrina Swansbrough)	04/01/10 -12 /31/2011
Corrine K. Polhamus (Replacing Connie Armstrong)	04/01/10 -12 /31/2011
Zack Baker (Replacing Kia Albertson)	04/01/10 -12 /31/2011
Carter Bryce Jackson (Replacing Norma Engelbert)	04/01/10 -12 /31/2011

**CARRIED**

**REFERRED TO:** PUBLIC WORKS COMMITTEE

**RESOLUTION NO. 105-10** *INTER-MUNICIPAL AGREEMENT  
HAZARDOUS WASTE*

Adoption moved by Legislator McEwen,  
seconded by Legislator Sullivan.

**WHEREAS:** Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last nine 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 2010; 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 2010.



**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC WORKS  
FINANCE**

**RESOLUTION NO. 106-10 AWARD CONTRACT FOR  
CLEANING SERVICES FOR THE  
COUNTY OFFICE BUILDING & HHS**

**Adoption moved by Legislator Oberbeck,  
seconded by Legislator Sullivan.**

**WHEREAS: The Commissioner of Public Works received sealed bids for cleaning services for the County Office Building and the HHS Building; and**

**WHEREAS: The bids were as follows:**

<b>Matrix</b>	<b>Endwell, NY</b>	<b>\$ 85,149</b>
<b>Southern Tier Commercial Cleaning</b>	<b>Spencer, NY</b>	<b>\$126,000</b>

**therefore be it**

**RESOLVED: That the Tioga County Legislature award the bid to the low bidder Matrix, Endwell, NY in the amount of \$85,149 to be paid out of Buildings & Grounds contracting services account A1620.40 use code 140 and to be effective May 1, 2010.**

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC WORKS**

**RESOLUTION NO. 107-10**      ***AUTHORIZING THE IMPLEMENTATION  
OF SUPPLEMENTAL AGREEMENT #1 FOR  
GLENMARY DRIVE BRIDGE PIN: 9753.37  
BIN: 3335120 CONTRACT # D031772***

**Adoption moved by Legislator Oberbeck,  
seconded by Legislator Sullivan.**

**WHEREAS: A Project for Glen Mary Drive over Catatonk Creek, BIN 3335120, Town of Tioga, Tioga County, PIN 9753.37 (the Project) is eligible for funding under Title 23 U.S Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds, 15% State “Marchiselli” Funding, and 5% Local Funding; and**

**WHEREAS: The Tioga County Legislature approved the Project with Resolution 300-08; therefore be it**

**RESOLVED: That the Tioga County Legislature approve and accept Supplemental Agreement #1 for the Glen Mary Drive Bridge with the funding for the Project to be as follows for construction costs:**

<b>Federal</b>	<b>80%</b>	<b>\$448,000</b>
<b>State Marchiselli</b>	<b>15%</b>	<b>\$ 84,000</b>
<b>Local</b>	<b>5%</b>	<b>\$ 28,000</b>

**And be it further**

**RESOLVED: That these funds are deposited and dispersed from the Glen Mary Drive Bridge account H2008.07; and be it further**

**RESOLVED: That the Chairman of the Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal-aid and/or Marchiselli-aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement of 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 and State-aid eligible Project costs within appropriations therefore that are not so 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:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE**

**RESOLUTION NO. 108-10      *SUPPORT SENATE BILL S-7338 AND  
ASSEMBLY BILL A-9919***

**Adoption moved by Legislator Sullivan,  
Seconded by Legislator McEwen.**

**WHEREAS:** The New York State Vehicle and Traffic Law places the responsibility of operating Department of Motor Vehicle offices to 51 Counties across New York State through their respective County Clerk; and

**WHEREAS:** Acting as an “agent” of the New York State Department of Motor Vehicles, our county taxpayers bear the cost of running local Department of Motor Vehicle operations; and

**WHEREAS:** Our current share of certain transaction fees is 12.7%, available only if a customer appears in person; and

**WHEREAS:** Numerous transactions we are required to perform are time consuming, labor intensive and New York State does not allow the County any fee; and

**WHEREAS:** We are often competing with the New York State Department of Motor Vehicles for limited business in order to sustain our operations; and

**WHEREAS:** The Commissioner of Motor Vehicles has advised the New York State Association of County Clerks that 35 online transactions are currently available for customers via the NYS DMV website [www.nydmv.state.ny.us](http://www.nydmv.state.ny.us) and more online transactions can be expected in the near future leaving the County with even fewer revenue sharing opportunities; now therefore be it

**RESOLVED:** That the Tioga County Legislature supports Senate Bill A-7338 and Assembly Bill A-9919, allowing County Clerks who operate DMV offices to retain a share of fees collected from County residents for motor vehicle transactions completed through the New York State DMV website; and be it further

**RESOLVED:** That the Clerk of this legislative body be hereby directed to transmit copies of this resolution to Governor David A. Paterson, State Senator Thomas Libous, and Assemblyman Gary Finch.

**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO. 109-10**      *RESOLUTION TO RECOMMEND AND  
REQUEST THAT THE STATE OF NEW  
YORK DELAY THE IMPLEMENTATION  
OF THE IGNITION INTERLOCK  
PROVISIONS OF LEANDRA'S LAW*

Adoption moved by Legislator Sauerbrey,  
Seconded by Legislator Sullivan.

**WHEREAS:** In late 2009 New York State enacted and passed into Legislation "Leandra's Law" which (a) added the category of "Child in Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the V & T Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and

**WHEREAS:** The Legislation provided no direction or resources whereby the Ignition Interlock Section of this legislation could be implemented; and

**WHEREAS:** In accordance with the request of the Law, the NYS DPCA has prepared a proposed rule to direct the implementation of this law; and

**WHEREAS:** The proposed rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund this Program; and

**WHEREAS:** The Tioga County Departments of Probation, STOP DWI, and others have discussed this Program with the Public Safety Committee and no adequate solutions have been put forth; and

**WHEREAS:** Tioga County, in this time of severe fiscal crisis, does not have the resources to assume responsibility for an unfunded mandate of this magnitude; now therefore be it

**RESOLVED:** That the Tioga County Legislature join with NYSAC and other appropriate statewide organizations to recommend and request that the State of New York delay the implementation of the Ignition Interlock Program for two or more years until appropriate resources can be identified and made available to the Counties for the implementation of this Program.

**CARRIED**

**REFERRED TO: PERSONNEL COMMITTEE**

**RESOLUTION NO. 110-10**      *ADOPT POLICY 56  
POLICY, PROCEDURE AND REGULATIONS  
FOR INTERNSHIPS*

Adoption moved by Legislator Oberbeck,  
Seconded by Legislator Monell.

**WHEREAS:** There has been considerable discussion regarding Interns working in Tioga County Departments; and

**WHEREAS:** The Personnel Officer, County Attorney, and Director of Information Technology presented to the Legislature a policy on Internships for Tioga County; therefore be it

**RESOLVED:** That Policy 56 Policy, Procedure and Regulations for Internships be and hereby is adopted effective April 13, 2010:

<b>POLICY 56</b>
------------------

**POLICY, PROCEDURE AND REGULATIONS FOR INTERNSHIPS****Section:**

- I. Policy**
- II. Procedure**
- III. Regulations**

**I. POLICY**

It is the Policy of Tioga County to allow unpaid academic and vocational internship programs and to provide opportunities for career explorations and experiences. Internships can benefit both the participant and the County by promoting the exchange of information and education, exposing students to county government and encouraging careers in public service.

Departments will be considered for participation in internship and career explorations and experience programs, with Legislative Committee approval, if such program is unpaid and part of an accredited academic or vocational program for which the intern receives academic or vocational credit.

The following criteria will be applied to such programs:

- a. The training and work assignments are to be aligned with the field of study.
- b. The training must be for the benefit of the intern.
- c. The intern should not displace regular County workers and will work under the observation of county personnel.
- d. Although employment with Tioga County following an internship is not prohibited, interns are not entitled to employment at the end of the internship.
- e. The intern and County understand that the intern is not entitled to wages for the internship period.

**II. PROCEDURE**

If a Department Head desires to host or participate in an internship or experience program, the following information must be provided to the Legislative Committee by the Department Head as planned for by the Department Head and/or solicited from the intern's academic or vocational program:

- Name of the sponsoring academic or vocational program or school
- Name of the program/class
- Name of the academic/vocational faculty member supervising the intern
- Length of the internship

- Program requirements, such as:
  - Minimum/maximum hours
  - County oversight needed or time devoted by Department staff
  - Reports required of the department by the sponsoring academic/vocational program
- Expected duties of the intern while at the County
- Plan for supervision of the intern during the program

The above information is to be submitted to the Legislative Committee for approval prior to commencement of the internship.

If approval is received from the Legislative Committee, the Department Head must submit the Contract/Agreement from the academic/vocational institute to the County Attorney for review and approval prior to commencement of the internship.

Once the Legislative Committee has approved an internship program, the Department Head is not required to solicit Committee approval for each individual intern.

The Department Head will report to the Legislative Committee at the end of the internship.

### III. REGULATIONS

All Departments that intend to participate in these programs must develop a specific and detailed program on what will be expected during the internship period. Participants will be provided with a copy of this Policy, Procedure and Regulations and will sign and date the same to indicate their understanding and acceptance. A copy of the signed document shall be provided to the supervising faculty member if a performance issue arises.

#### 1. GENERAL:

- Each intern must be assigned to a specific supervisor, who will be responsible for the intern's mentoring and development;
- Work is expected to be substantive and varied, and applicable to the field of study;
- Conditions such as nature of the work to be performed, supervisory arrangement, work schedule and responsibilities of the intern should be established with the student before s/he reports to the County;
- Interns are in no way considered as staff members of the County and consequently shall not be entitled to any rights or benefits of staff members and shall not represent themselves as staff members externally.

**2. EXPECTATIONS:**

- All interns are to attend training arranged by the Department Head with Information Technology to review the Annual Safety Training, Workplace Violence Prevention Training and necessary computer training;
- Department Heads are responsible for ensuring each Intern reviews County Policy 14, 25, 30, 31, 36 (if applicable), 49 and 53, then signs an acknowledgement of having done so;
- Interns are expected to comply with the rules and procedures of the County and are expected to conduct themselves in a professional manner;
- The intern's appearance is considered a reflection of the level of professionalism and dedication to the department. Interns are expected to reflect the dress code of the department in which they are assigned;
- Interns are expected to meet high standards of personal conduct and professional ethics, as well as to maintain attention to punctuality, deadlines and cooperation with others;
- The intern will have a work schedule. If unable to work because of illness or unforeseen emergency, the department must be notified before the start of the normal workday;
- Department Heads are to submit a request to the Director of Information Technology for computer access for the intern, if such access is needed, with the Director of Information Technology having final say in what systems the intern is provided access to;
- Interns may only drive a County vehicle if approved by the County Attorney prior to the commencement of the internship and subsequent enrollment in the LENS program occurs through the Safety Officer;
- The Department Head must require the intern to complete and return the Emergency Contact Sheet available on the intranet.

**3. CONFIDENTIALITY:**

Tioga County takes its duty of confidentiality very seriously. The intern understands that s/he may come into contact with confidential information, the disclosure of which may violate County Policy and/or State law. The intern undertakes to exercise the utmost discretion in all matters of official business of the County and not to use, under any circumstances, any information about the County or its clients acquired during the internship, or to communicate said information to a third party, or to publish it, even after the end of the internship, except with the formal written consent of the County. Should the intern be found in violation of this obligation, the County reserves the right to terminate the internship and to engage in any applicable legal proceedings.



**4. TERMINATION:**

- **If the intern fails to perform and behave in accordance with policies, procedure and regulations of the County, or violates State regulation or law, the County may decide to terminate the internship at any time. The supervising faculty member shall be notified of such termination;**
- **The County reserves the right to terminate a program with an academic or vocational institution in accordance with the terms of the contract;**
- **Any items provided to the intern by the County are the property of the County and must be returned upon leaving the internship.**

## INTERN CHECKLIST

Name of Intern: \_\_\_\_\_ College/University:

\_\_\_\_\_  
Supervisor: \_\_\_\_\_ Internship Period:

**Check to note completion:**

- Contract Approved by County Attorney
- Intern provided copy of County Policy 56: Intern Policy
- Annual Safety Training
- Workplace Violence Training
- Computer Training, *as applicable*
- Review of County Policy Handbook
- Enrollment in LENS Program, *as applicable*
- Complete Emergency Contact Form

Intern Signature: \_\_\_\_\_ Date:

\_\_\_\_\_

Department Head Signature: \_\_\_\_\_ Date:

\_\_\_\_\_

**THIS FORM & EMERGENCY CONTACT FORM TO BE KEPT ON  
FILE WITHIN HOSTING DEPARTMENT**

COUNTY OF TIOGA

DEPARTMENT OF PERSONNEL AND CIVIL SERVICE



56 Main Street – Owego, New York 13827 – Phone: (607) 687-8494 – Fax: (607) 223-7074

Bethany B. O'Rourke
Personnel Officer

Emergency Contact

Employee Name \_\_\_\_\_

Address \_\_\_\_\_

Home Phone # \_\_\_\_\_ Cell Phone # \_\_\_\_\_

Contact Person #1 \_\_\_\_\_

Relationship \_\_\_\_\_

Home Phone # \_\_\_\_\_ Work Phone # \_\_\_\_\_

Contact's Place of Work \_\_\_\_\_

Address \_\_\_\_\_

Other method of reaching contact person \_\_\_\_\_

(if applicable - beeper, car phone, etc.) \_\_\_\_\_

Contact Person #2 \_\_\_\_\_

Relationship \_\_\_\_\_

Home Phone # \_\_\_\_\_ Work Phone # \_\_\_\_\_

Contact's Place of Work \_\_\_\_\_

Address \_\_\_\_\_

Other method of reaching contact person \_\_\_\_\_

(if applicable - beeper, car phone, etc.) \_\_\_\_\_

Hospital Preference: \_\_\_\_\_

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

INTERN Authorization Form:Tioga County Information Technology

I \_\_\_\_\_ have viewed the following Tioga County Policies

- Annual Safety Training
- Workplace Violence Prevention Training
- User ID/Security Training
- Policy 43

and understand my responsibilities as the owner of userid \_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 College University: \_\_\_\_\_ Supervisor: \_\_\_\_\_  
 Internship Period: \_\_\_\_\_

Tioga County Network Laptop Policy and Procedures Review

I acknowledge that I have reviewed Tioga County's Network Laptop Policies and Procedures and I understand the terms of this policy and agree to abide by it. By my signature below, I agree to be responsible for the use and safety of the laptop, to report any malfunctions immediately to Tioga County's Help Desk, and to load no additional software onto the machine or remove software from the computer's hard drive. I understand that the laptop is the property of Tioga County and will be returned to them at the end of the project and/or employment. The statement is to be completed and filed with the Law Department, 56 Main Street, Owego, New York 13827.

Date  
Business

Signature  
(Printed)

Name

- YES     NO    Additional one on one training requested:
- YES     NO    Training handouts requested:

ITCS USE ONLY  
 ACCOUNT ACTIVE:  
 IT STAFF:

**Roll Call:**  
**Ayes 08**  
**Noes 00**  
**Absent 01**  
**CARRIED**

**REFERRED TO: LEGISLATIVE WORKSESSION  
 PERSONNEL COMMITTEE**

**RESOLUTION NO. 111-10      *STANDARD WORK DAY AND  
 REPORTING RESOLUTION  
 DISTRICT ATTORNEY’S OFFICE***

**Adoption moved by Legislator McEwen,  
 Seconded by Legislator Oberbeck.**

**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;

<b>Title</b>	<b>Name</b>	<b>Standard Work Day (hrs/day)</b>	<b>Term Begins/Ends</b>	<b>Participates in Employer’s Time Keeping System (Y/N)</b>	<b>Days/Month (based on Record of Activities)</b>
<b>Appointed Officials</b>					
<b>3<sup>rd</sup> Assistant District Attorney</b>	<b>Judy Quigley</b>	<b>7</b>	<b>10/2/2009-TERM OF OFFICE</b>	<b>Y</b>	<b>4.73</b>

**And be it further**

**RESOLVED:** That the Tioga County Legislature does hereby attest that the above appointed official has submitted a three-month log of activities and such is on file with the Legislative Clerk.

Roll Call:  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC WORKS  
 PERSONNEL**

**RESOLUTION NO. 112-10      *ABOLISH THREE (3) CLEANER I  
 POSITIONS***

Adoption moved by Legislator Sullivan,  
 seconded by Legislator Oberbeck.

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

**WHEREAS:** The Commissioner of Public Works received sealed bids for Cleaning Services for the County Office Building and the Health and Human Services Building on April 2, 2010; and

**WHEREAS:** There is a considerable cost savings to the County by awarding the Cleaning bid; therefore be it

**RESOLVED:** That the Tioga County Legislature approves the abolishment of three (3) Cleaner I positions to be effective May 1, 2010.

Roll Call:  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO: PERSONNEL COMMITTEE**

**RESOLUTION NO. 113-10      *AMEND RESOLUTION 358-09  
 STAFF CHANGES***

Adoption moved by Legislator Oberbeck,  
 Seconded by Legislator Sullivan.

**WHEREAS:** Resolution 358-09 listed four (4) vacant Deputy Sheriff positions as unfunded for 2010; and

**WHEREAS:** The Sheriff is willing to exchange one (1) Sergeant position for one (1) of the Deputy Sheriff positions retroactive to April 10, 2010; therefore be it

**RESOLVED:** That retroactive to April 10, 2010, the Sheriff shall have three (3) unfunded Deputy Sheriff positions and one (1) unfunded Sergeant position; and be it further

**RESOLVED:** That the Sheriff is authorized to fill the previously unfunded Deputy Sheriff position; and be it further

**RESOLVED:** That effective January 1, 2011, the Sheriff shall return to having four (4) unfunded Deputy Sheriff positions.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**The meeting was adjourned at 1:56 P.M.**