

*Eighth Regular Meeting
August 11, 2015*

The Eighth Regular Meeting of 2015 was held on August 11, 2015 and was called to order by the Chair at 12:00 P.M. Seven Legislative members were present, Legislators Roberts and Standinger being absent.

Chair Sauerbrey asked Legislator Hollenbeck for a moment of prayer. "God Bless our brave men and women in law enforcement who risk their lives to keep us safe and please keep them safe while they perform their duties."

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

There were 6 people in attendance.

There was no privilege of the floor.

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

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		301.82
A1165	District Attorney		3,992.06
A1170	Public Defender		2,130.20
A1172	Assigned Counsel		6,470.23
A1185	Medical Examiners/Coroners		8,860.15
A1325	Treasurer		37,221.10
A1355	Assessments		5,204.53
A1364	Expense of County Owned Property		132.92
A1410	County Clerk		356.22
A1411	Department of Motor Vehicles		71.07
A1420	Law		81.15
A1430	Personnel		2,303.95
A1450	Elections		5,041.37
A1490	Public Works Administration		211.46
A1620	Buildings		35,661.26
A1621	Buildings		21,796.74
A1680	Information Technology		2,684.36
A2490	Community College Tuition		139,334.57
A2960	Education of Handicapped Children		193,566.26
A3020	Public Safety Comm E911 System		6,452.11
A3110	Sheriff	139.41	13,912.72
A3146	Sex Offender Program		10,320.00
A3150	Jail	32.93	52,503.74

A3315	Special Traffic Programs	470.80
A3410	Fire	2,794.13
A3640	Emergency Mgmt Office	337.21
A3641	LEEMPG Grant	197.49
A4011	Public Health Administration	6,252.99
A4042	Rabies Control	180.00
A4050	Healthy Neighborhood Program	68.90
A4064	Managed Care – Dental Services	15,323.61
A4070	Disease Control	968.41
A4090	Environmental Health	275.61
A4210	Alcohol and Drug Services	639.75
A4211	Council on Alcoholism	11,235.48
A4309	Mental Hygiene Co Admin	5,225.01
A4310	Mental Health Clinic	6,953.36
A4321	Intensive Case Management	315.14
A6010	Social Services Administration	46,523.34
A6422	Economic Development	798.59
A6510	Veterans' Service	453.00
A6610	Sealer Weights and Measures	389.22
A8020	Planning	1,284.10
A9060	Health Insurance	1,168.96
SPECIAL GRANT FUND		1,128.39
LIABILITY INSURANCE FUND		1,170.57
COUNTY ROAD FUND		101,366.50
CAPITAL FUND		221,580.83
SELF-INSURANCE FUND		<u>14,178.95</u>
GRAND TOTAL		\$ 990,062.67

Legislator Hollenbeck made a motion to approve the minutes of July 9 and 14, 2015, seconded by Legislator Monell, and carried.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 190-15 *APPROPRIATION OF FUNDS*
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state and federal aid funding for the purpose of Alcohol and Substance Abuse Prevention; and

WHEREAS: TCMH has contracted with Tioga County Council on Alcoholism and Substance Abuse (TCCASA) to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

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

RESOLVED: That funding be appropriated as follows:

From: A3486.10	State Aid Council on Alcoholism	\$ 707.00
From: A4486.00	Federal Aid Council on Alcoholism	\$ 9,459.00
To: A4211.40-595	Council on Alcoholism: Services Rendered	\$ 707.00
To: A4211.40-590	Council on Alcoholism: Services Rendered	\$ 9,459.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 191-15 COPIER LEASE
BOARD OF ELECTIONS

WHEREAS: The Board of Elections needs to replace the IR-2230 copier within the office; and

WHEREAS: The Board of Elections formerly used the Legislative copier to produce necessary color copies, Pre-Lat Test ballots, inspector materials and color maps of election districts; and

WHEREAS: The Board of Elections does high volume printing for election poll books, color maps of election districts, Primary Election Colored Test Ballots necessary for the voting machines Pre-Lat Testing and annual inspector training materials; and

WHEREAS: The Information Technology Department has a quote for a Canon imageRunner ADVANCE C5235A with a 60 month FMV Lease; and

WHEREAS: The cost of the lease will be \$375.00 per month; and

WHEREAS: Board of Elections Account has sufficient funds in their 2015 budget for such lease, but funds need to be transferred; therefore be it

RESOLVED: That the Board of Elections be authorized to lease a Canon imageRunner ADVANCE C5235A at a cost of \$375.00 per month, to come out of Board of Elections Account A1450.40-320, and that the Information Technology Department arrange such lease; and be it further

RESOLVED: That the following sums be transferred:

FROM:	Board of Elections A1450.20-220	\$1,500.00
TO:	Board of Elections A1450.40-320	\$1,500.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 192-15 *CONTRACT AUTHORIZATION – BOARDING
OF BROOME COUNTY INMATES AT THE
TIOGA COUNTY JAIL*

WHEREAS: The Broome County Jail periodically has a need to board-out Broome County inmates to other county jails; and

WHEREAS: The Broome County Legislature, by Resolution Number 15-218 of 2015, adopted on June 18, 2015, authorized the execution of an Intermunicipal Agreement with Tioga County for the purpose of boarding Broome County Inmates at the Tioga County Jail if required and authorized by the NYS Commission of Corrections; and,

WHEREAS: An Intermunicipal Agreement has been reviewed and approved in content by the Sheriff's Office and the County Attorney; therefore be it

RESOLVED: That the Tioga County Legislature authorize the execution of this Intermunicipal Agreement with Broome County for boarding Broome County Inmates at the Tioga County Jail.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 193-15 *AUTHORIZE TO HOLD JOINT
AUCTION WITH BROOME COUNTY*

WHEREAS: Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

WHEREAS: Broome County has contracted Mel Manassee & Son Auctioneers for Saturday, September 26, 2015 @ 10:00 AM; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 26, 2015 @ 10:00 AM; and be it further

RESOLVED: That Tioga County's auction for surplus properties will be held at Broome County Highway Dept., 47 Thomas St., Chenango Bridge, NY 13745 and 0% Commission of the proceeds will be charged to the seller.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingger.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 194-15

*AWARD CONSTRUCTION
CODDINGTON RD. BRIDGE
BIN: 3335100*

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

WHEREAS: Funding is available for the construction of the Coddington Rd. Bridge; and

WHEREAS: The Commissioner of Public Works received sealed bids on June 11, 2015 and bids were as follows:

Bothar Construction	Binghamton, NY	\$633,692.70
Dycon Construction	Pine City, NY	\$594,505.50
Economy Paving	Cortland, NY	\$587,787.78
Procon Construction	Vestal, NY	\$644,000.00
R. DeVincentis Constr.	Binghamton, NY	\$648,000.00
Slate Hill Constructors	Warners, NY	\$792,110.00
Vector Construction	Cicero, NY	\$752,127.45
ZMK Construction	Apalachin, NY	\$640,000.00

And

WHEREAS: LaBella Associates, Rochester, NY have completed the review of the bids and finds the low bidder Economy Paving, Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Economy Paving, Cortland, NY not to exceed \$587,787.78 to be paid out of Coddington Rd. Bridge account H2014.08.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
COMMITTEE

RESOLUTION NO. 195-15 *SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2015-2016 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to C5B, C5, C2E, S21 Junction TIOG 3, Junction TIOG 30, Junction S57, TIOG 22, for the Tioga Ridge Runners along with GPS updates for S30 trail for Spencer Van Etten, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingger.

RESOLUTION ADOPTED.

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 196–15

*RESOLUTION OF SUPPORT, TIOGA COUNTY
IN SUPPORT OF SNYDER FARM GROUP
NATURAL GAS WELL DEVELOPMENT*

WHEREAS: The Snyder Farm Group has applied for state permits to develop a natural gas well in the Town of Barton; and

WHEREAS: The Tioga County Legislature has a vital interest in protecting the community's health, safety and welfare, as well as its undeveloped open space and the family farms that are the backbone of its economy; and

WHEREAS: The Snyder Farm Group's proposed means of stimulating and recovering the natural gas beneath their property is outside the scope of New York State's ban on high-volume hydraulic fracturing that became effective on June 29, 2015; and

WHEREAS: The proposed means of stimulating and recovering the natural gas is proven, safe and reliable; and

WHEREAS: Natural gas exploration, development and delivery are compatible with and not disruptive to our rural way of life; and

WHEREAS: The Tioga County Legislature strongly believes in and supports the rights of private property owners to explore and recover the mineral resources of their land; and

WHEREAS: The Snyder Farm Group controls 100 percent of the land beneath which the natural gas would be harvested; and

WHEREAS: The New York State Department of Environmental Conservation has referred to the proposed means of stimulating and recovering the natural gas as "environmentally friendly"; and

WHEREAS: Natural gas development strengthens America's energy security and provides a clean alternative to sources of energy; and

WHEREAS: Respect for the will of the people, as expressed through their local elected representatives, is a cornerstone of our democracy; now therefore be it

RESOLVED: That the Tioga County Legislature strongly endorses and supports the Snyder Farm Group's proposal to explore and develop the mineral resources under their private property; and be it further

RESOLVED: That the Tioga County Legislature urges the New York State Department of Environmental Conservation to conduct a thorough but timely review of the Snyder Farm Group's proposal that examines factual evidence, science and technology; and be it further

RESOLVED: That copies of this resolution be sent to United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, Congressman Tom Reed, Governor Andrew Cuomo, Senator Tom O'Mara, and Assemblyman Christopher Friend.

ROLL CALL VOTE

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

No – None.

Abstain – Legislator Huttleston.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 197-15 ADOPT LOCAL LAW NO. 5 OF 2015

WHEREAS: A public hearing was held on August 6, 2015, following due notice thereof to consider the adoption of Local Law Introductory No. F of the Year 2015 A local law of the County of Tioga, New York, allowing for common, safe items to be excluded from the dangerous fireworks definition as permitted by New York State Penal Law Section 405(b).

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 5 of 2015; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 5 of the Year 2015.

A Local Law of the County of Tioga, New York, allowing for common, safe items to be excluded from the dangerous fireworks definition as permitted by New York State Penal Law Section 405(b).

Be It Enacted by the Tioga County Legislature as follows:

SECTION 1: Legislative Intent and Enactment

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A1041).
- B. Whereas this State Law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014 and Penal Code Section 405, this Legislature further finds and determines that "sparkler devices" are neither "fireworks" nor "dangerous fireworks" as defined in Section 270 of the New York State Penal Law, and may be sold and enjoyed, only in the manner described below, within Tioga County.
- E. This Legislature finds that allowing our residents the use of safe "sparkler devices" will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this Local Law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124, 2006 edition.
- H. This Legislature further finds that the sale and use of "sparkler devices" is permitted with the following restrictions:
 - 1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2. All distributors, manufacturers and retailers must be licensed through the New York Department of State.
 - 3. Only those 18 years of age or older may purchase said products.

SECTION 2: Definitions:

"Sparkling Devices" are defined as follows:

"Sparkling Devices" which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report).

Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- 1) Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape, but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand-held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
- 2) Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
- 3) Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- 4) Novelties, which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - A) Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grams) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
 - B) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or

gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3: Separability

If any part of or provision of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in this operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4: Effective Date

This law shall take effect immediately upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

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

RESOLUTION NO. 198-15

*AMEND COUNTY POLICY 34:
FAMILY AND MEDICAL LEAVE*

WHEREAS: Resolution 184-11 amended County Policy 34 Family and Medical Leave Policy to include a new disclosure related to the Genetic Information Nondiscrimination Act of 2008 (GINA), which took effect on November 21, 2009; and

WHEREAS: At that time the U.S Department of Labor did not update the Family and Medical Leave forms to include the Genetic Information Nondiscrimination Act of 2008 (GINA) disclosure language; and

WHEREAS: The U.S. Department of Labor has updated the Family and Medical Leave forms as of May 2015 to include a reference to the Genetic Information Nondiscrimination Act of 2008 (GINA); therefore be it

RESOLVED: That County Policy 34 Family and Medical Leave Policy Section V, Medical Certification of Leave, be amended to read as follows:

An application for leave based on the serious health condition of the employee must also be accompanied by Form WH-380-E "Certification of Health Care Provider for Employee's Serious Health Condition" completed by the applicable health care provider. The certification must state the date on which the health condition commenced, the probable duration of the condition and the appropriate medical facts regarding the condition. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of the job.

An application for leave based on the serious health condition of the employee's spouse, child, or parent must be accompanied by Form WH-380-F "Certification of Health Care Provider for Family Member's Serious Health Condition". The certification must state an estimate of the amount of time the employee will need.

Failure to supply the "Certification of Health Care Provider" as required may result in disciplinary action in addition to denial of family or medical leave.

An application for leave due to a qualifying exigency must be accompanied by Form WH-384 "Certification of Qualifying Exigency" and include a copy of the military member's covered active duty orders.

An application for military family leave to care for spouse, son, daughter, parent or next of kin who is a current service member must be accompanied by Form WH-385 "Certification for Serious Injury or Illness of a Current Service Member".

An application for military caregiver leave to care for spouse, son, daughter, parent or next of kin who is a veteran must be accompanied by Form WH-385-V "Certification for Serious Injury or Illness of a Veteran".

And be it further

RESOLVED: That County Policy 34 Family and Medical Leave Policy Section XI, Forms, be amended to reflect the replacement of Certification of Physician or Practitioner and to include the new forms as follows:

- A. Notice To Employees of Rights under Family Medical Leave Act;
- B. Application for Family or Medical Leave;
- C. Certification of Health Care Provider for Employee's Serious Health Condition
- D. Certification of Health Care Provider for Family Member's Serious Health Condition
- E. Certification of Qualifying Exigency for Military Family Leave
- F. Certification for Serious Injury or Illness of a Current Service Member
- G. Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave
- H. Notice of Intention to Return from Leave

And be it further

RESOLVED: That County Policy 34 Family and Medical Leave Form A "Notice to Employees of Rights Under FMLA" Section I, Reasons For Taking Leave, be amended to include the following two bullets:

- o for qualifying exigency for spouse, son, daughter, or parent on active duty or called to active duty; or
- o to care for spouse, son, daughter, parent, or next of kin who is current service member or veteran with a serious injury or illness.

And be it further

RESOLVED: That County Policy 34 Family and Medical Leave Form D (new form H), "Notice of Intention to Return from Leave", be amended to include:

Date Able to Return to Work:

And be it further

RESOLVED: That the remainder of the Policy 34 Family and Medical Leave shall remain in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingger.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 199-15 *AUTHORIZE APPOINTMENT OF DIRECTOR OF
EMPLOYMENT & TRANSITIONAL SUPPORT
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: The position of Director of Employment & Transitional Support (non-union salary range \$51,119 - \$61,119) became vacant as of June 6, 2015; and

WHEREAS: The Commissioner of Social Services has identified a well-qualified candidate after conducting interviews from an eligible list certification; and

WHEREAS: In light of said candidate's credentials, inclusive of prior work experience as an administrator for the Tioga County Department of Social Services, the Commissioner would like to offer compensation appropriate with the level of experience this candidate will bring to the position; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby authorized to appoint Natalie Thompson as Director of Employment & Transitional Support effective September 8, 2015, at an annual salary of \$61,119; and be it further

RESOLVED: In accordance with Policy 44, Ms. Thompson shall not receive a salary increase on January 1, 2016, and instead will be evaluated within 6 months in order to determine a salary increase at that time.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 200-15 CREATE AND FILL SEASONAL SOCIAL
WELFARE EXAMINER POSITIONS AND
SEASONAL TYPIST POSITION FOR THE HEAP
PROGRAM
DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 16, 2015; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

One, full-time, seasonal Social Welfare Examiner for the period September 8, 2015 through March 31, 2016 at the starting salary of \$14.09 per hour, and

One, full-time, seasonal Social Welfare Examiner for the period October 5, 2015 through February 29, 2016 at the starting salary of \$14.09 per hour, and

Two, full-time seasonal Social Welfare Examiners for the period October 19, 2015 through January 31, 2016 at the starting salary of \$14.09 per hour, and

One, full-time, Typist (Seasonal) for the period October 19, 2015 through January 31, 2016 at the starting salary of \$11.69 per hour; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following two-late-filed resolutions considered, seconded by Legislator Hollenbeck and carried with Legislators Roberts and Standingier being absent.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 201-15 ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Candor, Newark Valley, Nichols, Owego, Richford, Spencer and Tioga were offered for sale at Public Auction conducted Thursday, August 6, 2015, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

Prior Owner-Tax Map#	Purchaser	Bid
<u>Town of Barton:</u>		
157.00-2-18, Max Coleman	Robert J. Triold	\$ 600
157.07-1-20, Loco Holdings, LLC	Robert J. Triold	\$ 450
166.15-7-33, Janice L. Vallilee	William C. Sutton Jr.	\$ 8,000
<u>Town of Berkshire</u>		
22.00-2-19, Stanley Lukaszewicz	Michelle H. Gehn	\$ 5,750
22.00-1-5.8, Alberto Padron-Cid	Wickward Resources	\$ 5,500
22.00-1-5.5, Alberto Padron-Cid	Jerry T. Gardner	\$7,500
31.07-2-15, Nancy L. Klock	Augustine Adams	\$17,000
24.00-1-33, John Gehm	George A. Hoffmier	\$ 8,500
<u>Town of Candor:</u>		
50.00-1-39.10, Sarah Knapp	Ronald A. Bologna	\$18,000
29.00-1-4, Edward Monroe	Richard D. Judge Sr.	\$ 8,000
<u>Town of Newark Valley:</u>		
61.15-3-32, County of Tioga	Brett W. Relyea	\$ 1,000
64.19-1-20.12, Tyler Donahue	Robert C. Stevens	\$ 3,000
64.19-1-27, Donald Brooks	John A. & Sylvia A. Riegel	\$ 8,500
64.00-1-44.20, Clarence Grimley	Forrest A. Bowen	\$ 9,000
64.19-1- 3, Agnes Hammond	Erik S. Young	\$ 7,250
65.00-1-41, Thomas Abbey	Rose Marie & David W. Stack	\$ 8,500
<u>Town of Nichols:</u>		
172.00-1-25.15, Salvatore Vitellaro	Susquehanna Land Co.	\$11,250
172.00-1-25.14, Salvatore Vitellaro	Susquehanna Land Co.	\$11,250
<u>Town of Owego:</u>		
118.19-1-1.5, Leo Cueto	Brett W. Relyea	\$ 1,800
118.19-1-1.6, Leo Cueto	Brett W. Relyea	\$ 1,800
153.06-2-14, John Prosinski	Corey W. Relyea	\$ 600
120.00-1-5, June Packer Steven and	Michelle Chaffee	\$10,250
128.08-3-9, Walters	Horizon Transport	\$11,500
129.05-3-16, Thomas Shumway	Charles L. Everetts	\$13,000
128.08-1-1.125, County of Tioga	Corey W. Relyea	\$ 50
128.08-3-87, County of Tioga	Eric S., Young	\$ 700
128.08-1-43, County of Tioga	Brett W. Relyea	\$ 4,000
117.19-2-4, County of Tioga	Corey W. Relyea	\$ 500
128.08-1-46, Elizabeth E Barnum	Robie Rentals Inc.	\$ 7,000
118.17-1-43.1, Kathleen D. Johnson-Luttman	Lori A. Searfoss	\$ 5,250
129.05-3-25, English Brothers Apartments LLC	Corey W. Relyea	\$ 500
117.19-1-35, Alfred H. Sibley	Robie Rentals Inc.	\$17,000

Prior Owner-Tax Map#	<u>Purchaser</u>	<u>Bid</u>
143.13-2-50.1, Maynard Smith	Candice VanSchaick	\$ 1,000
97.00-1-17.213, Jason M. Spohn	Christopher J. Pelto	\$15,000
152.08-1-23, Sean Taylor	John S. Madan	\$ 1,800
142.14-1-27.21, County of Tioga	Corey W. Relyea	\$ 500
152.08-1-22, Sean Taylor	John S. Madan	\$15,000

Town of Richford:

12.00-1-16.20, Dasetta Gray	Hassib M. Kazan	\$ 4,625
16.00-1-15, Dasetta Gray	Hassib M. Kazan	\$ 4,625
12.00-1-26.20, Christopher Wilkinson	Craig A. & Kerry L. Mincher	\$16,500
12.00-1-27, Justine Wolf	Timothy L. & Theresa C. Pollard	\$ 2,300

Town of Spencer

69.00-2-12.2, Robert Pungner	Augustine Adams	\$13,250
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Town of Tioga:

158.12-2-20, Laurence Gallow	Steven and Michelle Chaffee	\$ 7,000
158.12-2-44, Stanley Lukaszewicz	Amy L. Cluver	\$ 2,500
159.00-3-29, Stanley Lukaszewicz	James P. Perkins	\$ 1,600
126.00-2-30, Clara Wheeland	Jacqueline M. Reese	\$ 1,900

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 202-15 AUTHORIZE RECLASSIFICATION OF VACANT
POSITION
MENTAL HYGIENE

WHEREAS: Legislative approval is required for all position reclassifications; and

WHEREAS: Since January, a full-time Administrative Secretary position has been vacant within the Mental Hygiene department; and

WHEREAS: The Director of Community Services would like to reclassify this vacancy in order to appropriately address the functional needs of her department's billing unit; and

WHEREAS: The Personnel Department has reviewed a New Position Duties Statement submitted by the Director of Community Services and has determined a new classification is appropriate; therefore be it

RESOLVED: That the vacant Administrative Secretary (CSEA salary grade V) within the Mental Hygiene Department shall be reclassified to Billing Specialist (CSEA salary grade VIII) effective August 12, 2015; and be it further

RESOLVED: That the Director of Community Services be allowed to provisionally appoint a full-time Billing Specialist effective after August 12, 2015, and pending the outcome of the civil service examination.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Roberts and Standingier.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:07 P.M.