

*Tenth Regular Meeting*  
October 9, 2012

The Tenth Regular Meeting of 2012 was held on October 9, 2012 and was called to order by the Chair at 12:07 P.M. All Legislative members were present.

Chair Weston asked Legislator Monell to have a moment of prayer. "Lord we thank you for this time that we have been able to come together to discuss the doings of the County of Tioga. We pray Lord that you would bless this group as we make decisions, help us to remember who we represent, and help us to do the job that we have been put here to do."

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

There were 21 people in attendance.

Jamie Cornell of the Employee Recognition Committee presented the Employee of the 3<sup>rd</sup> Quarter 2012 to Teresa Ryder of the Department of Social Services. "I would like to take this opportunity to thank the members of the Legislature for continuing to support this very valuable program that allows us to recognize the best and the brightest that have dedicated their lives to serving the people of Tioga County.

"Today it is my pleasure and my privilege to announce the Employee of the 3<sup>rd</sup> Quarter in Tioga County is Teresa Ryder. Teresa began her career with Tioga County in 1980 as a Social Welfare Examiner at the Department of Social Services. In 1984 she was promoted to Senior Social Welfare Examiner and in 1986 Teresa was promoted to Welfare Management Systems Coordinator at DSS, a Supervisory position that she currently retains.

"Teresa is extremely dedicated to her job. Over the years she has been responsible for leading the implantation of several agency wide system changes, numerous State computer programs, and she also tackled the large undertaking of moving the Department of Social Services into the new Health and Human Services Building. Initiating these changes often required increased commitment on Teresa's part in both time and training, which she tackled with resolve and determination to do her best at all times.

“Teresa is highly respected by her peers and her staff. She demonstrates extensive knowledge in her professional area as demonstrated by the fact that she is often consulted by the State for her expertise and she has been chosen as DSS Supervisor of the Year three times. Teresa resides in Nichols with her husband Jim. She has three grown children, Andrea, Kyle, and Lindsey, and nine cherished grandchildren. Teresa enjoys cooking, often sharing her creations with her coworkers and she also likes to garden. Teresa says that her greatest joy is her family and she enjoys planning and hosting parties for her family and friends. Thank you very much for your service.”

Legislator Huttleston spoke. “Teresa is always so bubbly. It is a great honor when we recognize the employees in this County because we have a lot of good employees. They all do a beautiful job and I am very pleased. It makes my job easier, it makes Shawn’s job easier. I really appreciate it and I appreciate all the job that all of you people do, and that is what makes this County so great is that we have so many good, dedicated employees. The people that live in this County are so lucky to have employees that we hire. Thank you.”

Gary Grant, Director of Administrative Services of the Department of Social Services spoke.” I am pleased to be here to speak about Teresa and share some of the comments I made to the Recognition Committee in support of her nomination. Teresa, as Jamie said, is one of the most highly regarded land administrators in the State. When the State wants to test a new program or technology, they will often choose Tioga because of Teresa. They know that Teresa will put it through its paces and offer her honest, sometimes brutally honest opinion of whether it is good or bad. This benefits us because we often get things first and more importantly free. We were one of the first Counties to get laptops for our Child Welfare Staff to use in the field and if I recall correctly I think we got nine of them free as a test site. I can say other examples of where the County and the Department has benefited by Teresa’s stellar reputation.

“Teresa is also very highly regarded by her peers at DSS. Staff knows that any issue with hardware, software will be quickly resolved. Her staff is well trained and focused on customer service. I just wish I knew where Teresa got all of her energy from. She only knows one speed and it is really fast. She is just always on the go. She is a role model for all with her work ethic. I am proud to know her, I am proud to work with her, and I am thrilled that she has received this well-deserved recognition.”

Teresa Ryder spoke. "I just want to say thank you to the Employee Recognition Committee, past and present members, and to the Legislators and Administrators who support this program. Most of all I want to say thank you to all of the County employees. I have worked for Tioga County and been in civil service for over half of my life now. More importantly, I have lived in Tioga County all my life and I know how hard people work and they are dedicated. We have a lot to be proud of in this County and the employees are the reasons for it in large part. Thank you everybody. I am humbled and privileged to get this award and I am little prejudiced, but I feel like I work for the best of the best in the County at Social Services."

Chair Weston noted the following two Proclamations on Breast Cancer Awareness Month and Food Day.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: A woman receives a diagnosis of breast cancer every two minutes, making this disease the most frequently diagnosed cancer among women in the U.S., other than skin cancers; and

WHEREAS: Through research and advocacy, significant advances have been made in the fight against breast cancer, including an increase in five-year relative survival rates for localized breast cancer from 74 percent to 98 percent; and

WHEREAS: The 2.5 million breast cancer survivors living in the U.S. today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines, and offering treatment to those who are affected; and

WHEREAS: Various organizations are spreading breast cancer awareness to both women and men through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and the County of Tioga would like to support and encourage these ongoing efforts on behalf of our citizens, and

WHEREAS: Throughout the month of October, women are encouraged to make a renewed commitment to following recommended screening guidelines and to make a mammogram appointment; and

WHEREAS: Throughout the month of October, organizations and health practitioners in Tioga County are encouraged to use this opportunity to promote awareness about breast cancer and proper breast health, and to encourage annual mammograms; and

WHEREAS: Public officials and citizens of Tioga County are urged to observe this month with appropriate activities and programs that encourage annual mammograms; and

WHEREAS: The County of Tioga recognizes the importance of working together and supporting events such as Breast Cancer Awareness Month; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of October 2012 as

BREAST CANCER AWARENESS MONTH

and urges all residents to take steps to get life-saving mammograms and educate themselves, their families, and the community about breast cancer.

County of Tioga  
EXECUTIVE PROCLAMATION

WHEREAS: The health and well-being of our citizens is of primary concern for the County of Tioga, New York; and

WHEREAS: Reducing obesity and diet-related diseases by promoting safe and healthy diets is a critical factor in improving citizens' overall health; and

WHEREAS: Supporting sustainable family farms and local agriculture benefits the local economy; and

WHEREAS: Obtaining fair pay and safe conditions for food and farm workers is beneficial for both the producer and consumer so that the food we produce and consume is safe and fair for all; and

WHEREAS: Expanding access to food and ending hunger is of critical importance to aid those who live in food deserts; and

WHEREAS: Curbing junk-food marketing aimed at children is vitally important in order to combat rising obesity rates and raise a generation of healthy children; and

WHEREAS: Protecting the environment and farm animals is necessary to sustain future generations, therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim Monday, October 24, 2012 as:

FOOD DAY

and encourages businesses, government agencies, national organizations, community-based organization and service groups to spread the food day message throughout their communities.

Chris Bonner had privilege of the floor. He spoke regarding the political debates that are currently going on.

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		290.33
A1165	District Attorney		607.23
A1170	Public Defender		5,101.86
A1172	Assigned Counsel		10,861.60
A1185	Medical Examiners/Coroners		508.08
A1325	Treasurer		5,104.83
A1355	Assessments		2,575.45
A1410	County Clerk		1,110.58
A1420	Law		632.06
A1430	Personnel		2,786.15
A1450	Elections		8,408.72
A1620	Buildings		29,684.70
A1621	Buildings		13,874.97
A1680	Information Technology		26,851.90
A2490	Community College Tuition		1,192.33
A2960	Education of Handicapped Children		44,965.48
A3020	Public Safety Comm E911 System		4,712.78
A3110	Sheriff		15,588.72
A3140	Probation		231.22
A3146	Sex Offender Program		9,240.00
A3150	Jail		55,528.30
A3315	Special Traffic Programs		500.00
A3410	Fire	441.29	6,820.56
A3640	Emergency Management Office		494.72
A4010	Public Health Nursing		28,987.21
A4011	Public Health Administration		3,100.76
A4012	Public Health Education		176.07
A4042	Rabies Control		1,931.23
A4044	Early Intervention		32,053.50
A4054	Preventive Dental Services	998.84	4,095.09
A4062	Lead Poisoning Program		9.50
A4064	Managed Care-Dental Services		6,769.00

A4070	Disease Control	13,536.93
A4090	Environmental Health	886.55
A4210	Alcohol and Drug Services	1,886.54
A4211	Council on Alcoholism	21,980.68
A4309	Mental Hygiene Co Admin	7,299.55
A4310	Mental Health Clinic	44,505.16
A4311	Rehabilitation Support Services	1,854.00
A4320	Crisis Intervention Services	14,320.00
A4321	Intensive Case Management	1,507.09
A4333	Psycho Social Club	37,546.75
A4309	Criminal Psychiatric Expenditures	4,050.12
A6010	Social Services Administration	85,460.33
A6422	Economic Development	271.10
A6510	Veterans' Service	207.00
A6620	Sealer of Weights and Measures	193.12
A8020	Planning	1,898.28
SOLID WASTE FUND		92,327.61
SPECIAL GRANT FUND		4,916.86
LIABILITY INSURANCE FUND		294.24
COUNTY ROAD FUND		80,086.43
CAPITAL FUND		537,013.53
CONSOLIDATED HEALTH INSURANCE FUND		<u>291,804.82</u>
GRAND TOTAL		\$ 1,570,081.75

Legislator Sullivan made a motion to approve the minutes of September 6, 11, and 13, 2012, seconded by Legislator Monell, and carried.

Chair Weston made the following appointments:

Broome-Tioga County Workforce Investment Board  
J. Brian Scanlon- 10/09/2012 – 06/30/2014

Community Development Block Grant Management Team  
Legislative Chair  
County Attorney  
Planning Director  
Commissioner of Public Works or his designee.

This designee will also serve as a Point of Contact for the County.

The 2012 Standing Committees were revised to acknowledge Legislator Case has filled the current vacancy.

**STANDING COMMITTEES OF THE COUNTY LEGISLATURE  
OF THE COUNTY OF TIOGA FOR 2012**

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

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

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

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 225-12

*RESOLUTION OF SUPPORT FOR  
HAEFELE TV INC.’S CONNECT NY  
BROADBAND GRANT APPLICATION*

WHEREAS: Governor Andrew Cuomo of the State of New York has committed \$25 million to increase broadband deployment and adoption in New York State; and

WHEREAS: The program, entitled The Connect NY Broadband Grant, would provide up to eighty percent of installation and construction costs, but requires a local contribution of twenty percent; and

WHEREAS: The Tioga County Legislature believes that portions of Tioga County are, with regard to High Speed Internet access, currently under or unserved; and

WHEREAS: Haefele TV Inc. has expressed its intent to the Tioga County Legislature to seek a portion of the aforementioned funds to increase its coverage network to include almost all of the under or unserved portions of Tioga County; and

WHEREAS: Haefele TV Inc. has expressed its intention to provide all of the matching funds required by the Connect NY Broadband Grant; and

WHEREAS: The State of New York has requested that applicants for a Connect NY Broadband Grant provide proof of public-private partnerships in the implementation of said grants; now therefore be it

RESOLVED: That the Tioga County Legislature endorses and supports Haefele TV Inc. and its application to receive broadband development funds from the Connect NY Broadband Grant program.

ROLL CALL VOTE

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

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. 226-12 TRANSFER OF FUNDS  
MENTAL HYGIENE



WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that a Tioga County resident was assigned these services, along with the required payment amount; and

WHEREAS: TCMH has identified available funds within their 2012 budget, yet these will require a transfer of funds into the proper account codes; and

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

RESOLVED: That funding be transferred as follows:

From: A4310.40-140 Mental Hygiene Clinic: Contract Services \$ 5,125.30  
To: A4390.40-590 Criminal Psychiatric: Services Rendered \$ 5,125.30

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 227-12                      *TRANSFER OF FUNDS*  
*SHERIFF'S OFFICE*

WHEREAS: The Tioga County Information Technology Department has advised the Sheriff's Office that the majority of their computers will have an unserviceable operating system and must be upgraded by the end of 2012; and

WHEREAS: No prior notice was provided, and therefore no funding was appropriated within the Sheriffs' Office 2012 budget for this purpose; and,

WHEREAS: The Budget Director has instructed that funding to upgrade these computers be allocated from foreseeable unspent funds contained in the various appropriation accounts within the Sheriffs' Office 2012 budget; and

WHEREAS: The Tioga County Sheriff's Office has identified \$16,669 within these appropriation accounts that could be transferred to fund these computer upgrades; therefore be it

RESOLVED: That the following monies be transferred as follows:

FROM: Sheriff's Account 3110.40.20 – Ammunition	\$ 369
Sheriff's Account 3110.40.70 – Car Maintenance	\$5,000
Sheriff's Account 3110.40.90 – Clothing	\$5,000
Sheriff's Account 3110.40.350 – Office Equip Maint.	\$ 500
Sheriff's Account 3110.40.470 – Physicals	\$1,000
Sheriff's Account 3110.40.480 – Postage	\$ 500
Sheriff's Account 3110.40.485 – Printing/Paper	\$ 500
Sheriff's Account 3110.40.560 – Repairs	\$ 300
Sheriff's Account 3110.40.640 – Supplies (not office)	\$ 500
Sheriff's Account 3110.40.660 – Telephone	\$1,000
Sheriff's Account 3110.40.680 – Tires	\$1,000
Sheriff's Account 3110.40.731 - Training mandatory	<u>\$1,000</u>
	\$16,669

TO: Sheriff's Account 3110.20.130 – Equipment not car \$16,669

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:                   ED&P COMMITTEE  
  FINANCE COMMITTEE

RESOLUTION NO. 228-12 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF  
EQUIPMENT FOR ECONOMIC DEVELOPMENT &  
PLANNING*

WHEREAS: The Economic Development & Planning Staff and the department laptop, have computer systems that need updating and are in need of replacement; and

WHEREAS: The Information Technology Department has recommended replacements; and

WHEREAS: The Economic Development and Planning expense account does not have an existing account for the purchase of this equipment; and

WHEREAS: The Tioga County Information Technology Director has approved the purchase for replacement; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase replacement computer systems not to exceed \$2606.25 and that the following sums be transferred:

From:           ED&P Account A6422.40-10     \$2606.25

To:             ED&P Account A6422.20-90     \$2606.25

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 229-12 TRANSFER OF FUNDS (PERSONNEL)

WHEREAS: The Information Technology Department has determined that all the computers in the Personnel Department need to be replaced by December 31, 2012; and

WHEREAS: This is an unexpected expense and the Personnel budget does not have any money in the computer account; and

WHEREAS: The Personnel budget does have money in the Contracting Services account due to the fact a program that was budgeted for 2012 was not implemented; therefore be it

RESOLVED: That \$4,000 be transferred from Contracting Services account A1430.40-140 to Computer account A1430.20-90 effective October 10, 2012 for the purpose of purchasing 6 computers.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 230-12 *APROVE 2013 STOP DWI PLAN*

WHEREAS: The New York State Governor’s Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2013 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2013 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$46,050
Prosecution Related	\$14,300
Probation	\$16,200
Rehabilitation	\$13,300
PI&E	\$19,000
Administration	<u>\$ 6,000</u>
	\$114,850

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 231-12      *DESIGNATION OF TIOGA COUNTY  
LOCAL DEVELOPMENT CORPORATION,  
D.B.A. TIOGA COUNTY TOURISM, AS  
AUTHORIZED TOURISM PROMOTION  
AGENCY FOR 2013*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA), therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2013 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 232-12                      *SCHEDULE PUBLIC HEARING COMMUNITY  
DEVELOPMENT BLOCK GRANT DISASTER  
RECOVERY (CDBG-DR) PROGRAM*

RESOLVED: That a public hearing shall be held on the Community Development Block Grant Disaster Recovery (CDBG-DR) Program in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, November 8, 2012 at 1:00 p.m. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 233-12                      *AUTHORIZE CONTRACT WITH SADD  
SCHOOL ASSOCIATES*

WHEREAS: It is the desire of the STOP DWI Program to contract with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: The current Waverly SADD School Associate contract with Debra Lauper expired in June of 2012; and





RESOLVED: That Lori Monk be appointed to the position of Director of Community Services effective October 10, 2012 at an annual salary of \$79,262.00; and be it further

RESOLVED: That the 2013 annual salary shall also be \$79,262.00; and be it further

RESOLVED: That the incumbent shall serve an 8-52 week probationary period.

ROLL CALL VOTE

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

No – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 235-12                      *AWARD PROFESSIONAL  
ENGINEERING SERVICES FOR  
FLOOD MITIGATION FOR THE  
COUNTY OFFICE, CLERK/ANNEX  
AND COURT HOUSE BUILDINGS*

WHEREAS: The Commissioner of Public Works received a proposal from McFarland Johnson, Binghamton, NY to provide Professional Engineering Services for Flood Mitigation for the County Office Building, Clerk/Annex and Court House buildings; and

WHEREAS: The Engineering Services will consist of performing evaluations, preparing letter report(s), preliminary and final cost opinions, as well as final construction drawings and specifications; therefore be it

RESOLVED: That the Tioga County Legislature award Professional Engineering Services for this project to McFarland Johnson, Binghamton, NY not to exceed \$68,100 to be paid out of Tropical Storm Lee Disaster-expenditure account H1625.20.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 236-12 *A RESOLUTION REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION RELEASE ITS MAINTENANCE JURISDICTION OVER A PORTION OF HIGHWAY RIGHT OF WAY ALONG ROUTE 434 IN THE TOWN OF OWEGO AND FURTHER AUTHORIZE TIOGA COUNTY TO CONVEY ITS INTEREST IN SAID PORTION TO ROBERT D. ABELL*

WHEREAS: Robert D. Abell has expressed a desire to acquire property which is between his property and Route 434 in the Town of Owego in order to gain access to his property; and

WHEREAS: Tioga County originally acquired the property when New York State abandoned the parcel to Tioga County in 1937 after construction of the highway; and

WHEREAS: The New York State Department of Transportation (NYSDOT) has indicated a willingness to release its maintenance jurisdiction over that portion of land to Robert D. Abell pursuant to NYS Highway Law Section 65; and

WHEREAS: That portion of land is no longer necessary for highway purposes; and

WHEREAS: With the abandonment by the NYSDOT, the County can proceed to convey its interest in that portion of land to Robert D. Abell for the sum of \$1500.00; therefore be it

RESOLVED: That the Chairman of the Tioga County Legislature hereby requests the NYSDOT release its maintenance jurisdiction over that portion of highway right of way along Route 434 in the Town of Owego as shown on Map No. 11-C, parcel No. 49 prepared by George W. Whistle, P.E., P.L.S. dated August 23, 2011; and be it further

RESOLVED: That the Chairman of the Tioga County Legislature is herewith authorized to take any action and execute any documents that may be necessary to convey the County's interest in said parcel of land to Robert D. Abell for the sum of \$1500.00 plus filing fees.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:27 p.m.