

Ninth Regular Meeting
September 14, 2010

The Ninth Regular Meeting of 2010 was called to order by the Chair at 6:00 P.M. Seven Legislative members were present, Legislators Monell and Quinlan being absent.

Chair Weston asked Legislator Roberts to have a moment of prayer. "I would like to ask for a moment of silence for the victims of 9/11."

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

There were 10 people in attendance.

Chair Weston announced that the Employee of the Third Quarter 2010 has been postponed until the October Legislative meeting.

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		643.68
A1165	District Attorney		1,052.92
A1170	Public Defender		2,170.15
A1172	Assigned Counsel		14,708.55
A1185	Medical Examiners/Coroners		680.80
A1325	Treasurer		30,953.00
A1355	Assessments		2,211.68
A1410	County Clerk		756.30
A1411	Department of Motor Vehicles		353.67
A1420	Law	180.00	71.00
A1430	Personnel		1,037.30
A1450	Elections	1,753.08	224.85
A1460	Records Management		49.36
A1460.41	Records Management		11,436.87
A1490	Public Works Administration		603.23
A1620	Buildings		65,313.08
A1680	Information Technology		14,276.71
A1490	Community College Tuition		89,595.77
A2960	Education Handicapped Children		88,013.79
A3020	Public Safety Comm E911 System		5,433.43

A3021	Enhanced E911		264,412.73
A3110	Sheriff	804.70	16,899.32
A3140	Probation		450.68
A3142	Alternatives to Incarceration		835.45
A3146	Sex Offender Program		8,766.67
A3150	Jail		43,029.31
A3410	Fire	361.80	2,160.46
A3552	EMO Grant-SHSP C837970	4,967.95	
A3640	Emergency Mgmt Office		365.25
A3641	Emergency Mgmt Grant	272.91	
A3991	Fire SH08-HM09-1009-EOO	64,990.00	
A4010	Public Health Nursing		32,005.16
A4011	Public Health Administration		3,963.06
A4012	Public Health Education		37.00
A4042	Rabies Control		2,363.46
A4044	Early Intervention		30,808.63
A4047	Handicapped Education Admin		46.00
A4053	Preventive/Primary Health Svcs	400.00	567.80
A4054	Preventive Dental Services		766.36
A4062	Lead Poisoning Grant		46.00
A4064	Managed Care-Dental Services		13,444.86
A4070	Disease Control		3,559.89
A4090	Environmental Health		6,676.45
A4210	Alcohol and Drug Services		4,984.05
A4309	Mental Hygiene Co Admin		10,150.24
A4310	Mental Health Clinic		49,740.38
A4315	Mental Retardation		5,734.24
A4320	Crisis Intervention Services		7,059.48
A4321	Intensive Case Management		2,859.09
A6010	Social Services Administration		85,195.73
A6422	Economic Development		481.92
A6610	Sealer Weights/Measures		178.45
A7310.41	Youth Programs, Refundable		1,119.43
A8020	Planning		113.39
A9060	Health Insurance		1,537.34
SOLID WASTE FUND			71,626.61
COUNTY ROAD FUND			18,680.51
SPECIAL GRANT FUND			7,266.83
CONSOLIDATED HEALTH FUND			55,249.80
CAPITAL FUND			342,669.68
WORKERS' COMP			<u>1,300.00</u>

GRAND TOTAL \$ 1,500,468.29

Legislator Sullivan made a motion to approve the minutes of August 5, 10, and 19, 2010, seconded by Legislator McEwen, and carried.

Chair Weston announced that the Standing Committees for 2010 have been revised.

*STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2010*

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

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

Legislator Sauerbrey made a motion to untable the following resolution tabled at the August Legislative meeting, seconded by Legislator Sullivan and carried.

“As to all employees hired, re-hired after a break in service longer than allowable by the applicable collective bargaining agreement or County Policy 44, on or after January 1, 2005, and for all elected officials, including Legislators, taking office for the first time on or after January 1, 2005, the policy shall be as follows:”

And be it further

RESOLVED: That the remainder of Policy 3 shall remain in full force and effect.

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

“An employee who retired prior to January 1, 2011 and carried health insurance into retirement who takes office or is rehired after January 1, 2011 shall be allowed to continue health insurance coverage as a retiree.”

On roll call vote on the above amendment, Legislators Roberts, Sauerbrey, Sullivan, Hollenbeck, Huttleston, McEwen, and Weston voting Aye, Legislators Monell and Quinlan being absent, and the amendment was carried.

The following resolution with amendment was offered:

REFERRED TO	PERSONNEL COMMITTEE
RESOLUTION NO 178-10	AMEND COUNTY POLICY 3 SECTION IV ORIENTATION, EXIT INTERVIEWS, RECRUITMENT, RETIREMENT

Adoption moved by Legislator Sauerbrey,
Seconded by Legislator Sullivan.

WHEREAS: County Policy 3 currently includes in Section IV three tiers of retiree health insurance contributions; and

WHEREAS: Those three tiers are differentiated by the retiree's date of hire with Tioga County; and

WHEREAS: The latter tiers have been added for the purpose of limiting the County's costs in the future for providing retiree health insurance coverage; and

WHEREAS: The ever-increasing health insurance premiums have caused the Legislature to further evaluate the feasibility of providing health insurance to future retirees; therefore be it

RESOLVED: That County Policy 3 be amended to add a new Section IV.E, which shall read:

"All employees hired, or rehired after a break in service longer than allowable by the applicable collective bargaining agreement or County Policy 44, on or after January 1, 2011 and all elected officials, including Legislators, taking office for the first time on or after January 1, 2011 shall not be eligible for health insurance, outlined in Sections A, B, C & D above, upon or at any time during retirement. An employee who retired prior to January 1, 2011 and carried health insurance into retirement who takes office or is rehired after January 1, 2011 shall be allowed to continue health insurance coverage as a retiree."

And be it further

RESOLVED: That the first sentence in Section IV.C shall be changed to read:

"As to all employees hired, re-hired after a break in service longer than allowable by the applicable collective bargaining agreement or County Policy 44, on or after January 1, 2005, and for all elected officials, including Legislators, taking office for the first time on or after January 1, 2005, the policy shall be as follows:"

And be it further

RESOLVED: That the remainder of Policy 3 shall remain in full force and effect.

Roll Call:

Ayes 07

Noes 00

Absent 02

CARRIED

Legislator Sauerbrey made a motion to untable the following resolution tabled at the August Legislative meeting, seconded by Legislator Sullivan and carried.

REFERRED TO

PERSONNEL COMMITTEE

RESOLUTION NO –10

AMEND RESOLUTION 176-94
AS AMENDED BY RESOLUTION 306-04
MEDICARE REIMBURSEMENT

Adoption moved by Legislator
Seconded by Legislator

WHEREAS: Resolution 176-94 established a practice of reimbursing employees and retirees age 65 and older for their Medicare Part B Premium; and

WHEREAS: Resolution 306-04 declared that the reimbursement would not be available for employees hired on or after January 1, 2005; and

WHEREAS: The Legislature has been forced by the current economy to consider all means of limiting costs; and

WHEREAS: The topic of Medicare Part B Reimbursement has been discussed for several months and various options considered; therefore be it

RESOLVED: That Resolution 176-94 as amended by Resolution 306-04 be amended to reflect the following for employees/retirees hired prior to 2005:

1. Spouses (of active employees hired prior to 2005) who are not eligible for Medicare Part B as of December 31, 2010 shall not be eligible for reimbursement at any time.
2. Retirees as of December 31, 2011 not yet age 65 shall be eligible upon turning age 65, but shall only be reimbursed \$110.50/month.
3. Employees who retire on or after January 1, 2012 shall not be eligible for any reimbursement, regardless of their date of hire.

4. Active employees (hired prior to 2005) who are not eligible for Medicare Part B as of December 31, 2010, shall not be eligible for reimbursement while employed for Tioga County.

5. The monthly amount to be reimbursed for all eligible recipients shall be capped at the 2010 rate.

And be it further

RESOLVED: That Resolution 306-04 shall remain in full force and effect.

Legislator Hollenbeck stated "the resolution is being withdrawn".

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 179-10 *BOND RESOLUTION
DATED SEPTEMBER 14, 2010
BOND RESOLUTION
AUTHORIZING THE ISSUANCE
OF \$9,000,000 SERIAL BONDS OF THE
COUNTY OF TIOGA, NEW YORK, TO
PAY A PORTION OF THE COST OF
CERTAIN BRIDGE REPAIRS AT
VARIOUS LOCATIONS THROUGHOUT
THE COUNTY*

Adoption moved by Legislator McEwen,
Seconded by Legislator Roberts.

WHEREAS: Tioga County (the "County") is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), ECL Section 8-0101, *et seq.*, and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

WHEREAS: The County Legislature of the County now desires to authorize the financing of a capital project consisting of the reconstruction of certain bridges throughout the County, including Lockwood, Straits Corners, Halsey Valley Rd., Dean Creek Rd., Gridleyville, Gaskill Rd. and Sabin Rd., all to include related construction, demolition, renovations, site improvements, original furnishings, fixtures and equipment required for such purposes, architectural, inspection and engineering fees, and all

other cost incidental to such work (collectively, the "Project"); now therefore be it

RESOLVED: By the County Legislature of the County of Tioga, New York, as follows:

Section 1. The County, having reviewed the impact of undertaking the Project, hereby determines that such action constitutes a "Type II Action" under the 6 NYCRR § 617.5(c)(1) and (2) of the Regulations and is not subject to review under SEQRA; and

Section 2. For the class of objects or purposes of paying a portion of the cost of the Project, there are hereby authorized to be issued \$9,000,000 serial bonds of the County of Tioga, New York, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$9,000,000 and that the plan for the financing thereof includes the issuance of serial bonds in the aggregate principal amount not to exceed \$9,000,000 to finance said Project, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable, subject to applicable amounts of any state or federal assistance available for such purpose or from any other source. It is hereby determined that the requirements of SEQRA have been met.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years under subdivision 10 of paragraph a. of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Tioga, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. Such bonds shall be in fully registered form and shall be signed in the name of the County of Tioga, New York, by the manual or facsimile signature of the County Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 8. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the County Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 9. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly,

pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 10. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 2 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 3 of this resolution shall be from the County's General Fund. It is intended that the County shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the County's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution, which takes effect immediately, shall be published in full in the Tioga County Courier and the Morning Times, the official newspapers of said County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

DISCUSSION:

Legislator McEwen spoke. "That although nothing is forever perfect in this world, that it is the intent of the Legislature to pay for these bond payments out of the capital sales tax that was imposed when we put in the Public Safety Building, and hopefully that way we can keep it away from property taxes."

On roll call vote on the above resolution, Legislators Roberts, Sauerbrey, Sullivan, Hollenbeck, Huttleston, McEwen, and Weston voting Aye, Legislators Monell and Quinlan being absent, and the resolution was adopted.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 180-10

*AUTHORIZE THE SALE OF RONALD
DECIBUS PROPERTY LOCATED IN THE
TOWN OF RICHFORD TO LOUIS J.
DECIBUS OR HIS ASSIGNS*

Adoption moved by Legislator McEwen,
Seconded by Legislator Sullivan.

WHEREAS: Property located in the Town of Richford, assessed to Ronald Decibus, identified as Tax Map number 14.00-1-22.10, parcel number 346 owes 2008, 2009 and 2010 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Louis J. Decibus, who has made an offer to purchase the property for \$800.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$800.00 and recording costs, a Quit Claim Deed conveying the property assessed to Ronald Decibus, located in the, Town of Richford, identified on the Town of Richford Tax Map as number 14.00-1-22.10, parcel number 346, to Louis J. Decibus or his assigns.

Roll Call:
 Ayes 07
 Noes 00
 Absent 02
 CARRIED

REFERRED TO: ED&P COMMITTEE
 JOB TRAINING COMMITTEE

RESOLUTION NO. 181-10 AMEND TIOGA EMPLOYMENT
 CENTER BUDGET

Adoption moved by Legislator Roberts,
 seconded by Legislator Sullivan.

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

WHEREAS: The Tioga Employment Center receives funding in July of each year; and

WHEREAS: The Tioga Employment Center county budget may require amending after July to accurately reflect the actual funding available; and

WHEREAS: The Tioga Employment Center carried in additional funding from Program Year 2009 in the amount of \$76,113; therefore be it

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

From: CD4791 – Federal Aid-Federal Employment Program \$76,113

To: CD6293.40- Federal Employment Program in the following accounts:
 - 130 Contracts: \$26,113
 - 190 Education Reimbursements: \$50,000

Roll Call:
 Ayes 07
 Noes 00
 Absent 02
 CARRIED

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 182-10 *AUTHORIZE ACCEPTANCE OF A \$471,143.00 2010
 NEW YORK MAIN STREET PROGRAM GRANT FOR
 THE OWEGO HISTORIC DOWNTOWN PROGRAM*

Adoption moved by Legislator Roberts,
 Seconded by Legislator Sullivan.

WHEREAS: The New York State Housing Trust Fund Corporation's Office of Community Renewal (OCR) through the New York State Main Street Program has approved the award to Tioga County in the amount of \$471,143.00 for the Owego Historic Downtown Program; and

WHEREAS: This grant has been approved for funding for \$400,000 in interior and exterior renovations, \$41,143.00 in Streetscape Enhancements and \$30,000 in Administrative funding for the approved Owego Historic Downtown Program; and

WHEREAS: The Village of Owego and Tioga County supports the revitalization of commercial and residential uses that make up the downtown or "main street" areas of the county; and

WHEREAS: The Village of Owego supports this program through the approved Resolution #021; and

WHEREAS: The Tioga County Legislature approved the application and administration of this grant through Resolution #77-10; therefore be it

RESOLVED: That the Tioga County Legislative Chair is authorized to sign any and all documents related to this grant and that the Tioga County Legislature hereby authorizes the acceptance of said grant and authorizes the following fund transfers:

From: CE3990/ 2010 New York Main Street Program \$471,143.00
 To: CE8510.40-487/2010 New York Main Street Program \$471,143.00

Roll Call:
 Ayes 07
 Noes 00
 Absent 02
 CARRIED

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 183-10 *AWARD DESIGN & INSPECTION
 CONTRACT TO DELTA ENGINEERS
 FOR FINAL COURT HOUSE REPAIRS*

Adoption moved by Legislator Roberts,
 seconded by Legislator Sullivan.

WHEREAS: A structural deficiency was discovered at the Tioga County Court House in August: and

WHEREAS: The Court House was closed as a precaution and temporary repairs were made so the Court House could be reopened and operational; and

WHEREAS: Permanent repairs are necessary to correct the problem; therefore be it

RESOLVED: That the Tioga County Legislature award the design and inspection contract to Delta Engineers, Endwell, NY 13760 in the amount of \$17,500 to be paid out of Buildings Capital Account H1620.21 use code 988.

Roll Call:
 Ayes 07
 Noes 00
 Absent 02
 CARRIED

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 184-10 AMEND COUNTY POLICY 44:
 NON-UNION BENEFITS (Updates to
 Retirement and Insurance)

Adoption moved by Legislator
 Seconded by Legislator

WHEREAS: Section 4 – Retirement and Section 5 – Health & Dental Insurance of Policy 44 Non-Union Benefits Policy need to be updated as a result of the addition of Tier 5 to the NYS Retirement System; and

WHEREAS: Section 5 – Health & Dental Insurance of Policy 44 Non-Union Benefits Policy also needs to be updated as a result of Excellus Blue Cross Blue Shield changing the Traditional Indemnity to Classic Blue; therefore be it

RESOLVED: That County Policy 44: Non Union Benefits, Section 4 – Retirement is hereby amended to read:

All non-union salaried employees are eligible to become members of the NYS Employee's Retirement System. Most full-time employees are required to join. Membership for part-time employees may be optional.

Retirement eligibility criteria varies by Tier, as do the benefits. Detailed information about each Tier is available from the Personnel Office.

And be it further

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 – Health & Dental Insurance is hereby amended to read:

Tioga County currently provides health insurance through Excellus Blue Cross/Blue Shield of Central New York Classic Blue Regionwide Plan, but maintains the right to change providers at will. In addition to the Classic Blue Regionwide Plan, effective May 1, 2005, all current Non-union staff who are insurance eligible shall have the option to change to PPO Option H-Split. All new hires as of May 1, 2005, will only have the option to enroll in the PPO Option H-Split.

EFFECTIVE 01/01/2009

<u>Annual Salary*:</u>	<u>Individual Classic Blue:</u>	<u>Family Classic Blue:</u>	<u>Indiv PPO:</u>	<u>Family PPO:</u>
\$ 0 – 29,999	\$20/paycheck	\$30/paycheck	\$10/payck	\$20/payck
\$30,000-59,999	\$40/paycheck	\$50/paycheck	\$15/payck	\$30/payck
\$60,000 & over	\$50/paycheck	\$70/paycheck	\$25/payck	\$40/payck

*exclusive of any stipend

Part-time Attorneys per paycheck contributions:

<u>Date of Hire</u>	<u>Individual Classic Blue</u>	<u>Family Classic Blue</u>	<u>Indiv PPO</u>	<u>Family PPO</u>
Prior to 1/1/95	\$50/paycheck	\$65/paycheck	\$30/payck	\$45/payck
On or after 1/1/95*	\$60/paycheck	\$130/paycheck	\$40/payck	\$85/payck

*All part-time Assistant District Attorneys in this category

Effective January 1, 2010 All Legislators enrolled in the County's Classic Blue health insurance shall contribute \$30 per month for individual coverage or \$40 per month for family coverage. Legislators enrolled in the PPO Plan shall contribute \$15 per month for Individual coverage or \$30 per month for Family coverage.

A prescription card is included in the medical plans and requires employees to pay \$5 for generic drugs, \$15 for common brand name drugs, or \$30 for new brand name drugs. Effective June 1, 2010 under the Classic Blue plan all 90 day supplies of prescriptions will be charged three times the copay at retail pharmacies and one copay through Excellus mail order pharmacy. Some exceptions may be required by NYS regulations and Excellus Blue Cross/Blue Shield. Drug categorization to be determined by Excellus Blue Cross/Blue Shield. Blue Cross/Blue Shield's "Gap Pricing" shall be in effect for all prescriptions.

Effective June 1, 2010 the annual deductible for all enrollees in the Classic Blue health insurance shall be \$100 per person, up to a maximum of \$300 for a family plan; and be it further

RESOLVED: That the remainder of Policy 44 shall remain in full force and effect.

Roll Call:
 Ayes 07
 Noes 00
 Absent 02
 CARRIED

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. –10 AMEND COUNTY POLICY 44:
 NON-UNION BENEFITS (PPO Mail order)

Adoption moved by Legislator Sauerbrey,
 Seconded by Legislator Sullivan.

WHEREAS: The Tioga County Legislature is looking at ways to reduce costs; and

WHEREAS: Excellus Blue Cross Blue Shield currently offers a prescription mail order option for long term maintenance medications; and

WHEREAS: Prescriptions filled through mail order cost the health insurance program less money; therefore be it

RESOLVED: That County Policy 44: Non-Union Benefits, Section 5 – Health & Dental Insurance is hereby amended to read:

A prescription card is included in the medical plans and requires employees to pay \$5 for generic drugs, \$15 for common brand name drugs, or \$30 for new brand name drugs. Effective June 1, 2010 under the Classic Blue plan and effective January 1, 2011 under the PPO Option H-split plan all 90 day supplies of prescriptions will be charged three times the copay at retail pharmacies and one copay through Excellus mail order pharmacy. Some exceptions may be required by NYS regulations and Excellus Blue Cross/Blue Shield. Drug categorization to be determined by Excellus Blue Cross/Blue Shield. Blue Cross/Blue Shield's "Gap Pricing" shall be in effect for all prescriptions.

And be it further

RESOLVED: That the remainder of Policy 44 shall remain in full force and effect.

On roll call vote on the above resolution, Legislators Roberts, Sauerbrey and Sullivan voting Aye, Legislators Hollenbeck, Huttleston, McEwen, and Weston voting no, Legislators Monell and Quinlan being absent, and the resolution failed.

REFERRED TO

PERSONNEL COMMITTEE

RESOLUTION NO 185-10

*AMEND RESOLUTION 50-94
AS AMENDED BY RESOLUTION 361-01,
AS AMENDED BY RESOLUTION 260-09
RETIREE HEALTH INSURANCE
CONTRIBUTIONS (PPO mail order)*

Adoption moved by Legislator Sullivan,
Seconded by Legislator Sauerbrey.

WHEREAS: Resolution 50-94 established health insurance contribution rates for retirees at \$5.00 or \$7.50 per month; and

WHEREAS: Resolution 361-01 increased those rates to \$10.00 or \$15.00 per month; and

WHEREAS: Resolution 260-09 increased the monthly contributions of retirees toward health insurance by \$10 per month to \$20 or \$25, effective January, 2010; and

WHEREAS: The ever-increasing cost of health insurance coupled with the County's need to find ways of reducing costs has led to further review of the benefits; therefore be it

RESOLVED: That Resolution 50-94, as amended by Resolution 361-01, as amended by Resolution 260-09 shall be amended as follows:

"That effective January 1, 2011 under the PPO plan, 90-day supplies of maintenance drugs purchased at retail stores shall require 3 co-pays, and 90-day supplies via mail-order shall require one co-pay."

On roll call vote on the above resolution Legislators Roberts, Sauerbrey, Sullivan, Hollenbeck and Weston voting Aye, Legislators Huttleston and McEwen voting no, Legislators Monell and Quinlan being absent, and the resolution was adopted.

REFERRED TO PERSONNEL COMMITTEE

RESOLUTION NO 186-10 *AMEND RESOLUTION 50-94
AS AMENDED BY RESOLUTION 361-01,
AS AMENDED BY RESOLUTION 260-09
RETIREE HEALTH INSURANCE
CONTRIBUTIONS (Classic Blue)*

Adoption moved by Legislator Hollenbeck,
Seconded by Legislator Sauerbrey.

WHEREAS: Resolution 50-94 established health insurance contribution rates for retirees at \$5.00 or \$7.50 per month; and

WHEREAS: Resolution 361-01 increased those rates to \$10.00 or \$15.00 per month; and

WHEREAS: Resolution 260-09 increased the monthly contributions of retirees toward health insurance by \$10 per month to \$20 or \$25, effective January, 2010; and

WHEREAS: The ever-increasing cost of health insurance coupled with the County's need to find ways of reducing costs has led to further review of the contributions; and

WHEREAS: Since 2005, Tioga County has made a less-expensive health plan available to retirees as a voluntary option; and

WHEREAS: The less-expensive plan provides excellent coverage as well; and

WHEREAS: To date, there has been no difference in the retiree contribution rate for the different plans and it is believed that until such time there is such an incentive to change to the less-expensive plan, change is unlikely; therefore be it

RESOLVED: That Resolution 50-94, as amended by Resolution 361-01, as amended by Resolution 260-09 shall be amended as follows:

“That effective January 2011, any retiree who continues enrollment in the Classic Blue plan shall pay the \$20 or \$25 monthly contribution plus the difference between the monthly premiums of the Excellus Classic Blue product and the Excellus PPO Option H-Split Product.”

Roll Call:
Ayes 07
Noes 00
Absent 02
CARRIED

REFERRED TO: LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 187-10 *BACKFILL PART TIME 3RD ASSISTANT DISTRICT ATTORNEY POSITION;
AUTHORIZE HIRING WAIVER
DISTRICT ATTORNEY'S OFFICE*

Adoption moved by Legislator McEwen,
Seconded by Legislator Hollenbeck.

WHEREAS: The part-time 3rd Assistant District Attorney position became vacant on August 16, 2010, due to Judy Quigley accepting appointment as County Attorney; and

WHEREAS: The District Attorney received verbal authorization at the August 19, 2010, Legislative work session to recruit for said position; and

WHEREAS: The District Attorney has identified Cheryl Mancini as an attorney who has 11 years of applicable work experience from prior employment with the Broome County District Attorney's Office; therefore be it

RESOLVED: That the District Attorney is hereby granted a waiver from the 60-day Hiring Delay for the part-time 3rd Assistant District Attorney position and is authorized to appoint Cheryl Mancini effective September 15, 2010, at an annual salary of \$30,908, and be it further

RESOLVED: That Ms. Mancini will not be eligible for a salary increase until her 6 month anniversary due to her date of hire (in accordance with County Policy 44), and that said increase will be dependent upon the results of her performance evaluation done at that time.

Roll Call:

Ayes 07

Noes 00

Absent 02

CARRIED

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 188-10 *AUTHORIZE DONATION OF VACATION
DAYS (HHS DEPARTMENTS)*

Adoption moved by Legislator Huttleston,
seconded by Legislator Hollenbeck.

WHEREAS: Sarah Gunther, Typist in the Department of Social Services, has personal circumstances that will cause her to be out of work from August 16, 2010 through approximately September 24, 2010; and

WHEREAS: Ms. Gunther does not have enough vacation time to cover this entire absence; and

WHEREAS: Health and Human Services employees are willing to donate their vacation time for Ms. Gunther's use; and

WHEREAS: The County believes it is important and appropriate to support Ms. Gunther during this time; therefore be it

RESOLVED: That Ms. Gunther shall be required to liquidate all her vacation time, but then shall have vacation days donated by HHS employees made available to her for any remaining portion of her absence from August 30, 2010 through approximately September 24, 2010; and be it further

RESOLVED: That in the event Ms. Gunther returns to work earlier than September 24, 2010, access to donated leave will end; and be it further

RESOLVED: That Ms. Gunther's anniversary date will not be advanced during any period of leave without pay through September 24, 2010.

Roll Call:

Ayes 07

Noes 00

Absent 02

CARRIED

The meeting was adjourned at 6:17 P.M.