


<h1 style="font-size: 2em; margin: 0;">Agenda</h1> 	<h2 style="margin: 0;">TIOGA COUNTY LEGISLATURE</h2> <p style="margin: 0;">9/13/2016 6: 00 PM EDWARD D. HUBBARD AUDITORIUM RONALD E. DOUGHERTY COUNTY OFFICE BUILDING 56 Main Street Owego NY 13827</p>	
Meeting called by:	Chair Martha Sauerbrey	
Type of meeting:	9 th Regular	
Attendees:	Legislator Hollenbeck Legislator Huttleston Legislator Monell Legislator Mullen Legislator Roberts Chair/Legislator Sauerbrey Legislator Standinger Legislator Sullivan Legislator Weston	
<h3 style="margin: 0;">Agenda topics</h3>		
Invocation Pledge of Allegiance Proclamation Privilege of the Floor Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments Reports Standing/Special Committees	Legislator Sauerbrey Legislator Sauerbrey Suicide Prevention Awareness Month August 9 and 18, 2016	
RESOLUTIONS:	1. Authorize Tioga County Materials Recovery Manager to apply for state assistance from the State's Electronic Waste	

Grant Assistance Program

2. Authorize Tioga County Materials Recovery Manager to apply for Bridge NY Grants for Bridge & Culvert Projects
3. Authorize acceptance of the NYS 2015-2016 PSAP Operations Grant
4. Award 2016 Emergency Management Planning Grant
Emergency Management
5. Allow the County Fire Coordinator to apply for grant funding under the 2016 NYS Homeland Security Technical Rescue Grant Program
6. Approve 2017 Stop DWI Plan
7. Transfer of Funds Assigned Counsel
8. Appropriation of Funds Social Services
9. Authorize Sale of Anna M. Marini Property located in the Town of Owego, to Edward Goodrich and Kathy Goodrich and/or assigns
10. Urging Governor Cuomo to sign into law Public Defense Mandate Relief Act (S.8114/A.10706)
11. Authorization to Renew Contract with Lexis Nexis for Subscription to Lexis Advance
12. Establish Equalization Rates
13. Amending Policy 56 Policy, Procedure and Regulations for Internships
14. Authorize Contract with the Hartford to Administer Medicare Eligible Retiree Health Insurance
15. Amend Reso #107-16; Extend Temporary Position (Treasurer's Office)
16. Backfill Part Time Assistant Fire Coordinator Bureau of Fire
17. Authorize Appointment of Accountant Treasurer's Office
18. Appoint Part-Time Fire Coordinator Bureau of Fire
19. Create and Fill Temporary Part-Time Position (Bureau of Fire)

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Suicide is one of the most disruptive and tragic events a family and a community can experience, with more than 40,000 lives lost each year in the US and an estimated 8-25 attempted suicides for each suicide death; and

WHEREAS: Suicide is the 10th-leading cause of all deaths and the third-leading cause of death among people from the age of 15 to 24; and

WHEREAS: There have been over 25 suicides in our community in the past three years and numbers continue to rise, among people of all ages and backgrounds; and

WHEREAS: Public awareness of this terrifying problem is the key to preventing further suffering and loss of life; the risk for human self-destruction can be reduced through awareness, education and treatment; and the highest risk for suicide is among the survivors of those who died by suicide or those who have attempted suicide; and

WHEREAS: Suicide prevention has been declared a national priority by the President and Congress; and New York State declares suicide prevention as a state priority and has been identified as a top priority in improving the health of our community in Tioga County; and

WHEREAS: Tioga County Public Health and Mental Hygiene departments serve as leaders in the effort to prevent suicide, through facilitation of the Community Health Improvement Plan and the Tioga County Suicide Coalition; and

WHEREAS: The Tioga County Suicide Coalition is a collaboration of organizations working to eliminate the stigma of suicide, educate the community about the warning signs of suicide, and ultimately reduce the rate of suicide in our community; and

WHEREAS: Tioga County Mental Hygiene is committed to excellence in suicide prevention, intervention, and postintervention; now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2016 as

SUICIDE PREVENTION AWARENESS MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of recognizing warning signs of suicide.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -16 AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY
MANAGER TO APPLY FOR STATE ASSISTANCE
FROM THE STATE'S ELECTRONIC WASTE GRANT
ASSISTANCE PROGRAM

WHEREAS: The State of New York announced financial aid through their Electronic Waste Assistance Grants to assist counties and local governments with electronic waste recycling expenses; and

WHEREAS: Tioga County Department of Solid Waste (SW) has had unexpected costs associated with recycling of electronic waste; and

WHEREAS: Through this grant Solid Waste would be reimbursed 50% of their eligible costs of electronic waste recycling; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -16 AUTHORIZE TIOGA COUNTY MATERIALS RECOVERY
MANAGER TO APPLY FOR BRIDGE NY GRANTS
FOR BRIDGE & CULVERT PROJECTS

WHEREAS: New York State Department of Transportation (NYSDOT) has announced the availability of grant funds through the Bridge NY Program; and

WHEREAS: This is the first year of funding in a five year program; and

WHEREAS: Tioga County Department of Public Works (DPW) would like to replace two bridges and five culverts on County roads; and

WHEREAS: Through this grant DPW could replace these structures (culverts and bridges) to support Tioga County's infrastructure; and

WHEREAS: This grant can fund up to 95% for bridges and 100% for culverts of the total project cost, not to exceed \$5 million and \$1 million, respectively ; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Materials Recovery Manager to apply and administer said grant.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -16 AUTHORIZE ACCEPTANCE OF
THE NYS 2015-2016 PSAP
OPERATIONS GRANT

WHEREAS: The Sheriff applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$160,339; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2016; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2016 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -16

AWARD 2016 EMERGENCY
MANAGEMENT PLANNING GRANT
EMERGENCY MANAGEMENT

WHEREAS: The Tioga County Office of Emergency Management has been awarded a grant of \$24,151 by the New York State Office of Homeland Security and Emergency Services; and

WHEREAS: The grant will be used to offset 50% of budgeted operational costs; therefore be it

RESOLVED: That the Emergency Management Office be allowed to accept the awarded 2016 Emergency Management Planning Grant in the amount of \$24,151.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -16 ALLOW THE COUNTY FIRE
COORDINATOR TO APPLY FOR
GRANT FUNDING UNDER THE 2016
NYS HOMELAND SECURITY TECHNICAL RESCUE
GRANT PROGRAM

WHEREAS: The New York State Office of Homeland Security is offering a 2016 Technical Rescue Grant Program; and

WHEREAS: The expense of necessary equipment to be used by the Tioga County Search and Rescue – Technical Rescue Team during times of a specialized rescue incident is beyond the means of the yearly Bureau of Fire operating budget; therefore be it

RESOLVED: That the Tioga County Fire Coordinator be able to apply for and accept, after approval of the County Attorney, Technical Rescue Grant funding as the primary applicant under the currently available New York State Office of Homeland Security 2016 Technical Rescue Grant Program. This grant is to provide needed equipment for the Tioga County Search and Rescue-Technical Rescue Team.

REFERRED TO

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. I-16

APPROVE 2017 STOPDWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2017 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2017 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$28,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$11,000
Administration	<u>\$ 5,450</u>
	\$89,877

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. -16

TRANSFER OF FUNDS
ASSIGNED COUNSEL

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2016 and the Assigned Counsel account will not have sufficient funds for the remainder of 2016; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account to accommodate the increase in cases for 2016; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$30,000
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To: A1172 540030 Assigned Counsel	\$30,000
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REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -16 APPROPRIATION OF FUNDS
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 24,999
To: A6010.540140 Contracting Services	\$ 24,999

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -16

AUTHORIZE SALE OF ANNA M. MARINI
PROPERTY LOCATED IN THE TOWN OF
OWEGO, TO EDWARD GOODRICH & KATHY
GOODRICH AND/OR ASSIGNS

WHEREAS: Property located in the Town of Owego assessed to Anna M. Marini, identified as Tax Map number 85.00-1-54, parcel number 2639, owes 2010, 2014, 2015 & 2016 taxes and is past the last date of redemption; and

WHEREAS: James L. Wright & Ashley Wright were the closing bidder with \$5,100 deposit paid at the Foreclosure Auction held on August 4, 2016 and have defaulted by Cancelling their Check for the Deposit and not appearing at closing; and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on August 31, 2016 and the winning bidder is Edward Goodrich & Kathy Goodrich hereby making an offer to purchase said property for \$20,500, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to James L. Wright & Ashley Wright, the closing bidder with \$5,100, paid at the Foreclosure Auction held on August 4, 2016, by cancelling their check for the deposit and passing on closing; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$20,500 and recording costs, a Quit Claim Deed conveying the property assessed to Anna M. Marini, located in the Town of Owego identified on the Town of Owego Tax Map as number 85.00-1-54, parcel number 2639, to Edward Goodrich & Kathy Goodrich and/or assigns.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -16 URGING GOVERNOR CUOMO TO SIGN INTO LAW
PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/
A.10706)

WHEREAS: It is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State; and

WHEREAS: The New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter; and

WHEREAS: The Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832]; and

WHEREAS: The Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010; and

WHEREAS: New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State; and

WHEREAS: By entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS: Requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on

real property taxes to fund needed services; both problems would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly; now therefore be it

RESOLVED: That the Tioga County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, relieving the taxpayers of Tioga County and the other counties of the State and New York City to fund this State mandate; and be it further

RESOLVED: That a copy of this resolution be sent to Governor Andrew Cuomo, Senate Majority Leader Flanagan, Assembly Speaker Heastie, Assemblyman Chris Friend, Senator Fred Akshar, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. -16 AUTHORIZATION TO RENEW CONTRACT WITH LEXIS
NEXIS FOR SUBSCRIPTION TO LEXIS ADVANCE

WHEREAS: The County is desirous of renewing the County wide subscription to Lexis Advance for a three year period at a monthly cost not to exceed \$1092.80; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a three year contract for a subscription to Lexis Advance at a cost not to exceed \$1092.80 per month.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -16 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2017 County taxes among the several Towns are hereby established as follows:

Town of Barton	85.00
Town of Berkshire	100.00
Town of Candor	100.00
Town of Newark Valley	70.00
Town of Nichols	23.50
Town of Owego	75.90
Town of Richford	98.00
Town of Spencer	95.00
Town of Tioga	7.00

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -16 AMENDING POLICY 56
POLICY, PROCEDURE AND REGULATIONS
FOR INTERNSHIPS

WHEREAS: The Legislature wishes to amend Policy 56; therefore be it

RESOLVED: That the second paragraph of Section I of Policy 56 is amended to read as follows:

Departments will be considered for participation in internship and career explorations and experience programs, with Legislative Committee approval, if such program is:

- a. Unpaid; and
- b. Part of an accredited academic or vocational program for which the intern receives academic or vocational credit. *On a case by case basis, the Legislative Committee may waive this requirement.*

And be it further

RESOLVED: That the first paragraph of Section II of Policy 56 is amended to read as follows:

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

- Name of the sponsoring academic or vocational program or school, unless requirement has been waived as stated in Section 1
- Name of the program/class, unless requirement has been waived as stated in Section 1
- Name of the academic/vocational faculty member supervising the intern, unless requirement has been waived as stated in Section 1
- Length of the internship
- Program requirements, such as:
 - Minimum/maximum hours

- County oversight needed or time devoted by Department staff
- Reports required of the department by the sponsoring academic/vocational program, unless requirement has been waived as stated in Section 1
- Expected duties of the intern while at the County
- Plan for supervision of the intern during the program

And be it further

RESOLVED: That the third paragraph of Section II of Policy 56 is amended to read as follows:

If approval is received from the Legislative Committee, the Department Head must submit the Contract/Agreement from the academic/vocational institute, *or if such requirement has been waived, from the intern* to the County Attorney for review and approval prior to commencement of the internship.

And be it further

RESOLVED: That the remainder of Policy 56 shall remain in full force and effect.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -16 AUTHORIZE CONTRACT WITH THE HARTFORD
TO ADMINISTER MEDICARE ELIGIBLE RETIREE
HEALTH INSURANCE

WHEREAS: Effective January 1, 2014 Tioga County implemented The Hartford Medicare Supplemental Plan F coupled with a drug plan with \$5/\$15/\$30 co-pays for Medicare eligible retirees and retirees' spouses; and

WHEREAS: This Medicare plan continues to provide optimal coverage to Medicare eligible retirees at a lower cost to Tioga County than previous coverage offered; and

WHEREAS: The Hartford has submitted a new contract to administer the Medicare Supplemental Plan F and drug plan with \$5/\$15/\$30 co-pays for the period of January 1, 2017 through December 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with The Hartford, subject to review by the County Attorney, to administer these insurance benefits for Tioga County for the period January 1, 2017 through December 31, 2017.

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -16

AMEND RESO #107-16;
EXTEND TEMPORARY POSITION
(TREASURER'S OFFICE)

WHEREAS: Resolution #107-16 established a temporary full-time Clerk position in the Treasurer's Office for the period May 23 – September 2, 2016; and

WHEREAS: Unforeseen circumstances have created a need to extend this position on a part-time basis beyond September 2; therefore be it

RESOLVED: That the temporary Clerk position in the Treasurer's Office shall continue through October 31, 2016 on a part-time basis (no more than 10 hours per week) at the same hourly rate of pay.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -16

BACKFILL PART TIME
ASSISTANT FIRE COORDINATOR
BUREAU OF FIRE

WHEREAS: The Tioga County Bureau of Fire has a need to backfill the part-time Assistant Fire Coordinator position due to the retirement of the incumbent; and

WHEREAS: The Acting Fire Coordinator has identified a qualified candidate who has been found to meet the minimum qualifications of the part-time Assistant Fire Coordinator title; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the backfill of the part-time Assistant Fire Coordinator with Robert Byrnes effective September 19, 2016, at an annual non-union salary of \$2,600.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -16 AUTHORIZE APPOINTMENT OF
ACCOUNTANT
TREASURER'S OFFICE

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Accountant became vacant as of August 19, 2016 within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a qualified candidate; therefore be it

RESOLVED: That Danielle Duffek is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual, non-union salary of \$38,800, effective September 19, 2016; and be it further

RESOLVED: That in addition to any salary increase due Ms. Duffek in accordance with County Policy, Ms. Duffek shall be eligible for a \$2,000 increase in annual salary upon appointment from the Civil Service Eligible List.

REFERRED TO:	PERSONNEL COMMITTEE
RESOLUTION NO. -16	APPOINT PART-TIME FIRE COORDINATOR BUREAU OF FIRE

WHEREAS: The position of part-time Fire Coordinator became vacant on July 20, 2016; and

WHEREAS: The Legislature has selected a candidate that meets the qualifications and is willing and able to accept the position; therefore be it

RESOLVED: That Frank Okransinski is hereby appointed part-time County Fire Coordinator effective September 19, 2016 at an annual, non-union, salary of \$12,000.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. -16

CREATE AND FILL TEMPORARY
PART-TIME POSITION
(BUREAU OF FIRE)

WHEREAS: Connie Fedorowicz has submitted her resignation from her Assistant Fire Coordinator position effective September 16, 2016; and

WHEREAS: The Fire Coordinator has asked Connie to train her replacement; and

WHEREAS: The Legislature has approved up to 20 hours of training; therefore be it

RESOLVED: That one temporary part-time position of Assistant Fire Coordinator is hereby created effective September 19 – October 14, 2016 to work no more than a total of 20 hours at an hourly rate of \$25/hour.