

*Ninth Regular Meeting
September 11, 2018*

The Ninth Regular Meeting of 2018 was held on September 11, 2018 and was called to order by the Chair at 6:02 P.M. Seven Legislative members were present, Legislators Huttleston and Monell being absent.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord we ask you to shine down on us today and this meeting, to do the business of the people of Tioga County. We also ask for a special prayer of intercession for the families, friends and loved ones of those we lost 17 years ago today in New York City, Pennsylvania and Washington, D.C. May we never forget the loss of life, not only on that fateful day, but the loss of life since that date in defense of our Nation and ridding the world of the surge of terrorism."

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

There were 5 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the adoption of the following recognition resolutions, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution to Robert Blasch, Road Patrol Sergeant, Tioga County Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 202-18

*RESOLUTION RECOGNIZING
ROBERT BLASCH'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Robert Blasch was appointed as Corrections Officer on 9/19/92; promoted to Deputy Sheriff on 12/2/96; and promoted to Road Patrol Sergeant on 1/21/06; and

WHEREAS: Robert Blasch has been dedicated and loyal in the performance of his duties and responsibilities during the past 26 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Blasch will retire from the Tioga County Sheriff's Office on September 29, 2018; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Rob Blasch for his 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Robert Blasch.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I would like to say a few words on behalf of the Legislature. I think I am doing this a lot more often than I would like. I have known Robbie for 25 or 26 years, a long time. We did an awful lot of nights out there and one that I remember very distinctly was the truck driver that died on the highway. He did the right thing before he passed away, he got the truck and trailer over to the side of the road where it is called the Narrows out here in Owego. I was working and we got there and Robbie showed up and we worked hard on that, although he did not make it, but I can tell you that I was impressed with Robbie that day because he really took control of the situation.

"That was my first real interaction with Robbie and you could tell that he was dedicated to his duty as a police officer. I can tell you Robbie was always the guy that you knew when he showed up at any scene that there was going to be a common influence. I still believe since his wife dispatches in the Sheriff's Department for a very long time during my career is that sometimes Robbie gets the better calls when his wife was dispatching. He is going to be missed. Not only is Rob an outstanding police officer, Rob also served his country in the United States Navy in the United States Naval Reserve for over 20 years of service with the Navy, the Naval Reserve as a Seaman. I am one of the few people that can say that his whole adult life has been in the service of his fellow men and his country. With that, you are going to be missed, your leadership is going to be missed, and I am sorry to see you go, but I am happy for you."

Legislator Mullen read and presented the following recognition resolution to Dennis Spangenburg (Keith Spangenburg, son accepting), Corrections Sergeant, Tioga County Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 203-18

*RESOLUTION RECOGNIZING
DENNIS SPANGENBURG'S
25 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Dennis Spangenburg was appointed as Part-Time Corrections Officer on 6/7/93; appointed to Full-Time Corrections Officer on 8/31/93; and promoted to Corrections Sergeant on 8/1/04; and

WHEREAS: Dennis Spangenburg has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Dennis Spangenburg will retire from the Tioga County Sheriff's Office on September 29, 2018; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Dennis Spangenburg for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Dennis Spangenburg.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "Keith is here to accept on his father's behalf. I knew Dennis not as well as I did the road guys, but I can tell you there was many a time we took a guy into the jail and Dennis was there, and I know that he was very dedicated to his duty inside the jail. Anybody in Public Safety knows and the Sheriff can attest to running a correction facility in the State of New York is not an inexpensive process. It is always maintained by a level of professionalism that we have been so blessed with by the County with our employees. On behalf of myself and the Legislature I thank your father. I hope he enjoys retirement. Congratulations. Thank you."

Sheriff Howard spoke. "It seems like every month I am coming down here and saying something about retirement. Congratulations to both of these two people, but I just get tired of coming down here and telling you what a great job they have done. I wish I could keep them all. You are talking about 51 years of service here walking out the door.

"I will start with Sergeant Spangenburg, Dennis. I do not know if you know Dennis or not, but he is tall, I am not sure if he could even fit through that door. He is a big man and he ran our Intake Booking Office. When we had somebody come in that was a little wild Dennis would just sort of lumber in and things suddenly calmed down. He is a power lifter. He was a world championship power lifter. He lifts 605 to 650, something like that. I am going to miss Dennis a lot. He is very calm, very collected, and very cool, but it was an honor when the time came to replace that Sergeant's position and we could promote his son, so now it is just a lineage coming up. We still have the Spangenburg name so I can yell down the hallway, hey Spangenburg I need you. I am not going to hear the big thud coming down the hall, but I love these guys, they just mean a lot to me.

"The good thing about Sergeant Blasch, I mean Sergeant Blasch is like the go to guy for a lot of things. I could be here for a long time telling you about hey we need this done and we need that done. He has been on the SWAT Team, he has ran our SWAT Team and has gone to training for that. He is a busy guy. He runs the shift during the day. If something comes up he handles it. The Lieutenant yells at him all the time with stuff and he gets it done. He is given a task and he gets it done. I am going to miss him being around the office. If I could do anything to keep these guys I would. As Legislator Mullen said, I am sorry to see them go, I do not want them to go, but I am happy for them that they are moving on. We still have one Blasch in the office in our Dispatch and we are going to keep her for a while."

Legislator Chair noted the following two Proclamations on Child Passenger Safety Week and National Alcohol and Drug Addiction Recovery Month.

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: Every day in America, millions of parents and caregivers travel to work, school, and after-school activities with their children, and while many of those children are riding in correctly installed car seats for their ages and sizes, over 80% are not; and

WHEREAS: In 2016 over 700 children died in automobile crashes and over 130,000 were injured and 1 in 3 children under the age of 12 who were killed in a car crash in 2016 were not in a car seat, booster seat or seatbelt; and

WHEREAS: Using the correct car seat can greatly reduce a child's risk of injury or death in an automobile crash; and

WHEREAS: 90% of car seats that are checked in Tioga County are not installed correctly; and

WHEREAS: Injury can be prevented if parents and caregivers make sure their children are in the correct car seat for their ages and sizes, and that their seats are installed correctly; and

WHEREAS: That is why Tioga County Public Health is committed to educating parents and caregivers about the best ways to keep kids safe while traveling in cars, no matter how short or long the trip; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of September 23 – 29, 2018 as:

CHILD PASSENGER SAFETY WEEK

and urges the citizens of our county to help reduce injuries and the tragic loss of life by buckling up their children and themselves correctly—every trip, every time.

2018 PROCLAMATION

National Alcohol and Drug Addiction Recovery Month

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 7.7 million adults have a co-occurring mental health and substance use disorder, and

WHEREAS: Of the 20.3 million adults in the United States with a substance use disorder, 37.9% also have a co-occurring mental health disorder; and

WHEREAS: Substance abuse negatively affects children, families and loved ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 29th anniversary of National Alcohol and Drug Addiction Recovery Month; therefore be it

RESOLVED: That the Tioga County Legislature hereby asks all residents of our county to join in declaring September 2018 as National Alcohol Substance Abuse Recovery Month in Tioga County.

There was no privilege of the floor.

Legislator Hollenbeck made a motion to approve the minutes of August 14 and 17, 2018, seconded by Legislator Sullivan, and carried with Legislators Huttleston and Monell being absent.

Chair Sauerbrey abolished the Building Demolition Committee effective September 12, 2018.

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.

Chair Sauerbrey spoke. "As of September 10, 2018 the Tioga County 2018 Shared Services Plan was submitted to the State of New York and will be shortly posted on the website."

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 204-18 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Public Health has been awarded funding from Delta Dental Community Care Foundation to be used specifically toward Dental Services; and

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

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Dental Services: Grants	\$ 5,000
To: A4064 540640	Dental Services: Supplies	\$ 5,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 205-18 *MODIFY 2018 BUDGET AND TRANSFER FUNDS
2016 STATE INTEROPERABLE GRANT
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution # 132-17 awarded the Office of Emergency Services a 2016 State Interoperable Communications Formula-Based Grant in the amount of \$442,981; and

WHEREAS: The grant budget has been amended to reflect the costs associated with implementation of Impact software ; therefore be it

RESOLVED: That the 2018 budget be modified and transfer of funds be made as below:

FROM:

A3415 520230 IO16 State Interoperable Grant 2016 (Radio & Equipment)	\$24,525
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TO:

A3415 540140 IO16 State Interoperable Grant 2016 (Contracting Services)	\$24,525
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ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 206-18 *APPROPRIATE CONTINGENCY
TRANSFER AND MODIFY 2018 BUDGET
TO HOUSEHOLD HAZARDOUS WASTE
ACCOUNT*

WHEREAS: There is a significant increase in the amount of electronic waste being brought by Tioga County residents; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2018 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and modify the budget as follows:

From: B1990 540715 Contingency Account \$ 5,000

To: B8160 542261 Household Hazardous Waste \$ 5,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 207-18 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY
ASSOCIATES, PC, AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2019 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$900.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/19 through 12/31/19.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 208-18

APPROVE 2019 STOP DWI 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 2019 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2019 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$31,000
Prosecution Related	\$14,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$14,000

Administration \$ 5,450
 \$95,877

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 209-18

AWARD ROOF RESTORATION
CONTRACT

WHEREAS: Tioga County Public Works solicited proposals for the heavy equipment garage roof restoration project; and

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: The Commissioner of Public Works received one sealed proposal on August 23, 2018 and the proposal came in as follows:

Charles F. Evans Co., Elmira NY

\$34,162.00

WHEREAS: Tioga County DPW completed the review of the proposal and finds Charles F. Evans Co., Elmira, NY meets all of the qualifications of the specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Charles F. Evans Co., Elmira, NY not to exceed \$34,162.00 to be paid out of the following account:

H1620.520907 – Buildings / Grounds Facility

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 210-18

*INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

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

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the years 2019-2020; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2019-2020 upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 211-18

*AUTHORIZATION FOR THE CHAIR OF
LEGISLATURE TO SIGN
MEMORANDUMS OF
UNDERSTANDING REGARDING THE
MAINTENANCE OF PROPERTY HELD
BY TIOGA COUNTY FOR
TRANSFERENCE TO THE TIOGA
COUNTY PROPERTY DEVELOPMENT
GROUP (LAND BANK)*

WHEREAS: The County has retained certain parcels from the foreclosure auction for the purpose of transferring said parcels to the Tioga County Property Development Group (Land Bank); and

WHEREAS: Routine maintenance of these parcels is needed until such time as they are transferred to the Tioga County Property Development Group; and

WHEREAS: Memorandums of Understanding are needed between Tioga County and the municipalities in which these properties are located to set forth the responsibilities of the parties; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to sign Memorandums of Understanding between Tioga County and the municipalities in which these properties are located concerning maintenance, notification and disposition.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ECONOMIC DEVELOPMENT AND PLANNING
COMMITTEE

RESOLUTION NO. 212-18 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
SOLAR ENERGY SYSTEMS PAYMENT IN LIEU OF TAX
AGREEMENT*

WHEREAS: Solar Energy Systems has submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately ten (10) Megawatts AC; and

WHEREAS: The project location is 237 State Route 96, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Owego Apalachin Central School District and The County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes (PILOT) Agreement with Solar Energy Systems; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: Solar Energy Services has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by Solar Energy Systems following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$3,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 31st of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the remaining balance of said payments shall be disbursed to the Town of Tioga, Owego Apalachin Central School District and County of Tioga in equal portions upon netting out of existing real property tax owed to each entity; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between Solar Energy Systems, Town of Tioga, Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 213-18 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2019 County taxes among the several Towns are hereby established as follows:

Town of Barton	84.00
Town of Berkshire	100.00
Town of Candor	96.00
Town of Newark Valley	68.00
Town of Nichols	24.50

RESOLVED: That the erroneous county tax of \$1,647.09 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$162.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$1,217.38 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$754.29 be charged back to the Owego Fire Department.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 215-18

*ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2018 indicates that parcel # 11496 in the Town of Owego assessed to Pauline Properties, LLC on the 2018 tax roll of the Town of Owego and owned by Pak Owego Management, Inc. is erroneous in that on August 2, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$310,000; be it therefore

RESOLVED: That a refund be issued to "Hinman, Howard, & Kattell, LLP, as attorneys," and mailed to 80 Exchange Street, P.O. Box 5250, Binghamton, NY, 13905, by the Tioga County Treasurer as follows:

	Original Bill #6518	Corrected Bill #6518
County	5,174.30	3,521.48
Recycle	278.97	189.86
Town Wide	483.81	329.27
Part Town	1,332.20	906.66
Owego Fire	1,217.72	828.75
Total	8,487.00	5,776.02

And be it further

RESOLVED: That the erroneous county tax of \$1,652.82 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$89.11 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$580.08 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire tax of \$388.97 be charged back to the Owego Fire Department.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 216-18 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy and employers' liability insurance policy expire December 31, 2018; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of specific excess insurance and employers' liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2019 through December 31, 2019 to be paid for out of the 2019 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 217-18 *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2019 through December 31, 2019; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2019 through December 31, 2019.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 218-18 *CONTRACT WITH EMPLOYEE NETWORK, INC. (ENI)
FOR EMPLOYEE ASSISTANCE
PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to continue providing Tioga County's EAP for a two year term, January 1, 2019 through December 31, 2020 at a rate of \$1.22/per covered employee per month; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.22/per covered employee per month effective January 1, 2019 through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 219-18

*AUTHORIZE CONTINUANCE OF FULL-TIME, TEMPORARY CLERK (SEASONAL) POSITION
TREASURER’S OFFICE*

WHEREAS: Resolution 124-18 authorized the creation and filling of a full-time, temporary Clerk (Seasonal) position in the Tioga County Treasurer’s Office from May 29, 2018 through August 31, 2018; and

WHEREAS: Due to an authorized leave of absence of another staff person, the County Treasurer would like to extend the duration of said temporary position in order to adequately cover the front office; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Marissa Potter's employment as full-time, temporary Clerk (Seasonal) shall continue beyond August 31, 2018 and end no later than December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston and Hollenbeck.

No – None.

Absent – Legislators Huttleston and Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:21 P.M.