


<p>Agenda</p> 	<p style="text-align: center;">TIOGA COUNTY LEGISLATURE</p> <p style="text-align: right;">3/12/2019 6:00 PM</p> <p style="text-align: center;">EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827</p>	
<p>Meeting called by:</p>	<p>Chair Martha Sauerbrey</p>	
<p>Type of meeting:</p>	<p>3rd Regular</p>	
<p>Attendees:</p>	<p>Legislator Balliet Legislator Hollenbeck Legislator Monell Legislator Mullen Legislator Roberts Legislator Sauerbrey Legislator Standinger Legislator Sullivan Legislator Weston</p>	
<p>Agenda topics</p>		
<p>Invocation Pledge of Allegiance Recognition Resolution Proclamations (3)</p>	<p>Legislator Balliet Legislator Balliet Cindy Iannone, Sheriff's Office Public Health Week National Nutrition Month Welcome Home Vietnam Veterans Day</p>	

<p>STATE OF THE COUNTY ADDRESS 2018 Privilege of the Floor</p> <p>Approval of Minutes</p> <p>Petitions, Communications & Notices Appointments/Reappointments Reports Standing Committees</p>	<p>February 12 and 21, 2019</p>	
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<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Appropriation of Funds Hazardous Materials Emergency Preparedness (HMEP18) Modify 2019 Budget Emergency Services 2. Authorize Acceptance of a 2019 NYS PTS Grant (PTS-2019-Tioga Co So-00171-(054), appropriate funds and amend 2019 Sheriff's Budget 3. Amend Budget & Appropriate Funds Public Health 4. Amend Budget & Appropriate Funds Public Health 5. Amend Budget & Appropriate Funds Public Health 6. Appropriate Funds and Modify 2019 Budget 7. Accept Indigent Legal Services Award and Amend Budget 8. Award 2018 Emergency Management Planning Grant (EMPG18) Emergency Services 9. Authorize Increase in Administering Mortgage Tax by the Tioga County Clerk as approved by New York State Department of Taxation and Finance 10. Amend Resolution Nos. 52-19, 53-19, & 54-19 Erroneous Assessments Town of Newark Valley 11. Appoint Member Board of Ethics 12. Appoint Members to Traffic Safety Board 13. Appoint Member Critical Incident Stress Debriefing Team 14. Resolution Appointing New Member to Community Services Board 15. Appoint At-Large Member to the STERPDB Regional Board 16. Resolution Opposing Reproductive Health Act 17. Resolution Opposing the Proposed and Amended 2020 Executive State Budget impacting aid and incentives to municipalities and state cost shifts to counties 18. Authorize Tioga County Sustainability Manager to facilitate Tioga County's first plastic free day 19. Authorize 2019 Requests for Inclusion of Lands in Agricultural Districts
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	<ol style="list-style-type: none">20. Contract Renewal – COTT Systems, Inc.21. Authorizing Legislative Chair Signature on NY Owego I, LLC, an affiliate of Delaware River Solar, LLC, Payment in Lieu of Tax Agreement22. Award Design Services to Hunt Engineers for Halsey Valley Road Bridge23. Authorizing the Implementation and Funding of 100% of the costs of a transportation project which may be eligible for Federal Aid and/or State Aid, or reimbursement from Bridge NY Funds24. Create Two (2), Full-Time Temporary Construction Inspector Positions Public Works25. Authorize to create and fill one (1) temporary , full-time Public Health Nurse Public Health Department26. Authorize to create and file one part-time Public Health Nurse and Abolish one part-time Registered Professional Nurse Public Health Department27. Authorize out of title pay Public Health Department28. Retitle and Amend Classifications within Probation Series Personnel Department29. Funding and Reclassification of Position Economic Development & Planning
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REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -19

RESOLUTION RECOGNIZING
CINDY IANNONE'S
18 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY

WHEREAS: Cindy Iannone was appointed as a Corrections Officer on 8/12/00; and

WHEREAS: Cindy Iannone has been dedicated and loyal in the performance of her duties and responsibilities during the past 18 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Cindy Iannone will retire from the Tioga County Sheriff's Office on February 28, 2019; 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 Cindy Iannone for her more than 18 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, Cindy Iannone.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 1 – 7 2019 as

PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: National Nutrition Month is an annual nutrition education and information campaign created by the Academy of Nutrition and Dietetics; and

WHEREAS: The type, quality, and amount of food that individuals consume daily plays a vital role in their overall health and physical fitness; and

WHEREAS: Data shows that nearly 30% of Tioga County residents report eating fruit less than one time per day; and

WHEREAS: There are key messages for everyone regarding their health and nutrition:

- Choose foods and drinks that regularly include a variety from all of the food groups, whether at or away from home.
- Be mindful of portion sizes. Eat and drink the amount that's right for you, as MyPlate encourages us to do.
- Keep it simple. Eating right doesn't have to be complicated.
- Reduce food waste by considering the foods you have on hand before buying more at the store.
- Find activities that you enjoy and be physically active most days of the week.
- Consult nutrition experts, if possible, for sound, easy-to-follow personalized nutrition advice to meet your lifestyle, preferences and health-related needs.

WHEREAS: During National Nutrition Month, help the Academy and Tioga County Public Health achieve its vision of a world where all people thrive through the transformative power of food and nutrition; therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of March 2019 as:

National Nutrition Month

and encourages Tioga County residents to make informed food choices and develop sound eating and physical activity habits.

PROCLAMATION
WELCOME HOME VIETNAM VETERANS DAY

WHEREAS: March 29, 2019 is National Vietnam War Veterans Day; and

WHEREAS: More than 9 million men and women served during the Vietnam War with 2.7 million serving in Vietnam itself, and with 58,272 giving the ultimate sacrifice for their Country. Tioga County has 4,623 veterans living here in Tioga County, many of whom are Vietnam Era veterans; and

WHEREAS: To recognize their service and sacrifice and the failure of our nation to offer them proper respect and gratitude when they returned home at the end of the Vietnam War; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim

March 29, 2019 as
“Welcome Home Vietnam Veterans Day” in Tioga County

and encourages Tioga County citizens to honor Vietnam War Veterans Day in appreciation of our Tioga County Veterans who have served.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19 APPROPRIATION OF FUNDS
HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS
(HMEP18)
MODIFY 2019 BUDGET
EMERGENCY SERVICES

WHEREAS: The New York State Division of Homeland Security and Emergency Services (DHSES) has been awarded a grant of \$6,465. 20% of this grant will be county share (\$1,293); and

WHEREAS: The grant will be used for emergency management planning; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the 2018 Hazardous Materials Emergency Preparedness (HMEP18) be appropriated as follows:

A3360.433567 HME18	DHSES State Aid	\$5,172
A3360.540140 HME18	Contracting Services	\$6,465

And be it further

RESOLVED: That the 2019 Emergency Services budget be modified to reflect the above changes.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19 AUTHORIZE ACCEPTANCE OF A 2019 NYS
PTS GRANT (PTS-2019-Tioga Co So-00171-
(054), APPROPRIATE FUNDS AND AMEND
2019 SHERIFF'S BUDGET

WHEREAS: The Sheriff applied and was awarded a NYS PTS (Police Traffic Services) (PTS-2019-Tioga Co So-00171-(054) in the amount of \$18,675; and

WHEREAS: This funding must accepted and appropriated; therefore be it

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

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

Expense Account: A3110.510030 Sheriff – Overtime/Other

Revenue Account: A3110.433900 Sheriff -State Aid

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from Visions Federal Credit Union; and

WHEREAS: The funding is designated for Car Seats for qualified Tioga County residents; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800 Public Health: Local Grants \$ 1,500

To: A4053 540640 Primary & Preventive: Supplies \$ 1,500

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from New York State; and

WHEREAS: The award is designated for Community Cancer Prevention in Action, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Cancer Prevention is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800	Public Health: Local Grants	\$ 22,250
To: A4053 540640	Public Health: Supplies	\$ 22,250

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19 AMEND BUDGET AND APPROPRIATE
FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from the Floyd Hooker Foundation; and

WHEREAS: The funding is designated for the costs associated with the new Mobile Dental Unit; and

WHEREAS: The funds were already received and receipted into a deferred revenue account; and

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

RESOLVED: That funding be appropriated as follows:

From: A4064 422800 Dental: Local Grants	\$ 25,000
To: A4064 540640 Dental: Supplies	\$ 25,000

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. -19

APPROPRIATE FUNDS AND
MODIFY 2019 BUDGET

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: Said funds are available through a five year agreement with the NYS Office of Indigent Legal Services with an initial budget and an increasing amount available on each successive year subject to state appropriation; and

WHEREAS: The amount allocated to Tioga County from NYS for the fiscal year April 1, 2018 thru March 31, 2019 is \$154,202.88 and shall be known as the Hurrell-Harring ILS Grant; now therefore be it

RESOLVED: That In anticipation of the contract approval and acceptance of award, the Hurrell-Harring ILS Grant of \$154,202.88 should be appropriated and the 2019 County Budget be Modified as follows:

Expense Accounts: A 1174 510010 Full Time Salary	\$ 92,458.00
A 1174 540620 Software Expenses	\$ 10,000.00
A1174 540280 Investigative	\$ 2,961.61
A1174 540550 Rent	\$ 15,000.00
A1174 540733 Training	\$ 2,961.61
A1174 581088 Retirement	\$ 2,368.36
A1174 583088 Social Security	\$ 4,814.01
A1174 584088 Workers Comp	\$ 1,962.21
A1174 585588 Disability	\$ 144.15
A1174 586088 Health Ins	\$ 21,511.46
A1174 588988 EAP	\$ 21.47
Revenue Account: A1174 430260 State Aide- HH Grant	\$154,202.88

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. -19

ACCEPT INDIGENT LEGAL
SERVICES AWARD AND AMEND
BUDGET

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C800049) in the amount of \$123,804.00; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$123,804.00 be appropriated and the 2019 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid Indigent \$123,804.00

Expense Account: A 1173 510010 Full Time Salary	\$68,405.00
A 1173 510020 Part Time Salary	\$36,500.00
A 1173 540620 Software Expenses	\$ 2,500.00
A 1173 540040 Books	\$ 5,500.00
A 1173 540280 Investigations	\$ 7,899.00
A 1173 540700 Transcripts	\$ 1,500.00
A 1173 540733 Books	\$ 1,500.00

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -19

AWARD 2018 EMERGENCY
MANAGEMENT PLANNING GRANT
(EMPG18)
EMERGENCY SERVICES

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,986 by the New York State Division of Homeland Security and Emergency Services (NYS DHSES); and

WHEREAS: The matching grant will be used to offset \$23,986 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2018 Emergency Management Planning Grant in the amount of \$23,986.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -19 AUTHORIZE INCREASE IN ADMINISTERING
MORTGAGE TAX BY THE TIOGA COUNTY CLERK
AS APPROVED BY NEW YORK STATE
DEPARTMENT OF TAXATION AND FINANCE

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$133,080.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$133,080.00 for the period of April 2019 – April 2020; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$11,090.00 at a total annum amount of \$133,080.00 .

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -19

AMEND RESOLUTION NOS. 52-19,
53-19, & 54-19
ERRONEOUS ASSESSMENTS
TOWN OF NEWARK VALLEY

WHEREAS: Resolution Nos. 52-19, 53-19, & 54-19 were adopted on February 12, 2019 to correct erroneous assessments in the Town of Newark Valley; and

WHEREAS: The fourth RESOLVED line in resolution nos. 52-19 and 53-19 and the third RESOLVED line in resolution no. 54-19 listed the Town receiving the Town tax charge back as the Town of Owego in error; and

WHEREAS: The Town tax charge back should be charged to the Town of Newark Valley; therefore be it

RESOLVED: That Resolution Nos. 52-19, 53-19, & 54-19 be amended to change the third RESOLVED line in resolution nos. 52-19 and 53-19 and the fourth RESOLVED line in resolution no. 54-19 from the Town of Owego to the Town of Newark Valley; and it be further

RESOLVED: That the remainder of Resolution Nos. 52-19, 53-19, & 54-19 shall remain in full force and effect.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -19 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: Carl Kanoff, minority appointment, on the Board of Ethics term end March 31, 2019 and has declined to serve another term on the Board of Ethics; and

WHEREAS: Terese Mullen has agreed to serve on the Board of Ethics; now therefore be it

RESOLVED: That Terese Mullen, minority appointment, be hereby appointed to the Board of Ethics for a term of office beginning April 1, 2019 to March 31, 2022.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -19 APPOINT MEMBERS TO
TRAFFIC SAFETY BOARD

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
Arthur Cacciola-Candor	4/1/19-3/31/22
Public Works Commissioner or designee	4/1/19-3/31/22
Tioga County EMO Director	4/1/19-3/31/22
Tioga County Sheriff or designee	4/1/19-3/31/22
Tioga County Economic Development or designee	4/1/19-3/31/22
Vacant-County Representative	4/1/19-3/31/22
Public Health Director or designee	4/1/19-3/31/22

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19

APPOINT MEMBER TO
CRITICAL INCIDENT STRESS
DEBRIEFING TEAM
EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services has a need for an additional member to be appointed to the Critical Incident Stress Debriefing Team; and

WHEREAS: The Director of Emergency Services would like to appoint Rebecca Roden to the Critical Incident Stress Debriefing Team; therefore be it

RESOLVED: That Rebecca Roden be hereby appointed to the Critical Incident Stress Debriefing Team effective March 13, 2019.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD

WHEREAS: Patricia Gillule has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Patricia's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Patricia Gillule be appointed a new member to the Community Services Board, for term starting March 1, 2019 and ending February 28, 2023.

REFERRED TO: ED&P COMMITTEE
RESOLUTION NO. -19 APPOINT AT-LARGE MEMBER TO THE STERPDB
REGIONAL BOARD

WHEREAS: The by laws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or an at-large and 3) the County Planning Director; and

WHEREAS: Teresa Saraceno has served in the at-large position on the STERPDB Regional Board since 1/1/2018, and no longer wishes to serve in this capacity; and

WHEREAS: The STERPDB Regional Board is desirous of replacing at-large members with economic development local officials as terms expire; and

WHEREAS: Tioga County ED&P has found Brittany Woodburn, Economic Development Specialist, willing and able to fill this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Brittany Woodburn to Tioga County's at-large position on the Southern Tier East Regional Planning Development Board to fulfill the remainder of Teresa Saraceno's unexpired term of 1/1/2018 – 12/31/2021, effective 3/13/2019.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -19 RESOLUTION OPPOSING REPRODUCTIVE
HEALTH ACT

WHEREAS: The Reproductive Health Act was signed into law by Governor Andrew Cuomo on January 22, 2019; and

WHEREAS: The Reproductive Health Act strips abortion from the state's criminal code and places it under the realm of public health law; and

WHEREAS: Abortion is now allowed up until the full term of pregnancy; and

WHEREAS: The killing of a fetus in the third trimester of pregnancy is now no longer considered murder; and

WHEREAS: The undersigned Legislators urge the Governor, the New York State Senate and the New York State Assembly to reconsider the Reproductive Health Act and to repeal the same; now therefore be it

RESOLVED: That the Tioga County Legislature questions the unintended consequences of the Reproductive Health Act and urges the Governor, the New York State Senate and the New York State Assembly to reconsider the Reproductive Health Act and to repeal the same Reproductive Health Act; and be it further

RESOLVED: That a certified copy of this Resolution be sent to Governor Cuomo, Senator Fred Akshar and Assemblyman Chris Friend.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -19 RESOLUTION OPPOSING THE PROPOSED
AND AMENDED 2020 EXECUTIVE STATE
BUDGET IMPACTING AID AND INCENTIVES
TO MUNICIPALITIES AND STATE COST SHIFTS
TO COUNTIES

WHEREAS: On February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county sales tax; and

WHEREAS: Instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS: Already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS: Counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties; and

WHEREAS: Requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS: Currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS: Cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes; and

WHEREAS: Replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes; now therefore be it

RESOLVED: That Tioga County supports the full restoration of this state aid program to local governments and urges the Governor and State

Legislature to fully restore this state funding in the final 2019/2020 state budget; and be it further

RESOLVED: That copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That Tioga County shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Fred Akshar, Assemblyman Chris Friend, the New York State Legislature and all others deemed necessary and proper.

REFERRED TO: PUBLIC WORKS COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -19 AUTHORIZE TIOGA COUNTY SUSTAINABILITY
MANAGER TO FACILITATE TIOGA COUNTY'S FIRST
PLASTIC FREE DAY

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: The economic burden is amplified in Tioga County due to the lack of a landfill within the County; and

WHEREAS: Recent articles and programs, have brought to life the risk that single-use plastic has on our resources and the environment; and

WHEREAS: Educating and raising the awareness of residents and businesses about the benefits of going single-use plastic free by columns, art exhibits, and other activities; and

WHEREAS: That the support of local businesses is important to this mission; and

WHEREAS: Both the Tioga County Sustainability Manager and Tioga County Public Health Officer support these initiatives; therefore be it

RESOLVED: That the Tioga County Legislature is asking local businesses to partner with Tioga County to hold a Plastics Free Day and encourages all local businesses to participate.

REFERRED TO: ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO -19 AUTHORIZE 2019 REQUESTS FOR INCLUSION
OF LANDS IN AGRICULTURAL DISTRICTS

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts located within the Spencer and North Tioga Agricultural Districts totaling 74.33 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have “little likelihood of significant adverse environmental impact...” via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2019 requests for inclusion of land listed in said report into the Spencer and North Tioga Agricultural Districts; and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer and North Tioga Agricultural Districts effective immediately.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: -19 CONTRACT RENEWAL – COTT SYSTEMS, INC.

WHEREAS: The County Clerk's office needs to renew their contract for records management software developed by COTT Systems, Inc.; and

WHEREAS: The County Clerk has budgeted for the cost of the renewal; and

WHEREAS: The contract will be effective from January 1, 2019 through December 31, 2023 at an annual cost of \$26,220.00; therefore be it

RESOLVED: That the County Clerk be authorized to renew the contract for records management services with COTT Systems, Inc. upon approval by the County Attorney.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -19 AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON NY OWEGO I, LLC, AN AFFILIATE OF DELAWARE RIVER SOLAR, LLC, PAYMENT IN LIEU OF TAX AGREEMENT

WHEREAS: NY Owego I, LLC an affiliate of Delaware River Solar, LLC, hereinafter NY Owego I, LLC, has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a "Solar Energy system" with an expected total capacity of approximately five (5) Megawatts AC; and

WHEREAS: The project location is 4890 Gaskill Road, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego, 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 NY Owego I, LLC; 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: NY Owego I, LLC 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 NY Owego I, LLC, 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 \$4,000.00 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 Owego and mailed to the Town of Owego and are due no later than January 31st of each year; and

WHEREAS: The Town of Owego 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 Owego, 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 NY Owego I, LLC, the Town of Owego, the Owego Apalachin Central School District and Tioga County.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -19

AWARD DESIGN SERVICES TO
HUNT ENGINEERS FOR HALSEY
VALLEY ROAD BRIDGE

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

WHEREAS: The Halsey Valley Road Bridge is a bridge that needs repair due to an inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Hunt Engineers, Horseheads, NY; and

WHEREAS: The proposal for this bridge came in at \$56,000; therefore be it

RESOLVED: That the Tioga County Legislature approve Hunt Engineers proposal for the Halsey Valley Road Bridge not to exceed \$56,000 to be paid out of the Halsey Valley Road Bridge account H5110 54002 H1905.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -19

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND OR STATE AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS: A project for the rehabilitation of BIN 3335200 – West Creek Road over West Branch Owego Creek, PIN 9754.80, (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal Funds and 5% non-Federal Funds; and

WHEREAS: The County of Tioga will design, let and construct the “project”; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the work of the Project of portions thereof;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the cost of the Preliminary Engineering / Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, State-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$350,000 is hereby appropriated from West Creek Road Bridge account H5110.540004.H1904 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project which exceed the amount of Federal-aid, State-aid, or NY Bridge Funding Awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by Federal-aid, State-aid, or NY Bridge funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute on behalf of the County of Tioga, all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Tioga's funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19

CREATE TWO (2), FULL-TIME
TEMPORARY CONSTRUCTION
INSPECTOR POSITIONS PUBLIC WORKS

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2019 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2019; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective May 1, 2019 at an hourly range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19 AUTHORIZE TO CREATE AND
FILL ONE (1) TEMPORARY, FULL-
TIME PUBLIC HEALTH NURSE
PUBLIC HEALTH DEPARTMENT

WHEREAS: Legislative approval is required to authorize the creation of positions within Tioga County; and

WHEREAS: Due to a reassignment of duties within the Public Health Department, the Public Health Director has a need to create and fill a temporary, full-time Public Health Nurse position for a duration not to exceed beyond August 30, 2019; therefore be it

RESOLVED: That the Legislature authorizes the Public Health Director to create and fill one (1) temporary, full-time Public Health Nurse position at an hourly rate of \$25.51 effective March 18, 2019; and be it further

RESOLVED: That said temporary position shall end on or before August 30, 2019.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19 AUTHORIZE TO CREATE AND
FILL ONE PART-TIME PUBLIC
HEALTH NURSE AND ABOLISH
ONE PART-TIME REGISTERED
PROFESSIONAL NURSE
PUBLIC HEALTH DEPARTMENT

WHEREAS: Legislative approval is required to authorize the creation and abolishment of positions within Tioga County; and

WHEREAS: Due to a reassignment of duties within the Public Health Department, the Public Health Director has a need to create and fill a part-time Public Health Nurse position; and

WHEREAS: Upon creation of said position, the Public Health Director intends to fill the position with Jessica Lovell, who currently serves as a part-time Registered Professional Nurse; therefore be it

RESOLVED: That the Legislature authorizes the Public Health Director to create and fill one part-time Public Health Nurse position at an hourly rate of \$25.51 effective March 16, 2019; and be it further

RESOLVED: That the part-time, Registered Professional Nurse position Ms. Lovell vacates shall be abolished effective March 16, 2019.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19 AUTHORIZE OUT OF TITLE PAY
PUBLIC HEALTH DEPARTMENT

WHEREAS: In accordance with the CSEA collective bargaining agreement Article 4, Section E, Legislative approval is required to authorize out of title pay; and

WHEREAS: Due to a resignation, a Supervising Public Health Nurse position has been vacant within the Public Health Department since February 9, 2019; and

WHEREAS: Due to the needs of the department, the Public Health Director assigned Supervising Public Health Nurse duties to Barbara Bilbrey, Public Health Nurse, as of February 11, 2019; and

WHEREAS: The Public Health Director has an ongoing need to continue having Ms. Bilbrey perform out-of-title work beyond 20 calendar days and until staff changes have been determined; therefore be it

RESOLVED: That the Legislature authorizes out-of-title pay for Barbara Bilbrey, which is reflective of a retroactive increase of \$4,846 effective February 11, 2019; and be it further

RESOLVED: That said out-of-title pay shall continue until such time as determined by the Public Health Director.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -19 RETITLE AND AMEND CLASSIFICATIONS WITHIN PROBATION SERIES PERSONNEL DEPARTMENT

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: Due to adopted changes to the New York Codes, Rules and Regulations (NYCRR), Title 9, Appendix H-10 *Standard Specifications for Professional Probation Positions*, the Personnel Officer is required to adopt the new job class specifications for Probation positions within the Tioga County Probation Department as follows:

<u>Current title & Allocation</u>	<u>New title</u>
Probation Officer (CSEA SG XI)	Probation Officer 1
Sr. Probation Officer (CSEA SG XII)	Probation Officer 2/Senior Probation Officer
Probation Supervisor (CSEA SG XV)	Probation Supervisor 1
Probation Director I (Non-union)	Probation Director (Group A)

and

WHEREAS: Salary allocations for the above new titles will remain consistent with the current title's salary allocation and incumbents shall have a continuation of status under civil service laws and rules; therefore be it

RESOLVED: That for the purpose of retitling and amending classifications, the Tioga County Legislature authorizes the abolishment of the following full-time titles: Probation Officer, Sr. Probation Officer, Probation Supervisor, and Probation Director I and authorizes the creation of the following full-time titles: Probation Officer 1 (CSEA SG XI), Probation Officer 2/Senior Probation Officer (CSEA SG XII), Probation Supervisor 1 (CSEA SG XV), and Probation Director (Group A) (Non-union) effective March 16, 2019; and be it further

RESOLVED: That a final notification will be provided to department heads and employees impacted by these changes.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -19 FUNDING AND RECLASSIFICATION OF
POSITION
ECONOMIC DEVELOPMENT & PLANNING

WHEREAS: Legislative approval is required to both fund and reclassify positions in Tioga County; and

WHEREAS: The Director of Economic Development and Planning currently has a vacant, unfunded full-time Associate Planner position which she would like to fund and reclassify in order to better serve the needs of her department; and

WHEREAS: The Personnel Officer has reviewed the job duties, developed a job description, and determined the salary range for the new classification; therefore be it

RESOLVED: That the vacant unfunded full-time Associate Planner position (Non-union salary range \$35,300 - \$45,300) shall be funded and reclassified to a full time Community Development Specialist (Non-union salary range \$43,985 - \$53,985) effective March 16, 2019; and be it further

RESOLVED: That the Director of Economic Development and Planning is allowed to fill the Community Development Specialist position upon recruitment.