

***Fourth Regular Meeting  
April 14, 2009***

The Fourth Regular Meeting of 2009 was called to order by the Chair at 1:32 P.M. Eight Legislative members were present, Legislator Oberbeck being absent.

Chair Weston asked Legislator Quinlan to have a moment of prayer. “This is a prayer that I just come about, impromptu they call it, but it is a prayer and it is a sincere prayer from my heart that I am praying for all the people that got killed up in Binghamton a couple of weeks ago. I think it shows how fragile life really is and just to see what we are living in, what kind of world we are living in. We are living in a crazy crazy world, but hopefully with God’s help we can change it, and we can change it because we have got good people. On the Legislature the Legislative Chair, Dale Weston, and Mark Dixson will lead the way and show us what we need to know about people in general. Amen.”

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

There were approximately 21 people in attendance.

Chair Weston asked for unanimous passage of the following two recognition resolutions recognizing Captain Paul Rhodes and Civil Manager Donna Burrell from the Tioga County Sheriff’s Office.

<b>REFERRED TO:</b>	<b>PUBLIC SAFETY</b>
<b>RESOLUTION NO. 130-09</b>	<b><i>RESOLUTION RECOGNIZING PAUL O. RHODES’ 38 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i></b>

Adoption moved unanimously,  
seconded unanimously.

**WHEREAS:** Paul O. Rhodes was appointed Deputy Sheriff on 2/15/71; Sergeant on 11/1/75; Lieutenant on 6/19/78; and Captain on 9/1/91; and

**WHEREAS:** Paul O. Rhodes has been dedicated and loyal in the performance of his duties and responsibilities during the past 38 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

**WHEREAS:** Paul O. Rhodes will retire from the Tioga County Sheriff’s Office on April 30, 2009; 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 Paul O. Rhodes for his more than 38 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, Paul O. Rhodes.

**CARRIED UNANIMOUSLY**

**REFERRED TO:**

**PUBLIC SAFETY**

**RESOLUTION NO. 131-09**

***RESOLUTION RECOGNIZING  
DONNA M. BURRELL'S 27 YEARS  
OF DEDICATED SERVICE TO  
TIOGA COUNTY***

Adoption moved unanimously,  
seconded unanimously.

**WHEREAS:** Donna M. Burrell was appointed Account Clerk-Typist on 3/4/82; appointed Civil Manager on 1/1/89; and

**WHEREAS:** Donna M. Burrell has been dedicated and loyal in the performance of her duties and responsibilities during the past 27 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

**WHEREAS:** Donna M. Burrell will retire from the Tioga County Sheriff's Office on April 30, 2009; 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 Donna M. Burrell for her 27 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, Donna M. Burrell.

**CARRIED UNANIMOUSLY**

Sheriff Gary Howard spoke. "I just want to be real quick here. It seems like I have been appearing before you more and more here in the last few months and now I have just lost about 67 years of experience out of my office or I will at the end of the month. Neither one could be here today and I told them I would come down and accept these for them. Paul Rhodes, I was a Corrections Officer, he was a

Sergeant when I started, of course helped everybody along in their careers. I cannot say enough about him or Donna Burrell who has run the Civil Department, which is a mandated Division of the Sheriff's Office. I cannot say enough and I wish they both could be here and say goodbye, but neither one of them could make it so I will give them their acceptance and thank you."

Legislator Huttleston read and presented the following Proclamation on National Nursing Week to Sandra Hoose of the Tioga County Health Department.

*County of Tioga*

**EXECUTIVE PROCLAMATION**

**WHEREAS:** The nurses who live and who work in Tioga County while serving in many roles are all members of one profession, and as such have shown strength, commitment, professional skill and compassion directed at improving the health of the residents of Tioga County; and

**WHEREAS:** The nursing profession is rapidly changing, requiring nurses to expand their role through critical thinking, and holistic analysis of patient care, to meet the new challenges; and

**WHEREAS:** Tioga County nurses serve in many capacities within Tioga County; e.g., immunization clinics, control of communicable disease, homecare, mental health, well child clinics, Department of Social Services, doctor's offices, prenatal care programs, nursing homes, and more; and

**WHEREAS:** The week of May 6 through 12, 2009 is "NATIONAL NURSING WEEK" and the Tioga County Legislature wishes to express their support and recognition of the nurses working and living in Tioga County; therefore be it

**RESOLVED:** THAT THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the week of May 6 – 12, 2009 as:

***"NATIONAL NURSING WEEK IN TIOGA COUNTY"***

and encourage businesses, government agencies, community-based organizations, service groups and our fellow citizens to recognize the many nurses who work and live in Tioga County as being nurses with strength, commitment and compassion.

Sandra Hoose spoke. "Thank you very much for your appreciation for this."

Legislator Huttleston read and presented the following Proclamation on Infant Immunization Awareness Week to Marilyn Reynolds of the Tioga County Health Department.

County of Tioga County

**EXECUTIVE PROCLAMATION**

**WHEREAS:** Vaccines are among the 20th Century's most successful and cost-effective public health tools available for preventing disease and death; and

**WHEREAS:** National immunization levels are at or near record highs for most vaccines and most vaccine-preventable diseases have been reduced by 99 percent or more since the introduction of vaccines; and

**WHEREAS:** Children need a series of vaccinations, starting at birth, to be fully protected against 14 potentially serious diseases; and

**WHEREAS:** Immunizations are one of the most important ways parents can protect their children against serious diseases; and

**WHEREAS:** Tioga County recognizes National Infant Immunization Week (NIIW) to focus attention on the importance of timely immunization for infants and toddlers 2 years old and younger; and

**WHEREAS:** The Tioga County Legislature and the Health Department declare that National Infant Immunization Week (NIIW) serve as a call to parents, caregivers, and healthcare providers to participate in activities to increase the awareness of immunizing children before their second birthday; and

**WHEREAS:** The week of April 25 –May 2, 2009 has been declared National Infant Immunization Week to help ensure that children have all their vaccinations by the age of two; therefore be it

**RESOLVED:** That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 25 –May 2, 2009 as:

**INFANT IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY**

and encourages businesses, government agencies, national organizations, community-based organizations, and service groups to spread the immunization message throughout their communities. It is also encouraged that health care providers, parents, and children's caregivers in Tioga County advance the health of children by ensuring early and on-time immunization against preventable childhood diseases.

Marilyn Reynolds spoke. “I would just like to say thank you so much for your support in helping us immunize the County and I have a handout just for your information on how diseases have been reduced over the century.”

Legislator Huttleston read and presented the following Proclamation on Child Abuse Prevention Month to Maureen Hawley of the Youth Bureau and Judy Wolf from Cornell Cooperative Extension.

### **Child Abuse Prevention Month Proclamation**

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Whereas: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

Whereas: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

Whereas: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

Whereas: Cornell Cooperative Extension of Tioga County is sponsoring Promises For Parents- a pledge campaign that solicits promises asking individuals to do something tangible to support parents in our community. When we take care of parents, parents are better able to take care of their children. Pledge cards are available from Cornell Cooperative Extension and throughout the community during the month of April; and

Whereas: The Family Resource Centers of Tioga County, a program of Cornell Cooperative Extension of Tioga County in collaboration with Tioga County families and agencies, sponsored a Family Fun Night on April 4<sup>th</sup>, 2009 to celebrate Tioga County's investment in the safety and nurturing of all children; and

Whereas: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

**THE TIOGA COUNTY LEGISLATURE does hereby proclaim April 2009 as**

#### *Child Abuse Prevention Month*

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

Maureen Hawley spoke. "Part of prevention is providing support to our families and children in our community. One of our partners in that is Cooperative Extension and Judy Wolf is here on behalf of Cooperative Extension."

Judy Wolf spoke. "On the desk in front of your there are two pieces of paper. One is your pledge brochure, "Promises for Parents", because we do know when people in the community help reach out to families then families have the resources better to take care of their children. The other one is a Family Resource Center brochure. Our Family Resource Centers in Waverly and Owego are two, it is a little over 20, 21 or 22, family resource centers across the State in a network that is funded by the New York State Children and Families Trust Fund, and so we are very fortunate that we can serve over 350 families a year here because those funds come to us for these programs. Thank you."

Joe Albrecht had privilege of the floor. "Thank you very much for the opportunity. One of the concerns that I have expressed in the past is the concern about unfunded mandates from State and Federal sources, and I would like to know if it is possible to get some idea of the pressure that these mandates put on the concept of taxes, of fees, of royalties, sales of county property, and other fiscal sources that may be available. I think this will become a far greater issue as time goes by.

"The idea of the effect of reductions on services that are made available to residents leads me to go back to a comment made by the President of the United States when he said "everyone has skin in the game" and unfortunately as it may seem there are those people who receive far more services than they contribute to or for, or have in a lifetime and it may be a crass thing for me to say or a crass concept, but it is a fact that the allocation of resources will become extremely critical at this particular time and in the fairly near future when you decide whether you buy someone's heating oil or pave your roads to provide services, or support law enforcement as opposed to providing you know meals for people who are unwilling, unable, or so forth. It is not an easy situation, but it is an issue that will have to be addressed in one way or another by those of us in this room and who live in the County, the State, and the United States.

"It goes with something else that I am very interested in and that is the degree of sovereignty that we possess as individuals or as local governments. Is there a way to determine if we have the privilege of sovereignty that can generate alternatives to the mandates that we see? In the days of my experience it seemed that local rules had to at least be as stringent as State and Federal rules and I do not know if there is some way this can be facilitated.

"My second suggestion I have made in the past is the LLC status for all County residents because that would alleviate tax burden. I do not know if that is legal or not, but it is kind of an interesting concept.

“Thirdly, we have a resource beneath the grounds of Tioga County that really needs significant management and significant planning relative to its management, and that is the gas resource that we have. In considering this particular resource, from an individual basis my guess is that the individual is most concerned about environmental issues, economic issues, opportunities that are presented and the services that are afforded by governmental entities. The property owner probably is most concerned relative to the tax base and the issues that surround the tax revenue. Landowners who are approached about leasing have concerns relative to the leases, the contents thereof, the sources that may be provided by the DEC, and this one again on a personal basis, this one I will put up, but I do not have the factual basis for it, therefore it falls in an opinion and we all know what opinions are like, but it seems that with budgetary constraints that are now in effect, DEC has very very limited resources to carry out their function of environmental control. It may be something that the individual has to address in leasing their property.

“Relative to the utilization of any mineral resources in public properties which may include county parks, property that comes up for tax sale, and other properties that the county may own, I will go back to days on the planning board when something was introduced. It was called a planned unit development and I think that was more of a residential issue at that particular time, but at this particular time I think a planned unit development could include industrial, residential, retail, and service structures and processes. In other words if we have the energy here why pipe it somewhere else when we could utilize it here in industry, residences, and so forth. I think it is something that deserves some attention.

“The last item of concern is the supply of antioxidants to the Director of Child Welfare. When I left in January I was hoping that the County could provide economic resources to ensure the availability of antioxidants for the Director of Child Welfare. They are spelled dark chocolates. Thanks very much.”

George Penney had privilege of the floor. “I would like to call your attention to resolution number 26 which has to do with the practice of so-called backfilling of salaries. This resolution states significant monies to be saved by ending this practice, but it does not state any reason for making exceptions. I would suggest that without reason given for exemptions that this resolution ought to be defeated. Thank you.”

Chris Bonner had privilege of the floor. “The man here that has left was talking about mandates. I am going to tell you something, there is no such thing as a mandate to a government to another government. The Federal Government cannot mandate you do anything. The States are 50 sovereign States, but they take the money. They ship it to you. They take the money from the States. They bring it up there and divide it on their little pet projects, and they ship it back to you with strings attached. When have you ever got anything where it says use it where you need it. How do they know in Washington DC what you need? They do not. If you

take that money you are making a contract. If I go into one of these grocery stores and I go in there and I fill my basket up with goods, I agree to pay the price on those goods and if I do not the Sheriff is going to come after me and arrest me.

“Now lets talk about the economy. The economy today, these bureaucrats in Washington DC, you know we call them con men and women because that is what they are, 99% of them are cons. Bernie Madoff should be in jail with most of the people up there in Washington DC sharing the same table and sharing the same food. They are the ones that got you into this here predicament that this country is in today. Now, the number one is your banking industry. Do you know when Al Capone started that stuff they put him in jail, but your banks are all legitimate and they put it out there, and they are charging you interest. These credit cards, I would not have one. Do you ever read them? Does anybody know how to read a legal document because if you do not buddy you are going to be in trouble.

“Now I am going to give you some solutions to the problems that we have today that will get us out of this thing. One thing reinstate the Glass Steel Act. For those of you who do not know what it is, it regulated your banks. Your banks cannot go into another State. They cannot go into insurances, they cannot go in bonds and this other stuff, and this is what they are doing today. The banks are running the Country. We are not running it. We are under the impression that we are electing these guys and they are representing us. Hey, they are not representing us. They representing the people there you know, grease the palm. I need some contribution. If I went out there and bribed somebody I would go to jail, but these guys do not. They call it contributions. It is all in the wording of the game.

“The next thing you do is you put a tariff. If you think that you can go out here with the American wages and benefits and compete with somebody in India, I am going to tell you buddy you need to have your head examined.”

The list of audited bills was submitted and is summarized as follows:

<u>Code</u>	<u>Description</u>	<u>Equipment</u>	<u>Expense</u>
A1010	Legislative Board		667.74
A1165	District Attorney		1,509.22
A1170	Public Defender		2,076.80
A1172	Assigned Council		15,691.19
A1185	Coroner		181.00
A1325	Treasurer		232.50
A1355	Assessments		2,250.00
A1362	Tax Advertising and Expense		6,506.14
A1410	County Clerk		406.50
A1411	Department of Motor Vehicles		3,221.72
A1420	Law		600.66
A1430	Personnel		1,141.59
A1450	Elections		8,924.35



<b>A1460</b>	<b>Records Management</b>		<b>4,696.65</b>
<b>A1490</b>	<b>Public Works</b>		<b>186.43</b>
<b>A1620</b>	<b>Buildings</b>		<b>69,904.10</b>
<b>A1680</b>	<b>Information Technology</b>		<b>5,464.20</b>
<b>A2960</b>	<b>Education of Handicapped Children</b>		<b>210,583.04</b>
<b>A3020</b>	<b>Public Safety Communication E911</b>		<b>5,618.80</b>
<b>A3110</b>	<b>Sheriff</b>	<b>147.90</b>	<b>10,843.42</b>
<b>A3110.41</b>	<b>Sheriff-Court Attendants</b>		<b>1,604.24</b>
<b>A3140</b>	<b>Probation</b>		<b>5,982.10</b>
<b>A3146</b>	<b>Sex Offender Program</b>		<b>8,766.67</b>
<b>A3150</b>	<b>Jail</b>		<b>62,775.17</b>
<b>A3315</b>	<b>Special Traffic Program</b>	<b>309.00</b>	<b>1,558.54</b>
<b>A3410</b>	<b>Fire</b>		<b>3,960.78</b>
<b>A3640</b>	<b>Emergency Management Office</b>		<b>451.39</b>
<b>A4010</b>	<b>Public Health</b>		<b>39,884.52</b>
<b>A4011</b>	<b>Health Administration</b>	<b>1,477.95</b>	<b>5,366.97</b>
<b>A4012</b>	<b>Health Education</b>		<b>1,461.91</b>
<b>A4042</b>	<b>Rabies</b>		<b>886.14</b>
<b>A4044</b>	<b>Early Intervention</b>	<b>425.00</b>	<b>40,138.01</b>
<b>A4047</b>	<b>Handicapped Education Administration</b>		<b>65.42</b>
<b>A4054</b>	<b>Preventative and Primary Health Services</b>		<b>3,978.91</b>
<b>A4064</b>	<b>Dental Services</b>	<b>50.28</b>	<b>16,723.46</b>
<b>A4070</b>	<b>Disease Control</b>		<b>6,677.30</b>
<b>A4090</b>	<b>Environmental Health</b>		<b>10,402.99</b>
<b>A4210</b>	<b>Alcohol and Drug Services</b>		<b>2,798.25</b>
<b>A4211</b>	<b>Council of Alcoholism</b>		<b>9,923.66</b>
<b>A4309</b>	<b>Mental Hygiene</b>		<b>4,795.13</b>
<b>A4310</b>	<b>Mental Health</b>		<b>29,357.14</b>
<b>A4315</b>	<b>Mental Retardation</b>		<b>31,448.00</b>
<b>A4320</b>	<b>Crisis Intervention Services</b>		<b>2,759.17</b>
<b>A4321</b>	<b>Intensive Case Management</b>		<b>2,083.94</b>
<b>A4333</b>	<b>Psycho Social Club</b>		<b>31,666.25</b>
<b>A5630</b>	<b>Bus Operations</b>		<b>22,872.13</b>
<b>A6010</b>	<b>Social Services</b>		<b>72,837.00</b>
<b>A6141</b>	<b>Energy Crisis Assistance</b>		<b>50,186.01</b>
<b>A6410</b>	<b>Publicity Fingerlakes Association</b>		<b>11,500.00</b>
<b>A6422</b>	<b>Economic Development and Planning</b>		<b>457.90</b>
<b>A6610</b>	<b>Sealer of Weights and Measures</b>		<b>202.12</b>
<b>A8020</b>	<b>Planning</b>		<b>140.14</b>
<b>A9060.80</b>	<b>Health Insurance</b>		<b>703.82</b>
<b>SOLID WASTE FUND</b>			<b>73,829.95</b>
<b>COUNTY ROAD FUND</b>			<b>66,269.48</b>
<b>SPECIAL GRANT FUND</b>			<b>4,248.25</b>
<b>CONSOLIDATED HEALTH FUND</b>			<b>686,975.40</b>
<b>CAPITAL FUND</b>			<b>288,176.53</b>
<b>LIABILITY INSURANCE FUND</b>			

WORKERS' COMP	<u>6,227.44</u>
GRAND TOTAL	\$ 1,963,258.41

Legislator Roberts made a motion to approve the minutes of March 5, 10, and 19, 2009, seconded by Legislator McEwen, and carried.

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

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 132-09	<i>ERRONEOUS ASSESSMENT TOWN OF OWEGO</i>

Adoption moved by Legislator McEwen,  
seconded by Legislator Sullivan.

**WHEREAS:** An application for corrected tax roll indicates that property #11276 assessed to Peter J & Eugenia Mango on the 2007 and 2008 tax rolls of the Town of Owego, is erroneous in that a swimming pool was removed from the property in 1998, therefore reducing the taxable value from \$148,700 to \$144,000; and

**WHEREAS:** The property taxes for 2007 and 2008 have been paid on property no. 11276; be it therefore

**RESOLVED:** That a refund of \$133.95 for overpayment of 2007 and 2008 property taxes on property no. 11276 be issued to Peter J and Eugenia Mango; and be it further

**RESOLVED:** That the erroneous town amount of \$25.43 be charged back to the Town of Owego and the erroneous fire tax of \$12.27 be charged back to the Owego Fire District; and be it further

**RESOLVED:** That the erroneous solid waste tax of \$3.92 be charged back to the Solid Waste Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$92.33 be charged to the proper account in the records of the County Treasurer

Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 133-09                      *ERRONEOUS ASSESSMENT  
TOWN OF OWEGO***

**Adoption moved by Legislator McEwen,  
seconded by Legislator Sauerbrey.**

**WHEREAS: An application for corrected tax roll indicates that property #11276 assessed to Peter J & Eugenia Mango on the 2009 tax roll of the Town of Owego, is erroneous in that a swimming pool was removed from the property in 1998, therefore reducing the taxable value from \$148,700 to \$144,000; and**

**WHEREAS: The property taxes for 2009 on property no. 11276 were paid to the Town of Owego on 1/30/09; be it therefore**

**RESOLVED: That a refund of \$72.39 for overpayment of 2009 property taxes on property no. 11276 be issued to Peter J and Eugenia Mango by the Town of Owego; and be it further**

**RESOLVED: That the erroneous town amount of \$13.56 be charged back to the Town of Owego and the erroneous fire tax of \$7.39 be charged back to the Owego Fire District; and be it further**

**RESOLVED: That the erroneous solid waste tax of \$2.08 be charged back to the Solid Waste Fund; and be it further**

**RESOLVED: That the erroneous county tax of \$49.36 be charged to the proper account in the records of the County Treasurer**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO: LEGISLATIVE WORKSESSION**

**RESOLUTION NO. 134-09                      *APPOINT MEMBER  
FISH & WILDLIFE  
MANAGEMENT BOARD***

**Adoption moved by Legislator Roberts,  
Seconded by Legislator Monell.**

**RESOLVED:** That James Legursky of Owego, New York be appointed as the Landowner Representative to the Fish and Wildlife Management Board for a term of April 1, 2009 through March 31, 2011.

**CARRIED**

**REFERRED TO:** FINANCE/LEGAL COMMITTEE

**RESOLUTION NO. 135-09** *HOME RULE REQUEST IN SUPPORT OF S02803/  
A06877: EXTENDING THE CURRENT AND  
IMPOSING ADDITIONAL SALES AND  
COMPENSATING USE TAXES BY THE COUNTY  
OF TIOGA*

Adoption moved by Legislator McEwen,  
seconded by Legislator Sauerbrey.

**WHEREAS:** The continuation of previously authorized additional sources of revenue is required to enable counties, such as Tioga County to meet the ever-increasing costs of delivering essential governmental services to their citizens without undue reliance on local property taxes; and

**WHEREAS:** State Legislative authority is needed to extend the current sales and compensating use taxes for the County of Tioga at the same level and upon the same terms and conditions as now currently exist; now therefore be it

**RESOLVED:** That the Tioga County Legislature hereby requests the enactment of Senate bill number S02803 and Assembly bill number A06877 entitled "An Act to Amend the Tax Law in relation to extending the authorization of the County of Tioga to impose an additional one percent of sales and compensating use taxes".

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO:** HEALTH & HUMAN SERVICES

**RESOLUTION NO. 136-09** *APPLICATION FOR CAPITAL ASSISTANCE  
SOCIAL SERVICES*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Monell.

**WHEREAS: Tioga County is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA) for the purchase of two (2) heavy-duty commuter buses; and**

**WHEREAS: Tioga County and the State of New York will enter into an Agreement which authorizes the undertaking of the Project, and reimbursement to the municipality of 100% of the project cost through the American Recovery and Reinvestment Act of 2009 at a cost of up to \$900,000; therefore be it**

**RESOLVED: That the Chairman of the Tioga County Legislature is authorized to sign the following:**

- 1) The application for funding;**
- 2) Any and all Agreements between Tioga County and the State of New York for the above named Project;**
- 3) Any and all Agreements between Tioga County and any third party subcontractors necessary to complete the Project; and**
- 4) Any and all Municipality/Vendor Contracts for the purchase and/or installation of vehicles and/or equipment pursuant to the application and agreement.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**Legislator McEwen introduced Local Law Introductory No. C of 2009.**

**County of Tioga**

**Local Law No. of the Year 2009.**

**A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2010 and continuing through and including December 31, 2013.**

**Be It Enacted by the Legislature of the County of Tioga as follows:**

**SECTION 1: PURPOSE**

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2010 and continuing through and including December 31, 2013.

**SECTION 2: ANNUAL SALARY**

- A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2010 and continuing through and including December 31, 2013 is hereby established as follows:

1. County Treasurer	\$57,500.00
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**SECTION 3: SEVERABILITY**

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 4: EFFECTIVE DATE**

This Local law shall take effect January 1, 2010.

**REFERRED TO:** FINANCE COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 137-09** SCHEDULE PUBLIC HEARING  
LOCAL LAW INTRODUCTORY  
NO. C OF 2009

Adoption moved by Legislator Roberts,  
seconded by Legislator Sullivan.

**RESOLVED:** That a public hearing shall be held on Local Law Introductory No. C of 2009 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2010 and continuing through and including December 31, 2013 in the Legislative Conference Room of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 7, 2009 at 1:30 P.M. All persons desiring to present written or oral comments may do so at said time.

**CARRIED**

**REFERRED TO:** ED&P COMMITTEE  
PUBLIC WORKS COMMITTEE

**RESOLUTION NO. 138-09** *HOLD PUBLIC HEARING FOR 2008 MS4  
STORMWATER ANNUAL REPORT*

Adoption moved by Legislator Roberts,  
seconded by Legislator Monell.

**WHEREAS:** The Tioga County Legislature, as per resolution 115-03, submitted a Notice of Intent (NOI) to NYS DEC pursuant to NYS Environmental Conservation Law Article 17, Titles 7 and 8 and Article 70 for and is now automatically authorized under Municipal Separate Stormwater Sewer Systems (MS4) SPDES General Permit No. GP-08-002 as SPDES ID No. NYR20A047; and

**WHEREAS:** The MS4 permit requires that an annual report be prepared detailing stormwater activities and accomplishments conducted during the year that go toward implementing the county’s stormwater management plan; and

**WHEREAS:** Said report will be prepared and presented at an open meeting to solicit comments from the public and will as well be available for public review and comment on the homepage of Tioga County’s website [www.tiogacountyny.com](http://www.tiogacountyny.com) from May 1<sup>st</sup> to May 15<sup>th</sup>, 2009; therefore be it

**RESOLVED:** That the Tioga County Legislature will hold a public hearing to receive comments on Tioga County’s 2008 MS4 Stormwater Annual Report on Thursday, May 7<sup>th</sup> at 1:45 PM in the Legislative Conference Room of the Tioga County Office Building, 56 Main Street, Owego, NY.

**CARRIED**

**REFERRED TO:** HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

**RESOLUTION NO. 139-09** TRANSFER OF FUNDS  
PUBLIC HEALTH

Adoption moved by Legislator Huttleston,  
Seconded by Legislator McEwen.

**WHEREAS:** The funds budgeted for the Public Health Department's Medical Consultant require a transfer into the appropriate line items;

**WHEREAS:** Transfer of funds requires Legislative approval, therefore be it

**RESOLVED:** That funds be transferred as follows:

From: A4011.10-20 Public Health Admin Personnel PT  
\$19,000

To: A4011.40-120 Public Health Admin Consulting Fees  
\$19,000

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO:** ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

**RESOLUTION NO. 140-09** MORTGAGE TAX DISTRIBUTION

Adoption moved by Legislator McEwen,  
seconded by Legislator Sullivan.

**RESOLVED:** That the mortgage tax report for the period October 1, 2008 to March 31, 2009 be and it hereby is accepted; further



**RESOLVED:** That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Town of Barton	\$ 23,052.28
Village of Waverly	6,284.07
Town of Berkshire	4,510.55
Town of Candor	16,138.46
Village of Candor	911.70
Town of Newark Valley	12,130.36
Village of Newark Valley	1,507.13
Town of Nichols	9,955.96
Village of Nichols	798.96
Town of Owego	126,140.39
Village of Owego	9,617.22
Town of Richford	3,177.37
Town of Spencer	15,003.28
Village of Spencer	1,952.40
Town of Tioga	<u>18,079.45</u>
	<b>\$249,259.58</b>

**Roll Call:**  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO: PUBLIC SAFETY COMMITTEE; LEGAL**

**RESOLUTION NO. 141-09 *AUTHORIZE MODIFICATION OF TOWER SITE AGREEMENT***

Adoption moved by Legislator Sauerbrey,  
 seconded by Legislator Monell.

**WHEREAS:** The County and Radigan Broadcasting Services, LLC entered into an agreement fully executed on October 22, 2008 to allow the installation of two antennae on the Carmichael Road Tower; and

**WHEREAS:** Radigan Broadcasting Group, LLC is in need of wireless internet service antenna on the tower and has requested permission to install such an antenna, which installation will not affect the use of the Tower by the County and will not involve any structural modification thereto; and

**WHEREAS:** The County is agreeable to allow such installation; therefore be it

**RESOLVED:** That upon approval by the County Attorney as to form, the Chair of the Tioga County Legislature is authorized to execute a Modification Agreement authorizing the installation of a wireless internet service antenna on the Carmichael Road Tower.

**Roll Call:**  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO:** PERSONNEL COMMITTEE

**RESOLUTION NO. 142-09** *AMEND COUNTY POLICY  
 #3 ORIENTATION, EXIT INTERVIEWS,  
 RECRUITMENT*

Adoption moved by Legislator Roberts,  
 seconded by Legislator Sullivan.

**WHEREAS:** Tioga County Policy #3 Section IV outlines retirement health insurance eligibility for Tioga County employees; and

**WHEREAS:** Resolution 157-06 amended Policy #3 Section IV with the addition of Part D offering an Excellus Blue Cross Blue Shield (BC/BS) Medicare Blue PPO on a voluntary basis; and

**WHEREAS:** Part D outlined the BC/BS criteria and Tioga County criteria for the Medicare Blue PPO; and

**WHEREAS:** Tioga County recently learned that an Excellus underwriting guideline stipulates that subscribers are only allowed to switch back to an active Tioga County plan if they move outside of the Medicare Blue PPO “service area”; therefore be it

**RESOLVED:** That Section IV Part D be amended as follows:

**D.** Tioga County will offer to all Medicare eligible retirees and spouses of deceased employees/retirees the BC/BS Medicare Blue PPO on a voluntary basis. The following BC/BS criteria will apply:

1. The Medicare eligible retiree or spouse of deceased employee/retiree must have Medicare Part A and Part B.
2. The Medicare eligible retiree or spouse of deceased employee/retiree must live in the “service area” of Broome, Chemung, Chenango, Schuyler, Steuben, or Tioga County six months or more out of the year.
3. The policy can only be purchased as an individual policy, so a Medicare eligible retiree and his/her Medicare eligible spouse will be required to purchase two individual policies.
4. The Medicare Blue PPO cannot be selected retroactively. Applications must be completed and submitted to BC/BS prior to the effective date of the coverage.
5. Once the Medicare Blue PPO coverage is selected the subscriber will only be allowed to switch to another plan for which they are eligible if they move outside of the Medicare Blue PPO “service area”.

The following Tioga County criteria will apply:

1. A Medicare eligible retiree’s eligibility for payment of a percentage of the premium is based on the retiree’s eligibility under Section IV Part A, B, and C of this same Tioga County Policy #3.
2. A Medicare eligible spouse of a deceased employee/retiree may select this coverage upon the employee/retiree passing or at the time the spouse is required to pay 100% of the premium.
3. This Medicare Blue PPO coverage is not available to individuals who have had a lapse of any duration in Tioga County health insurance coverage.

And be it further

**RESOLVED:** That the remainder of Policy 3 is hereby in full force and effect.

**Roll Call:**  
 Ayes 08  
 Noes 00  
 Absent 01  
**CARRIED**

**REFERRED TO: PERSONNEL COMMITTEE**

**RESOLUTION NO. 143-09      *AUTHORIZE CONTRACT WITH EBS-RMSCO, INC – MEDICARE PART D DRUG COVERAGE***

**Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Sullivan.**

**WHEREAS: Medicare-eligible beneficiaries may purchase prescription drug coverage through a Medicare Part D Plan; and**

**WHEREAS:** An employer who provides prescription drug coverage to Medicare eligible employees, retirees, and/or their spouses must disclose to them whether or not the benefit provided is “at least as good” as the Medicare coverage, referred to as creditable coverage notice; and

**WHEREAS:** Plan sponsors who offer postretirement drug coverage to their qualified covered retirees may be eligible to receive a 28% tax-free subsidy of allowable drug costs for those retirees who do not elect to receive prescription benefits under a Medicare Part D Plan; and

**WHEREAS:** It is necessary to complete an actuarial attestation to determine that the participants in the Tioga County Consolidated Municipal Health Insurance Program (TCCMHIP) provide drug coverage which meets the actuarial equivalence test in order to determine if the retiree prescription coverage is “at least as good” as the Medicare coverage and to determine if the TCCMHIP participants are eligible to apply for the subsidy for the 2010 Plan Year, January 1, 2010 through December 31, 2010; and

**WHEREAS:** Creditable coverage notices must be provided to all Part D eligible participants no later than November 15, 2009 and the deadline to file for the 2010 Plan Year subsidy is October 3, 2009, and

**WHEREAS:** EBS-RMSCO, Inc. this actuarial attestation in 2005 for the 2006 Plan Year, in 2006 for the 2007 Plan Year, in 2007 for the 2008 Plan Year, and in 2008 for the 2009 Plan Year and EBS is available to perform the actuarial attestation and necessary testing again in 2009 for the 2010 Plan Year; therefore be it

**RESOLVED:** That the Tioga County Legislature authorizes the Personnel Officer to sign a contract with EBS-RMSCO, Inc., subject to review by the County Attorney, to provide the necessary actuarial services for creditable coverage and the 28% tax-free subsidy related to Medicare Part D for the 2010 Plan Year at a cost of \$4,000 to be paid for out of the TCCMHIP Fund.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:**

**PERSONNEL COMMITTEE**

**RESOLUTION NO. 144-09**

***AUTHORIZE CONTRACT  
WITH KIMBERTON  
HEALTHCARE CONSULTING,  
INC.***

**Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Sullivan.**

**WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for members of the Tioga County Consolidated Municipal Health Insurance Program (TCCMHIP); and**

**WHEREAS: In an effort to limit exposure to large claims incurred by individual members the TCCMHIP purchased specific stop-loss coverage effective January 1, 2009; and**

**WHEREAS: The stop-loss carrier monitors TCCMHIP claims and is aware of high costs for treatment of End Stage Renal Disease; and**

**WHEREAS: Kimberton Healthcare Consulting, Inc., doing business as Dialysis PPO (DPPO), is in the business of providing renal dialysis benefits consulting and related management services to health plans; and**

**WHEREAS: DPPO has submitted a contract to assist TCCMHIP in reducing medical claims for renal dialysis services of participants and beneficiaries with End Stage Renal Disease; and**

**WHEREAS: DPPO will receive 25% of any claim savings realized by TCCMHIP; and**

**WHEREAS: If DPPO is not successful in reducing claim costs they will not receive any compensation; therefore be it**

**RESOLVED: That the Tioga County Legislature authorizes the Personnel Officer to enter into a contract with DPPO, subject to review by the County Attorney, in an effort to reduce TCCMHIP medical claims for renal dialysis services of participants and beneficiaries with End Stage Renal Disease for a period of twenty-four (24) months from the effective date of the contract.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: PERSONNEL COMMITTEE**

**RESOLUTION NO. 145-09**      *AUTHORIZE CONTRACT WITH  
THE GUARDIAN FOR SHORT-TERM  
DISABILITY*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Sullivan.

**WHEREAS:** Tioga County currently provides a short-term disability policy to the CSEA and full-time Non-Union employees, except elected officials; and

**WHEREAS:** Tioga County currently carries this short-term disability coverage through Zurich North American; and

**WHEREAS:** The 2008-2011 CSEA contract allows for the County to change short-term disability carriers provided that the level of coverage does not change; and

**WHEREAS:** Tioga County has received a quote for a lower rate from The Guardian; and

**WHEREAS:** Tioga County will save \$8,900 for the remainder of 2009 by changing the short-term disability to The Guardian while maintaining the same level of coverage; therefore be it

**RESOLVED:** That the Tioga County Legislature authorizes the Personnel Officer to sign a contract with The Guardian, subject to review by the County Attorney, to provide short-term disability for those covered employees effective May 1, 2009.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES  
PERSONNEL COMMITTEE**

**RESOLUTION NO. 146-09**      *CREATE AND FILL SIX  
SEASONAL CLERK POSITIONS  
SOCIAL SERVICES*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Sauerbrey.

**WHEREAS:** Legislative approval is required for the creation of any new positions within Tioga County; and

**WHEREAS:** For many years, Tioga County has supported the creation of several temporary positions in various departments each summer; and

**WHEREAS:** The intent of the County is to offer these positions, when possible, to Tioga County students pursuing a two or four year college education in order to provide those individuals with some earning potential; and

**WHEREAS:** The hiring of up to six (6) Seasonal Clerks will offer substantial and cost-effective staffing relief and will aid in workload coverage during the summer and facilitate a State-mandated imaging project; therefore be it

**RESOLVED:** That the Department of Social Services be hereby authorized to create and fill up to six (6) Seasonal Clerk positions at the rate of \$8.15 per hour (minimum wage, plus \$1) effective April 15, 2009 through August 31, 2009; and be it further

**RESOLVED:** That students who have worked for Tioga County as Seasonal Clerks during previous summer months and are returning will be compensated at \$8.15 per hour, plus 20 cents per hour for each year of employment previously served with Tioga County.

On roll call vote on the above resolution, seven members voted Aye, Legislator Roberts voting no, Legislative Oberbeck being absent, and the resolution was adopted.

**REFERRED TO:** PERSONNEL COMMITTEE

**RESOLUTION NO. 147-09** *COMMENCE BACKFILL DELAYS  
ALL COUNTY DEPARTMENTS*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Monell.

**WHEREAS:** Tioga County, along with many employers, is facing economic hardships; and

**WHEREAS:** All aspects of County operations are being reviewed for means of cutting costs; and

**WHEREAS:** One means of reducing payroll expenses is to postpone the filling of vacancies; and

**WHEREAS:** Based on 2008 salaries and turnover, an estimated \$250,000 per year may be saved by instituting a 60-day delay in backfilling vacancies; therefore be it

**RESOLVED:** That any position that becomes vacant on or after April 14, 2009, with the exception of elected officials, Department Heads, and Corrections, shall not be backfilled for at least 60 calendar days following the vacancy; and be it further

**RESOLVED:** That when vacancies result from a line of promotions, only the entry-level position must be left vacant for at least 60 days; and be it further

**RESOLVED:** That any exception other than those indicated above shall require a resolution approved by the full Legislature.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

Legislator Huttleston spoke. "I have some concern about that when you say all backfills and I think in some cases I hope you are going to realize it is going to be necessary to backfill in some cases in critical areas and also if they are revenue producing areas, and I hope we are not going to bypassing this resolution, you automatically are going to handcuff your department heads from filling necessary positions that are either revenue producing or else they are critical. In other words if at the Sheriff's Department if all six road patrol deputies left all at once and you are not going to backfill for 60 days you have a problem. As I understand by passing this resolution those items are going to be looked at. I want to go on record as I will support this providing that you give the department heads a chance to address this before the hatchet comes down. In other words I think it is important that your department heads that run your departments get some input on that."

**REFERRED TO**

**PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE**

**RESOLUTION NO. 148-09**

***BACKFILL FULL-TIME  
CAPTAIN OF OPERATIONS  
SHERIFF'S OFFICE***

Adoption moved by Legislator Sauerbrey,  
Seconded by Legislator McEwen.

**WHEREAS:** The Sheriff's Office will have a vacant full-time Captain of Operations position (non-union) due to Paul O. Rhodes' retirement on 4/30/09; and



**WHEREAS:** The Sheriff's Office has found Timothy Jewell willing and eligible to accept such appointment; and

**WHEREAS:** The Sheriff has received approval from the Personnel Officer to appoint Mr. Jewell provisionally, pending the outcome of a civil service exam, at an annual salary of \$60,000 per year; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby authorizes the Sheriff to appoint Timothy Jewell provisionally to the full-time Captain of Operations position at an annual salary of \$60,000 per year, effective May 1, 2009.

**Roll Call:**  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO** PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 149-09** *BACKFILL FULL-TIME  
CIVIL MANAGER  
SHERIFF'S OFFICE*

Adoption moved by Legislator Sauerbrey,  
Seconded by Legislator Monell.

**WHEREAS:** The Sheriff's Office will have a vacant full-time Civil Manager position (non-union) due to Donna Burrell's retirement on 4/30/09; and

**WHEREAS:** The Sheriff's Office has found Kimberly Ward willing and eligible to accept such appointment; and

**WHEREAS:** The Sheriff has received approval from the Personnel Officer to appoint Ms. Ward provisionally, pending the outcome of a civil service exam, at an annual salary of \$39,000 per year; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby authorizes the Sheriff to appoint Kimberly Ward provisionally to the full-time Civil Manager position at an annual salary of \$39,000 per year, effective May 1, 2009.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO:** PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 150-09** *AUTHORIZE BACKFILL OF  
CIVIL LAW CLERK  
(SHERIFF'S OFFICE)*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Monell.

**WHEREAS:** The position of Civil Law Clerk will become vacant as of May 1, 2009 due to promotion of the current incumbent; and

**WHEREAS:** An anticipated policy will require positions be left vacant for no less than 60 calendar days; and

**WHEREAS:** Said policy will allow for exceptions contingent upon approval by the Legislature; and

**WHEREAS:** The Civil Division is only a two-person office and leaving one of those two positions vacant for 60 days will cause a delay in processing of civil matters, which could lead to violation of regulations; therefore be it

**RESOLVED:** That the Sheriff is authorized to backfill the position of Civil Law Clerk as of May 4, 2009.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

**REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE**

**RESOLUTION NO. 151-09 APPROVE LEAVE OF ABSENCE  
PUBLIC HEALTH**

**Adoption moved by Legislator Huttleston,  
seconded by Legislator McEwen.**

**WHEREAS: In accordance with Tioga County Policy 1, Section VII, Legislative approval is required for a leave of absence in excess of sixty (60) working days; and**

**WHEREAS: Kimberly Kavulich, Public Health Educator, is on an approved medical leave through May 8, 2009; and**

**WHEREAS: Ms. Kavulich requested to extend her leave time beyond May 8, 2009 in accordance with Article 5 Section E of the CSEA contract; and**

**WHEREAS: Ms. Kavulich agrees to return to work July 13, 2009 in either a half-time capacity or full-time, as she is able, making a permanent full-time transition no later than September 14, 2009, concurrent with the expiration of Deborah Lyszczek's contract on September 11, 2009; and**

**WHEREAS: The Public Health Director recommends that Ms. Kavulich's leave be approved through July 13, 2009 with the above conditions; therefore be it**

**RESOLVED: That the Tioga County Legislature hereby approves Kimberly Kavulich's leave through July 13, 2009; and be it further**

**RESOLVED: That Ms. Kavulich agrees to return to work in a full-time capacity no later than September 14, 2009.**

**Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
CARRIED**

**REFERRED TO:** HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 152-09** *AMEND RESOLUTION 97-09  
APPROVE LEAVE OF ABSENCE  
PUBLIC HEALTH*

Adoption moved by Legislator Huttleston,  
seconded by Legislator Sauerbrey.

**WHEREAS:** In accordance with Tioga County Policy 1, Section VII, Resolution 97-09 approved a leave of absence for Linda Kostek through May 3, 2009; and

**WHEREAS:** Linda has not been medically released to return to work and will not be reevaluated by a doctor until the middle of May 2009; and

**WHEREAS:** The Public Health Director recommends that Ms. Kostek's leave be approved through June 12, 2009; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby approves Linda Kostek's leave through June 12, 2009; and be further

**RESOLVED:** That in the event Linda Kostek is released to full duty prior to June 12, 2009 she be allowed to return to work at that time.

Roll Call:  
Ayes 08  
Noes 00  
Absent 01  
**CARRIED**

**REFERRED TO:** PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

**RESOLUTION NO. 153-09** *REASSIGN DUTIES/AUTHORIZE STIPEND/  
ABOLISH POSITION  
STOP DWI*

Adoption moved by Legislator Sauerbrey,  
seconded by Legislator Roberts.

**WHEREAS: Part-time STOP DWI Coordinator Ed VanDeMark will be retiring as of April 18, 2009; and**

**WHEREAS: The Tioga County Legislature is taking the opportunity to reassign the duties of the STOP DWI Coordinator position to existing staff thereby eliminating the need for the position; and**

**WHEREAS: Additional monies in the form of a stipend will be offered to one existing staff member in recognition of acquiring additional responsibilities; therefore be it**

**RESOLVED: That the Chair of the Legislature has designated the duties of STOP DWI Coordinator to the Undersheriff, including serving as the County's representative on the Traffic Safety Board; and be it further**

**RESOLVED: That the Undersheriff shall receive a stipend of \$5,000 annually effective as of April 20, 2009; and be it further**

**RESOLVED: That the coordination of the Blood Drives shall be assigned to the Public Health Educators in the Public Health Department without additional compensation effective April 20, 2009; and be it further**

**RESOLVED: That the part-time position of STOP DWI Coordinator shall be abolished as of April 20, 2009 for an annual savings of \$14,380.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**The meeting was adjourned at 2:10 P.M.**