

# Agenda



## TIOGA COUNTY LEGISLATURE

12/15/2015

6:00 PM

EDWARD D. HUBBARD AUDITORIUM

RONALD E. DOUGHERTY COUNTY OFFICE BUILDING

56 Main Street

Owego NY 13827

Meeting called by:

Chair Martha Sauerbrey

Type of meeting:

12<sup>th</sup> Regular

Attendees:

Legislator Case  
 Legislator Hollenbeck  
 Legislator Huttleston  
 Legislator Monell  
 Legislator Roberts  
 Chair/Legislator Sauerbrey  
 Legislator Standinger  
 Legislator Sullivan  
 Legislator Weston

### Agenda topics

Invocation

Pledge of Allegiance

Proclamations (2)

Employee of the 4<sup>th</sup> Quarter 2015

Privilege of the Floor

Approval of Minutes

Petitions, Communications & Notices

Legislator Sauerbrey

Legislator Sauerbrey

Proclamation Recognizing Tioga Football Team

Proclamation Recognizing Owego Girls Volleyball Team

William Ostrander, GIS

November 10 and 19, 2015

Appointments/Reappointments Reports Standing/Special Committees		
RESOLUTIONS:	<ol style="list-style-type: none"> <li>1. Fix Time of Organizational Meeting</li> <li>2. Year End Transfers</li> <li>3. Authorize Treasurer to Encumber Funds</li> <li>4. Adopt County Budget for 2016, appropriations and salary schedule</li> <li>5. Town Tax Levy</li> <li>6. County Tax Levy</li> <li>7. Appropriation and Transfer of Funds Public Health</li> <li>8. Request and Transfer of Funds from Contingency Account</li> <li>9. Budget Transfer from Treasurer's to Budget</li> <li>10. Transfer of Funds Public Works</li> <li>11. Movement of Funds to cover cost of Alternative to Incarceration</li> <li>12. Authorize the Submission of 2015-2016 PSAP Operations Grant</li> <li>13. Reappoint Member to the Tioga County Board of Health</li> <li>14. Appoint Members to Traffic Safety Board</li> <li>15. Adopt Local Law No. 7 of 2015-Gold Star Parents Veterans' Exemption</li> <li>16. Award Construction Blewer Rd. Bridge BIN: 2218580</li> <li>17. Approve Supplemental Agreement Rebid Blewer Rd. Bridge BIN: 2218580 Delta Engineers</li> <li>18. Approve Supplemental Agreement for Construction Inspection for the bridge preventative maintenance project-McFarland Johnson</li> <li>19. Award Design Services to Barton &amp; Loguidice Engineers for design services for Day Hollow Rd BIN 3335360</li> <li>20. Resolution to Renew Consultant Contract for Hazard Mitigation Plan Coordinator for 2016</li> <li>21. Resolution for Consultant Contract for Ag &amp; Farmland Protection Plan Implementation Services 2016</li> <li>22. Contract Authorization – County of Monroe and Monroe County Sheriff</li> <li>23. Renew Contract Partners in Safety, Inc. (CDL Drug &amp; Alcohol Testing)</li> <li>24. Resolution to Approve a Contract between the Tioga County Probation Dept. &amp; The Family and Children's Society to provide adult &amp; juvenile sexual offender treatment services</li> <li>25. Authorization to execute an Intermunicipal Agreement between Tioga and Chemung Counties for the provision of</li> </ol>	

	<p>Mass Transportation Services</p> <ol style="list-style-type: none"><li>26. Reimbursement Rates Funeral Home Social Services</li><li>27. Authorize 2016 Contracts with SADD School Associates</li><li>28. Designate Project Manager/Authorize Salary (Legislative Office)</li><li>29. Amend Resolution 277-15; Authorize Appointment of Public Health Director</li><li>30. Amend Resolution 131-15; Extend Temporary Position (Legislative Office)</li><li>31. Abolish Position; Department of Motor Vehicles (County Clerk)</li><li>32. Authorize Appointment of Economic Development Specialist Economic Development &amp; Planning</li><li>33. Authorize 2016 Salary Increases Board of Elections</li><li>34. 2016 Staff Changes (Emergency Management)</li><li>35. Authorize Salary of Deputy County Clerk</li></ol>
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PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the accomplishments of the Tioga Central High School Football team as they won their first Class D State Championship on Friday, November 27, 2015 at the Carrier Dome in Syracuse against Ticonderoga, 33 – 26; and

WHEREAS: The Tioga Central Football Team members are: Scott Franks, Connor Hutchinson, Thomas Card, Jake Lewis, Jesse Manuel, Tanner Folk, Alex Quinn, Nick Klossner, Skylar Jorgensen, Max Johnson, Mitch Taylor, Jake Decker, Damon Rockwell, Tyler Whitmore, Maverick Harding, Nick Sargent, Brandon LaDue, Ryan Waibel, Justice Howey, Trey Floyd, Zach Blayda, Adam Zwierlein, Justin Rockwell, Trenton Perrotta, Austin Lynch, Austin Payne, Zach Perry, Caleb Decker, Ben Wood, Caleb Manwaring, Trey Howey, Chris Rice, DJ Hartman, Peter Kuhlman, Scott Siberski, Dillon Adams, Larry Adams, Zach Hutchinson, Dylan Gowan, Gabe Martin. This football team was lead to victory under the leadership of: Head Coach Nick Aiello, Assistant Coaches Kevin Evanek, Adam Macauley, Brian Card; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Tioga Central High School Football Team for its accomplishments of winning the First Class D State Championship, Go Tigers!!!

PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the Owego Free Academy Girls Volleyball Team as they won their second state title in three years on Sunday, November 22, 2015 with a 3-1 victory over Long Island's John Glenn in the finals. After splitting the first two games at the Glens Falls Civic Center, the Indians took the last two to win the New York State Class B Championship, a title they also won in 2013; and

WHEREAS: The Owego Free Academy Girls Volleyball Team members are: Makenna Kallin, Summer Manville, Sarah Kies, Madison Delaney-Hammond, Brinn Shaughnessy, Paige Taylor, Bella Coleman, McKenzie Hart, Grace Thomas, Kim Lavender, Kayla Snyder, Michayla Jenkins, Savannah Terry, Ruby Coleman under the leadership of Coach Brittney Race; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Owego Girls Volleyball Team for its second achievement as NYS Champions. Twenty sports one team.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -15      FIX TIME OF  
ORGANIZATIONAL MEETING

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Monday, January 4, 2016.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -15 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -15 AUTHORIZE TREASURER TO  
ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2015 to allow proper coding of bills for payment in January.



REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -15 ADOPT COUNTY BUDGET FOR 2016,  
APPROPRIATIONS AND SALARY  
SCHEDULE

RESOLVED: That the tentative budget for Tioga County for the year 2016 submitted by the Budget Officer on November 13, 2015 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2016; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2016; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2016.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -15 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2016; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	29,239	280,495
Newark Valley	-	5,900
Nichols	12,891	147,550
Owego	-	2,067,064
Spencer	23,544	433,998

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	18,267.00
Lockwood Fire Protection	40,326.00
Waverly Joint Fire Protection	267,428.00
Town of Berkshire	
Berkshire Fire District	141,400.00
Town of Candor	
Candor Fire District	431,750.00
Town of Newark Valley	
Newark Valley Fire District	198,916.47

Town of Nichols		
Lounsberry Fire Protection		3,000.00
Nichols Joint Fire Protection		157,985.00
Town of Owego		
Apalachin Fire District		762,168.00
Owego Fire District		1,233,533.17
Newark Valley Fire District		28,224.53
Town of Richford		
Richford Fire District		87,200.00
Town of Spencer		
Spencer Fire Protection District		75,000.00
Town of Tioga		
Tioga Fire District		194,032.00

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,290
Water District No. 4/Ext. 15	6,341
Water District No. 4/Ext. 17	23,200
Water District No. 4/Ext. 20	20,800
Sewer District No. 2/Ext. 14	12,645
Sewer District No. 2/Ext. 15	11,741
Lighting District No. 1	6,064
Lighting District No. 2	12,432
Lighting District No. 3	12,108
Lighting District No. 4A	674
Lighting District No. 4B	1,936
Lighting District No. 5	7,732
Lighting District No. 6	15,658
Lighting District No. 7	2,147
Lighting District No. 8	1,411
Lighting District No. 9	637
Lighting District No. 10	890

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$282,728.79; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$7,560.29; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	199,500	509,500
Berkshire	83,605	338,100
Candor	600,742	555,895
Newark Valley	301,239	348,200
Nichols	28,275	213,002
Owego	884,999	-
Richford	256,606	390,782
Spencer	282,593	155,945
Tioga	239,819	544,144

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -15 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. XXX-15 dated December 15, 2015 adopted a Budget for the fiscal year 2016 and by Resolution No. XXX-15 dated December 15, 2015 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. XXX-15 dated December 15, 2015 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	151,903.70
Berkshire	26,587.95
Candor	100,607.43
Newark Valley	68,483.80
Nichols	60,178.77
Owego	433,590.28
Richford	24,358.26
Spencer	66,099.87
<u>Tioga</u>	<u>91,932.94</u>

Total 1,023,743.00

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$22,161,628 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	949,701.41
For School Tax Returned	3,510,016.42
For Deficits from prior years' taxes	1.03
For Reimbursement of Erroneous taxes, etc.	826.72

All of the forgoing being subject to credit for excess collection the prior year of

26.05

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. XXX-15 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2015; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	9.829717
	In	9.826717
Berkshire		9.641409
Candor	Out	8.765518
	In	8.765518
Newark Valley	Out	13.004337
	In	13.004337
Nichols	Out	37.468208
	In	37.468208
Owego	Out	11.213947
	In	11.213947
Richford		6.882567
Spencer	Out	8.838097
	In	8.838097
Tioga		127.097479

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -15 APPROPRIATION AND TRANSFER OF FUNDS  
PUBLIC HEALTH

WHEREAS: The costs of the mandated Early Intervention program (children 0-3 years of age) and Education of Handicapped Children program (children 3-5 years of age) are larger than the budgeted 2015 amounts; and

WHEREAS: Additional funding is needed in both programs to meet the mandated costs; and

WHEREAS: Public Health has determined the amount of additional funding needed through the balance of 2015; and

WHEREAS: Due to savings from several vacancies of positions, Public Health has the funds within their 2015 budget; and

WHEREAS: The additional costs will result in additional state aid reimbursement; and

WHEREAS: Appropriation and Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funds be appropriated and transferred as follows:

From:

A4044 434023 Revenue: State Aid: Early Intervention	\$ 9,065
A2960 434600 Revenue: State Aid: Handicapped Education	\$ 9,815
A4012 510010 Personnel: Health Education	\$ 4,120
A4044 510010 Personnel: Early Intervention	\$ 12,000

To:

A4044 540487 Early Intervention: Program Expense	\$ 18,500
A2960 540590 Handicapped Education: Services Rendered	\$ 16,500

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -15

REQUEST AND TRANSFER OF FUNDS FROM  
CONTINGENCY ACCOUNT

WHEREAS: The Medical Examiner's Funds are insufficient to cover both current billings and anticipated billings through year end 2015 for medical expenses; and

WHEREAS: Based upon the average of the last two years December records, statistics indicated that it is reasonable to anticipate 7 autopsies and toxicology test during December 2015; and

WHEREAS: The funding is available in the Contingency Account ORG A1910 540715 to transfer; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfer:

FROM: A1990-540715	Contingency – Transfer	\$11,000.00
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TO: A1185-540370	Coroner- Medical Expense	\$11,000.00
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REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -15

BUDGET TRANSFER FROM TREASURER'S  
TO BUDGET

WHEREAS: The Budget Department Funds are insufficient to cover vacation pay out for 2015 and the funds were paid out in August of 2015; and

WHEREAS: The funding is available in the Treasurer's Budgeted Payroll Line A1325 510010; and

WHEREAS: The Legislature passed Resolution #183-15 amending County Policy #20 Non Union Vacation; and

WHEREAS: The County Legislature authorized an exception to County Policy 20 due to the FMAS Project and offered an opportunity for Non-Union employees, heavily involved in the FMAS Project, to cash-in an amount of vacation that exceeded 20 days prior to their 2015 and 2016 anniversaries; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfer:

FROM: A1325-510010    Treasurer's – Full Time Payroll    \$ 600.00

TO:     A1340-510010    Budget –Full Time Payroll                 \$ 600.00

REFERRED TO: PUBLIC WORKS  
FINANCE

RESOLUTION NO. -15 TRANSFER FUNDS  
PUBLIC WORKS

WHEREAS: On March 23, 2015 Kenneth Del Bianco retired as Commissioner of Public Works; and

WHEREAS: At the time his salary was split between Public Works Administration A1490.10-10 and County Roads D5110.10-10; and

WHEREAS: Gary Hammond was promoted to the Commissioner of Public Works from the Deputy Commissioner's position; and

WHEREAS: Gary Hammond was payed out of Public Works Administration A1490.10-10 as Deputy Commissioner and that did not change when he was promoted therefore leaving the Public Works Administration account short of funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfer of funds:

FROM: D5110 510010	County Roads Full Time	\$30,000
TO: D5110 591715	Interfund Transfer	\$30,000
FROM: D5110 591715	Interfund Transfer	\$30,000
TO: A1490 450310	Interfund Transfer	\$30,000
FROM: A1490 450310	Interfund Transfer	\$30,000
TO: A1490 510010	Public Works Admin FT	\$30,000

REFERRED TO: PUBLIC SAFETY/PROBATION & DWI  
FINANCE/LEGAL

RESOLUTION NO. -15 MOVEMENT OF FUNDS TO COVER  
COST OF ALTERNATIVE TO  
INCARCERATION

WHEREAS: Budget Officer Rita Hollenbeck has directed that Probation Director submit a budget modification resolution requesting a transfer of funds to cover the cost of personal services to operate two Alternative to Incarceration programs; and

WHEREAS: Tioga County Jail is allowed to have reduced housing classifications, if the county has a DCJS/OPCA approved Alternative to Incarceration programming, thus saving the County significant money in housing prisoners; and

WHEREAS: The amount of funding the County receives from DCJS/OPCA to provide Pre-Trial Release and Community Service ATI Programming has remained consistent for over ten years at a maximum of \$8,569, if all program goals are met; and

WHEREAS: The amount of cost to the County to provide staffing for this programming, specifically 15% of a Probation Officer and a Probation Assistant's salary is now a total of \$11,372.40; therefore be it

RESOLVED: That the Probation Director is approved to request the Treasurer's Office move an additional \$400 from Budget Line A3140 510010 to Budget Line A3142 510010 to cover the cost of salary (one Officer's promotion from PO to Sr. PO) of operating two ATI Programs.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -15 AUTHORIZE THE SUBMISSION OF  
2015-2016 PSAP OPERATIONS  
GRANT

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: Applications for this grant are required to be submitted in December of 2015; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -15 RE-APPOINT MEMBER TO THE TIOGA  
COUNTY BOARD OF HEALTH  
PUBLIC HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Tioga County Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Rani Kapur-Pado, DO, on the Board of Health expires 12/31/15; and

WHEREAS: Rani Kapur-Pado, DO, has agreed to serve for another term; therefore be it

RESOLVED: That Rani Kapur-Pado, DO, be re-appointed to the Tioga County Board of Health for a term of 1/1/2016 – 12/31/2021.

REFERRED TO: PUBLIC SAFETY COMMITTEE  
RESOLUTION NO. 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	4/1/16-3/31/19
Public Works Commissioner or designee	4/1/16-3/31/19
Tioga County EMO Director	4/1/16-3/31/19
Tioga County Sheriff or designee	4/1/16-3/31/19
Tioga County Economic Development Dir. or designee	4/1/16-3/31/19
Vacant-County Representative	4/1/16-3/31/19
Public Health Director or designee	4/1/16-3/31/19

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -15

ADOPT LOCAL LAW NO. 7 OF 2015

WHEREAS: A public hearing was held on November 19, 2015, following due notice thereof to consider the adoption of Local Law Introductory No. G of the Year 2015 A local law making Gold Star Parents Eligible for the Veterans' Alternative Exemption.

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 7 of 2015; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 7 of the Year 2015.

BE IT ENACTED by the Tioga County Legislature of the County of Tioga, State of New York, as follows:

Section 1. **Enabling Legislation.** Pursuant to Section 458-a of the New York State Real Property Tax Law, a municipality can elect to grant a real property tax veteran's exemption to qualifying residential real property owners who are veterans of the military service, discharged under honorable conditions.

Section 2. **Purpose.** This Local Law provides for Gold Star Parents to be eligible for the Alternative Veterans Exemption under Real Property Tax Law 458-a and shall apply to County real property taxes levied by the County of Tioga.

Section 3. **Definitions.** A Gold Star Parent, as defined in Real Property Tax Law 458-a(7)(a), shall mean the parent or parents of a child who died in the line of duty while serving in the United States armed forces during a period of war. Gold Star Parents shall be included in the definition of "qualified owner", as provided in Real Property Tax Law 458-a(1)(c) and the property owned by a Gold Star Parent shall be included within the definition of a "qualifying residential real property" as set forth in the Real Property Tax Law 458-a(1)(d), provided that such real property shall be the primary residence of the Gold Star Parent.

Section 4. **Application.** For County real property taxes levied by the County of Tioga, A Gold Star Parent, as herein defined, shall be eligible to receive the maximum veteran's exemption allowable pursuant to Real Property Tax Law 458-a(2)(a) and Real Property Tax Law 458-a(2)(b).

Section 5. **Severability.** If any part of this Local Law shall be found invalid, such invalidity shall apply only to such part, and the remainder of this Local Law shall remain valid and effective.

Section 6. **Effective Date.** This Local Law shall take effect upon filing with the Secretary of State

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.



REFERRED TO: PUBLIC WORKS

RESOLUTION NO. -15 AWARD CONSTRUCTION  
BLEWER RD. BRIDGE  
BIN: 2218580

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

WHEREAS: Funding is available for the construction of the Blewer Rd. Bridge Bin: 2218580; and

WHEREAS: The Commissioner of Public Works received sealed bids on July 23, 2015 and the bids came in as follows:

Amstar of Western NY	Cheektowaga, NY	\$573,360.50
Dycon Construction	Pine City NY	\$561,574.50

The Commissioner thought the bids were two high and we only had two bidders so it was decided to rebid this project; and

WHEREAS: The Commissioner of Public Works rebid this project and received sealed bids on November 6, 2015 and the bids came in as follows:

Amstar of Western NY	Cheektowaga, NY	\$531,750
Vector Construction	Cicero, NY	\$453,880

And

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Vector Construction, Cicero, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Vector Construction, Cicero, NY not to exceed \$453,880 to be paid out of Blewer Rd. Bridge account H51 10 540002 H1410.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. -15 APPROVE SUPPLEMENTAL AGREEMENT  
REBID BLEWER RD. BRIDGE BIN 2218580  
DELTA ENGINEERS

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

WHEREAS: Blewer Rd. Bridge BIN 2218580 is one of the bridges in the bridge bond program; and

WHEREAS: Due to rebidding this project there are additional professional services costs to the project; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for the additional professional services for Delta Engineers in the amount of \$3,700 to be paid out of Blewer Rd. Bridge account H5110 540002 H1410.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -15

APPROVE SUPPLEMENTAL  
AGREEMENT FOR CONSTRUCTION  
INSPECTION FOR THE BRIDGE  
PREVENTATIVE MAINTENANCE  
PROJECT – MCFARLAND JOHNSON

WHEREAS: The Bridge Preventative Maintenance Project PIN: 9753.83 has been placed on the FHWA Program: and

WHEREAS: The project will be funded as follows:

FEDERAL: 80%  
STATE: 15%  
Local: 05%

And

WHEREAS: McFarland Johnson was awarded the Construction Inspection Contract on Resolution 73-15; and

WHEREAS: A change order was submitted to cover additional costs due to additional bridges being added to the project therefore increasing the time spent on inspection; therefore be it

RESOLVED: That the Tioga County Legislature approves the change order in the amount of \$11,980 to be paid out of D5110 540050 Bridge Projects.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. -15

AWARD DESIGN SERVICES TO  
BARTON & LOGUIDICE ENGINEERS  
FOR DESIGN SERVICES FOR  
DAY HOLLOW RD BIN 3335360

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

WHEREAS: The Day Hollow Rd. Bridge BIN 3335360 is a bridge in the bond program; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Barton & Loguidice Engineers, Syracuse, NY; and

WHEREAS: The proposal for this bridge came in at \$90,000; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Day Hollow RD. Bridge over Foster Creek BIN 3335360 for Barton & Loguidice Engineers not to exceed \$90,000 to be paid out of the Day Hollow Rd Bridge over Foster Creek (BIN 3335360) account H5110 540002 H1605.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -15

RESOLUTION TO RENEW CONSULTANT  
CONTRACT FOR HAZARD MITIGATION  
PLAN COORDINATOR FOR 2016

WHEREAS: Per resolution 193-12 and resolution 13-218, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013 based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2016 budget to cover these expenses, in the amount of \$25,000 from appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2016, not to exceed \$25,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. -15

RESOLUTION FOR CONSULTANT  
CONTRACT FOR AG & FARMLAND  
PROTECTION PLAN IMPLEMENTATION  
SERVICES 2016

WHEREAS: Per resolution 15-125, the Tioga County Legislature adopted the County Agricultural and Farmland Protection Plan Update of 2015, which was subsequently approved by the Commissioner of the Department of Agricultural & Markets with encouragement to establish a centralized and coordinated means of implementing the plan, particularly with some kind of Agricultural Economic Development position, mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department does not have the existing capacity to perform these Plan implementation services; and

WHEREAS: The Tioga County Economic Development & Planning Department has sufficient funds in the 2016 budget to cover these expenses, in the amount of \$25,000 from appropriation account A6422 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize said contract with Cornell Cooperative Extension Tioga County, to perform Agricultural & Farmland Protection Plan implementation services from January 1 - December 31, 2016, not to exceed \$25,000 from Economic Development & Planning Appropriation account A6422 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -15 CONTRACT AUTHORIZATION – COUNTY OF  
MONROE AND MONROE COUNTY SHERIFF

WHEREAS: The Rochester Psychiatric Center Forensic Unit provides services at the Rochester Psychiatric Center; and

WHEREAS: Said Forensic Unit has the capability of providing inpatient psychiatric services for Sheriff's Offices of surrounding counties that have inadequate facilities for treatment of mentally ill inmates; and

WHEREAS: The Monroe County Legislature, authorized the execution of an Intermunicipal Agreement with applicable counties for the performance of the services specified; and,

WHEREAS: An Intermunicipal Agreement has been reviewed and approved in content by the Sheriff's Office and the County Attorney; therefore be it

RESOLVED: That the Tioga County Legislature authorize the execution of this Intermunicipal Agreement with Monroe County for such services.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. -15 RENEW CONTRACT  
PARTNERS IN SAFETY, INC.  
(CDL DRUG & ALCOHOL TESTING)

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$43.00 Per Employee Per Year

To Include:

- Random Selection of Employees (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person
Emergency Service	\$150 per hour
	Minimum 2 hours
	plus the cost of the test



Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification):  
\$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2016 through December 31, 2016.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -15

RESOLUTION TO APPROVE A  
CONTRACT BETWEEN THE TIOGA  
CO. PROBATION DEPT. &  
THE FAMILY AND CHILDREN'S  
SOCIETY TO PROVIDE ADULT  
& JUVENILE SEXUAL OFFENDER  
TREATMENT SERVICES

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2015; and

WHEREAS: The Family and Children's Society has amended their contract with Tioga County and provide a total of 21 sexual offender slots as follows: 16 adult assessment and treatment slots; 10 adult safety monitor education slots; 5 juvenile assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract in 2016 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -15 AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN TIOGA AND CHEMUNG COUNTIES FOR THE PROVISION OF MASS TRANSPORTATION SERVICES

WHEREAS: Tioga County terminated its contract for the delivery of mass transportation services with First Transit, Inc. effective November 30, 2014; and

WHEREAS: Chemung County and Tioga County have a mutual interest in having mass transportation services provided between the two Counties; and

WHEREAS: Section 119-s of the General Municipal Law of the State of New York authorizes a municipality of the State of New York to act jointly with another municipality to provide a municipal bus system for the performance of mass transportation operations; and

WHEREAS: An Intermunicipal Agreement between Tioga and Chemung Counties for the provision of said mass transportation operations between the two parties was entered into on December 1, 2014, and approved by the Tioga County Legislature on December 9, 2014, via Resolution Number 284-14; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to extend said Intermunicipal Agreement through December 31, 2016.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. REIMBURSEMENT RATES FUNERAL HOME  
SOCIAL SERVICES

WHEREAS: Per New York State Social Services Law, Tioga County is responsible for burial payments for those financially eligible; and

WHEREAS: The Funeral Directors of Tioga County have requested a rate increase; and

WHEREAS: Reimbursement rates to Funeral Directors have not been increased since November 15, 2005; therefore be it

RESOLVED: That the allowance for burial of stillborn Social Services recipients shall be \$715.00 and allowance for casket not to exceed \$500.00; and be it further

RESOLVED: That the allowance for a burial of an infant up to four years shall be \$875.00 and allowance for casket not to exceed \$500.00; and be it further

RESOLVED: That the allowance for burial of other Social Services recipients shall be \$1,985.00 and allowance for casket not to exceed \$500.00; and be it further

RESOLVED: That in addition to the above allowances, there shall be an allowance for the actual cost of all cemetery costs and equipment, including but not limited to, a grave liner, grave opening and closing, casket lowering device and tent, an allowance for minimum cost grave available at the cemetery at which burial takes place, plus winter storage if needed; and be it further

RESOLVED: That in addition to the above allowances, there shall be an allowance for the actual cost of any oversized casket or Ziegler case that may be necessary; and be it further

RESOLVED: That transportation costs shall be \$2.00 per loaded mile with the maximum number of reimbursable miles being 100 unless the Department of Social Services determines that it would be more economical to reimburse for a greater distance; and be it further

RESOLVED: That for full service cremations, the fee shall be as follows:

- a. For stillborn children up to four years, \$715.00
- b. For all others, \$1,985.00 and allowance for urn not to exceed \$300.00.
- c. In addition to the above allowances, there shall be an allowance for the cost of cremation; and be it further

RESOLVED: That in regard to immediate disposition cremations or anatomical donations, the fees shall be as follows:

- a. Stillborn and children up to four years, the fee shall be \$500.00.
- b. For all other immediate disposition cremations, \$975.00.
- c. In addition to the above allowances, there shall be an allowance for the cost of cremation, cemetery costs and minimum urn or outer burial receptacle (when mandated by cemetery); and be it further

RESOLVED: That the family may supplement cash advanced items such as, but not limited to, a gift for the clergy, certified copies of the death certificate, newspaper notices, hair dressing and clothing; and be it further

RESOLVED: That the funeral home who is making claims for such funds shall submit an itemized invoice for the grave liner if required, and all actual cemetery and crematory cost and equipment; and be it further

RESOLVED: That these rates shall apply for services effective January 1, 2016.

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. AUTHORIZE 2016 CONTRACTS WITH  
SADD SCHOOL ASSOCIATES

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to award the five SADD School Associate contracts for the calendar year 2016 to the following individuals; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Tabitha Carey to serve the Spencer Van Etten School District, and; Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2016 calendar year.

REFERRED TO: PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -15 DESIGNATE PROJECT MANAGER/  
AUTHORIZE SALARY  
(LEGISLATIVE OFFICE)

WHEREAS: Tioga County has embarked on a multi-year project of installing a new Financial Management Accounting System, eventually replacing the AS400; and

WHEREAS: The software vendor has indicated that in order for the installation process, data conversion and training to go as smoothly as possible, the County should assign a Project Manager to serve as liaison between the software vendor and the County departments, which was done on October 14, 2014 per Resolution 243-14; and

WHEREAS: The County Legislature decided to have a Project Manager and a back-up, and offered additional compensation to these individuals in recognition of the additional work and responsibility they have been assigned; and

WHEREAS: There is a need to continue said Project Manager and Deputy Project Manager for 2016 due to the ongoing continuation of the FMAS project with payroll phase to be implemented partial in January 2016 and HR functions to be implemented in April 2016 along with other aspects of the project continuing well into 2016; therefore be it

RESOLVED: That Maureen Dougherty is hereby continued as the primary FMAS Project Manager effective January 1, 2016 and shall continue to receive additional compensation in the amount of \$7,500 in 2016, to be paid via her bi-weekly 2016 paychecks; and be it further

RESOLVED: That Cathy Haskell is hereby continued as the secondary FMAS Project Manager effective January 1, 2016 and shall continue to receive additional compensation in the amount of \$4,500 in 2016, to be paid via her bi-weekly 2016 paychecks; and be it further

RESOLVED: That the additional salary for both Dougherty and Haskell shall not be subject to any Non-union salary increase and shall be discontinued as of December 31, 2016; and be it further

RESOLVED: That the Tioga County Legislature authorizes said salaries to be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H878.08.



REFERRED TO: HEALTH & HUMAN SERVICES  
COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -15 AMEND RESOLUTION 277-15;  
AUTHORIZE APPOINTMENT OF  
PUBLIC HEALTH DIRECTOR  
PUBLIC HEALTH

WHEREAS: Resolution 277-15 authorized the appointment of Lisa McCafferty as Public Health Director for the balance of the existing 6 year appointment term, which was referenced as ending on January 17, 2017; and

WHEREAS: Upon review of the current term for Public Health Director, the date which the term ends is January 10, 2017; therefore be it

RESOLVED: That Resolution 227-15 is amended to reflect that Ms. McCafferty is appointed as Public Health Director effective December 14, 2015 for the balance of the existing 6 year appointment, which ends on January 10, 2017.

REFERRED TO:

LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -15

AMEND RESOLUTION #131-15;  
EXTEND TEMPORARY POSITION  
(LEGISLATIVE OFFICE)

WHEREAS: Resolution #131-15 authorized an extension of a full-time temporary Account Clerk/Typist position in the Legislative Office to assist with daily operations while the Clerk and Deputy Clerk of the Legislature are involved with FMAS projects; and

WHEREAS: There is a need to extend the duration of this temporary position on a part-time basis in order to assist the Legislative Office in daily operations while the Clerk and Deputy Clerk of the Legislature are involved with FMAS projects; now therefore be it

RESOLVED: That Resolution #131-15 is hereby amended to allow the temporary Account Clerk/Typist position in the Legislative Office to continue employment on a part-time basis through August 31, 2016; and be it further

RESOLVED: That the temporary Account Clerk/Typist shall not exceed 34 hours per pay period.

REFERRED TO: COUNTY CLERK'S COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -15 ABOLISH POSTION; DEPARTMENT OF MOTOR  
VEHICLES (COUNTY CLERK)

WHEREAS: New York State Department of Motor Vehicles offers the opportunity for so many transactions to be done on-line that the customer count at our local DMV office has dropped significantly; and

WHEREAS: The reduced workload no longer justifies the current staffing levels; therefore be it

RESOLVED: That one full-time position of Motor Vehicle Examiner will be abolished effective at the close of business December 1, 2015.

REFERRED TO: ED & P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -15 AUTHORIZE APPOINTMENT OF ECONOMIC  
DEVELOPMENT SPECIALIST  
ECONOMIC DEVELOPMENT & PLANNING

WHEREAS: The position of Economic Development Specialist became vacant as of November 30, 2015; and

WHEREAS: The Director of Economic Development has identified a candidate after conducting interviews from an eligible list certification; therefore be it

RESOLVED: That the Director of Economic Development is hereby authorized to appoint Brittany K. Woodburn as Economic Development Specialist effective December 28, 2015, at an annual, non-union, salary of \$39,779; and be it further

RESOLVED: In accordance with Policy 44, Mrs. Woodburn shall not receive a salary increase on January 1, 2016, and instead will be evaluated after 6 months in order to determine a salary increase at that time.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -15 AUTHORIZE 2016 SALARY INCREASES  
(BOARD OF ELECTIONS)

WHEREAS: The salaries for staff at the Board of Elections are set by resolution and increases are consistent with those granted to the Non-Union group; and

WHEREAS: For 2016, full-time Non-Union employees were granted an increase, but hourly employees were not; therefore be it

RESOLVED: That 2016 Board of Elections salaries shall be as follows:

Election Commissioners	\$39,954
Deputy Election Commissioners	\$32,352
Voting Machine Technicians	\$16.20/hour
Election Workers	\$12.39/hour

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -15 2016 STAFF CHANGE  
(EMERGENCY MANAGEMENT)

WHEREAS: Any staffing changes incorporated into the new year budget are typically adopted via a separate resolution; and

WHEREAS: The Director of Emergency Management requested and received approval to increase the amount paid to the Secretary to the Sheriff for the administrative work that position performs for the Emergency Management Office; therefore be it

RESOLVED: That the Emergency Management Office shall increase the pay to the Secretary to the Sheriff from \$2,652 to \$5,304 effective January 1, 2016.

REFERRED TO: ADMINISTRATIVE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -15 AUTHORIZE SALARY OF DEPUTY  
COUNTY CLERK  
COUNTY CLERK'S OFFICE

WHEREAS: Legislative approval is required to authorize the salary of an appointment to a position designated as non-union; and

WHEREAS: County Clerk elect Andrea Klett will take office effective January 1, 2016, and intends to appoint Suellen Griffin as her Deputy; and

WHEREAS: Ms. Klett has determined that said appointee brings valuable training and experience to authorize compensation above the non-union hiring base for Deputy County Clerk (\$38,471 - \$48,471); therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes an annual, non-union salary of \$45,000 for Suellen Griffin as Deputy County Clerk effective January 1, 2016.