

***Ninth Regular Meeting  
September 9, 2008***

The Ninth Regular Meeting of 2008 was called to order by the Chair at 6:00 P.M. Eight Legislative members were present, Legislator Oberbeck being absent.

Chair Weston asked Legislator Quinlan to have a moment of prayer. “Oh Saviour of the world, Thou who hast a plan for peace and a program for all the nations, make it plain, and make us see it clearly, that we may find that which will work and will have Thy blessing. Save us from hotheads that would lead us to act foolishly, and from cold feet that would keep us from acting at all. May Thy Holy Spirit work among us to lead us into all truth.”

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

There were 34 people in attendance.

Legislator Huttleston read and presented the following recognition resolution to Ann Simons.

<b>REFERRED TO:</b>	<b>HEALTH &amp; HUMAN SERVICES PERSONNEL COMMITTEE</b>
<b>RESOLUTION NO. 249-08</b>	<b><i>RECOGNITION OF ANN SIMONS’ YEARS OF SERVICE SOCIAL SERVICES</i></b>

Adoption moved unanimously,  
Seconded unanimously.

**WHEREAS:** Ann Simons began her career as a Social Welfare Examiner for the Department of Social Services on October 1, 1975, and was promoted to a Caseworker on June 6, 1977, and was promoted to Senior Social Welfare Examiner on January 1, 1978, and was promoted to Principal Social Welfare Examiner on February 25, 1980 and was promoted to Staff Development Coordinator on July 2, 1984 and has held that position; and

**WHEREAS:** Ms. Simons has seen many changes within the Social Services Department in her thirty-three years with them and has grown in these changes; and

**WHEREAS:** Ms. Simons will retire on September 30, 2008; now 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 and recognize Ann Simons for her thirty-three years of service to 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, Ann Simons

**CARRIED UNANIMOUSLY**

Legislator Huttleston spoke. “It is great when we have employees. We have a lot of good employees and we have a lot of good ones that unfortunately leave. We have some really good employees, we have some good Department Heads, and it is always a pleasure to see them work, but it is not a pleasure always to see them leave because a lot of these people are very hard to replace by other people. I certainly do appreciate all your years of work. I looked at all your promotions down through here. I will tell you if you stay another year or two you would be Commissioner.”

Gail Barton, Deputy Commissioner of Social Services, spoke. “Ann started her career at Social Services as is mentioned in the resolution in October of 1975 as a CETA worker in Food Stamps and she was located across the street from our current location in what was formerly one of the County Farm buildings. Ann has held various positions in DSS, both in the areas of eligibility and services. She has been the Staff Development Coordinator since 1984.

“I have been Ann’s direct Supervisor for the past five and a half years. As our Staff Development Coordinator Ann is a new workers first contact with the Agency. Ann’s calm and even demeanor and pleasant personality have been instrumental in making new workers feel welcome. Many times the first impression Ann has given new workers has been a deciding factor in setting the tone for the worker in their new job and for them deciding to make DSS a long term employment choice.

“Ann has been the point person for all training any new or experienced worker has intended during their employment at DSS. She has always been very patient when locating and registering staff for training, when she needed to change training, when the workers got to the hotel only to find out it was overbooked, when they had any problems getting to or from the training site. Ann has done it all.

“Most recently in anticipation of her retirement Ann put together a step by step description of how to be a Staff Development Coordinator. This 80 page document was so well written that just about anyone could step in and do the many tasks Ann does. What they could not step in and do is duplicate the positive face that Ann has been for our Agency for so many years and that will be greatly missed. She has always been well liked and respected by Agency staff. On a personal note

for many of DSS staff Ann has also been a great listener and support to anyone in the Agency who is a pet owner and lover.

“Even though I have worked with Ann for the past 30+ years it was not until I directly supervised her that I really got to know her as a worker and a person, and I am sorry that it took that long for me to get to know her as a person. I have really enjoyed working with her. She is genuine, trustworthy, professional, and loyal. I want to thank her for her many years of dedicated service and wish her all the best in her retirement. She will be greatly missed.”

Shawn Yetter, Commissioner of Social Services, spoke. “I would like to again thank the Legislature for allowing us as Departments the opportunity to congratulate Ann and other retirees, and thank her for her years of service that she has given to Tioga County. I think it is so important that you and the public get to see and here about the dedication and quality that is found within the employees of Tioga County, especially those who have given us their entire careers.

“Gail did a beautiful job describing Ann’s work for the Agency and her role as Staff Development Coordinator, and I want to back up just a little from that. Ann was a Principal Welfare Examiner from 1980 to 1984 and Ann was my Principal for a period of that time. We had just moved in to the new A frame building which in the previous incarnations of the call in column in the Pennysaver that used to get referred to as the Welfare Palace, and we had just moved in to that and down in the corner we had Betty, Ann, and Norma in the highest walled cubicles. Because of her promotion to Staff Development Coordinator in 1984 she was not in that role for long, but when you look throughout the organization many of the people that Ann supervised or in that short period of time are still with the Agency, most in supervisory or administrative positions themselves. There is a reason for that.

“Although Ann was never one to miss out on expressing strong opinions about how administration might of handled things she always helped us as new employees understand why our work was important, why it mattered, that it was always done correctly and timely, and why the person sitting across the desk from us needing something should be treated with respect first and foremost. Although she may never have said it to me or others in exactly these words it was definitely Ann who taught those around her that no one wants to be poor. It is a culmination of situations that brought them to us and we have some small but very important role in helping them to fix that situation in a nonjudgmental way. Those professional and ethical values were instilled in many many employees including myself by dedicated long term employees like Ann and Tioga County is a better place for that.

**“Thirty-three years. There are not a lot of people who give that amount of time to an organization and there are especially not many people who do that and leave just as energized and vital to the organization as they were five years in, or ten years in, or twenty years in. Ann fortunately for DSS and Tioga County has maintained that enthusiasm and vitality, and with those thirty-three years of service Ann is our longest serving employee. When Ann leaves on Friday Gail Barton takes over that respected spot in our organization, and I bring up these points because I think organizational history is so important. As we say goodbye to long term employees like Ann you lose a sense of organizational investment, knowledge, love, and care that cannot easily be replaced. Some might accuse Ann of being a hand holder over the years in some cases with employees. I would change that to calling her a holder of hands. To me that means giving of support, guidance, knowledge, encouragement, and love. Ann was the holder of hundreds of hands over her thirty-three years, all of which were strengthened because of her. On behalf of the Department Ann thank you so very much and now let us give you a hand.”**

**Ann Simons spoke. “I would like to say thank you to the County for providing me with steady work, meaningful work right here in my own community and that has been a real blessing to me because it meant I was able to build a good life close to my family right here in my own home town. I met my husband at DSS so the very best thing in my life has come through my work at DSS and it has been an honor to me to be a part of their team. You have a phenomenal group of people working for you at DSS. They do a very difficult job day in and day out, sometimes with some very challenging people and in situations that a lot of us in the public kind of do not want to deal with because they are too difficult or too disturbing, and they do it everyday day in and day out, year in and year out with grace and courage, and I have been very proud to be a part of their team. Thank you.”**

**Legislator Huttleston read and presented the following Proclamation on Frances Leavenworth to her family.**

**Legislator Huttleston spoke. “Fran served this Legislature for a long time as well as in other capacities, but she also was Chair of this Legislative body, and I want to introduce you to her family, Tracy, her daughter, Becky, her daughter, Tyler, her grandson, and Mary, her adopted daughter. She has another daughter that lives in Chicago and unfortunately she could not be here. We appreciate your coming.”**

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

**RESOLUTION NO. 250–08      *RECOGNITION RESOLUTION*  
*RECOGNIZING FRANCES LEAVENWORTH*  
*POSTHUMOUSLY***

**Adoption moved unanimously,  
seconded unanimously.**

**WHEREAS: Frances Leavenworth, passed away May 2008, while an active member of the Tioga County Board of Health; and**

**WHEREAS: The Tioga County Legislature, along with the members of the Board of Health, would like to posthumously recognize Ms. Leavenworth for her many years of dedicated service to the residents of Tioga County; and**

**WHEREAS: Ms. Leavenworth began her tenure as a member of the Board of Health on January 01, 1996; and**

**WHEREAS: Ms. Leavenworth’s continual involvement in the community was evidenced by her faithful attendance at meetings of the Board of Health; 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 and recognize Frances Leavenworth posthumously for her twelve years of service to 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 the family of Frances Leavenworth.**

**CARRIED UNANIMOUSLY**

**Legislator Huttleston spoke. “She also served on the National Board of Health which was nationwide and we have a nice plaque from the National Board of Health. It says “Presented to Frances Leavenworth in appreciation of dedicated service to public health in East Great Lakes Region of the National Association of Local Boards of Health”. As I said previously she served on this Legislature for several years and also was Chair of this body, and also was a good friend. Thank you.”**

Fran's daughter Becky spoke. "My mother loved this County. She moved here in 1962. I was born here. She had done so much for this County, invested time, caring. She was very much a giver to the people of this County and it is an honor for us, for her, to still be recognized for her achievements four months after she had gone, and hopefully many of the programs that she started here, whether with help or with Tioga County Arts Council, will continue to add value and to bring good things to the County that she loved so much."

Legislator Roberts read and presented the following Proclamation on Cornell Cooperative Extension Week to Judy Wolf.

**2008 Cornell Cooperative Extension Week  
and National 4-H Week  
PROCLAMATION**

**WHEREAS:** Cornell Cooperative Extension of Tioga County (CCE Tioga) enables people to improve their lives and communities through partnerships that put experience and research knowledge to work; and

**WHEREAS:** CCE Tioga is a nonprofit association led by volunteers from across Tioga County and is part of Cornell Cooperative Extension, a partnership between federal, state, and county governments, as authorized by NYS County Law 224 and the Federal Smith Lever Act; and

**WHEREAS:** CCE Tioga serves the residents of Tioga County through **4-H Youth Development** programs that provide opportunities for youth to have fun, learn life skills, and work with caring adults, including over 30 4-H clubs; the Tioga County Youth Fair, PYLI Youth Leadership Training, the Phoenix Kids Café; Tractor Safety, Shooting Sports, Living History, and Cooking Up Fun; and

**WHEREAS:** CCE Tioga also serves the residents of Tioga County through **Agriculture and Natural Resources** programs that assist dairy, livestock, and fruit and vegetable farmers with business development, production, marketing, and management issues; and by supporting the development and expansion of Farmers' Markets; by assisting landowners in finding answers to questions related to land use; and by partnering with other entities in efforts to increase consumer awareness, understanding, and appreciation of local agriculture; and

**WHEREAS:** CCE Tioga also serves the residents of Tioga County through **Family Development** programs that help adults gain knowledge and build skills for nurturing the development of children, including the Owego and Waverly Family Resource Centers and the Reunification program, which helps place foster children back with their parents; and

**WHEREAS:** CCE Tioga also serves the residents of Tioga County through **Community Nutrition and Wellness** programs that improve diet quality, reduce food insecurity, improve food safety practices and improve food resource management skills among food stamp recipients in Tioga County; by training and organizing the Tioga County Master Gardeners; by encouraging and supporting the development of community gardens; and by working with health professionals and local agencies to find effective ways to address issues such as childhood obesity; and

**WHEREAS:** CCE Tioga also serves the residents of Tioga County by supporting **Community Development** programs and partnerships that encourage broad based, sustainable economic development, personal leadership development and/or active participation in community decision-making including Tioga REAP, LDC and the Tioga Reality Check program; and

**WHEREAS:** October 7<sup>th</sup> through 13<sup>th</sup> is being recognized as National 4-H Week across the United States, and CCE Week across New York State; therefore

**THE TIOGA COUNTY LEGISLATURE** hereby designates the week of Oct 5th to Oct. 11th, 2008 as

Cornell Cooperative Extension Week  
and National 4-H Week in Tioga County

**Judy Wolf from Cornell Cooperative Extension spoke. “First of all I am very humbled following two recognitions before this and those two women have both been important pieces of helping me be successful in my work with families and with people who work with families. Cooperative Extension appreciates this recognition and we appreciate your support because we are committed to serving all the residents of the County in all those diverse ways that you heard, and do try to work closely with your staff to do it.**

**“Even though Cornell Cooperative Extension week is not until October Friday night is a celebration of Tioga County, so if you have not seen the posters, Friday night is Taste of Tioga, get your tickets and come and celebrate our farmers and our chefs. It is one of the ways Cooperative Extension really wants to highlight what happens here and celebrate here. Thank you.”**

**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		289.35
A1165	District Attorney		1,575.66
A1172	Assigned Counsel		12,531.34
A1185	Medical Examiners/Coroners		325.00
A1325	Treasurer		36,880.55
A1345	Budget		126.00
A1355	Assessments		2,353.72
A1357	RPTS Assessment Grant	1,028.99	
A1410	County Clerk		876.88
A1411	Department of Motor Vehicles		3,221.13
A1420	Law		7,389.61
A1430	Personnel		3,234.99
A1450	Elections	378.00	7,217.93
A1460	Records Management		90.70
A1490	Public Works Administration		52.98

A1620	Buildings		112,783.94
A1680	Information Technology		9,404.59
A2960	Education Handicapped Children		210,759.74
A3020	Public Safety Comm E911	298.00	5,585.89
A3110	Sheriff		24,305.20
A3110.41	Sheriff-Court Attendants		2,199.89
A3117	Sheriff LE07-1003-E00 Grant	10,176.42	
A3140	Probation	288.97	2,531.15
A3142	Alternatives to Incarceration		917.40
A3150	Jail-Annex		42,557.11
A3410	Fire	329.11	4,808.24
A3640	Emergency Management Office		631.78
A3641	EMO Grant Program	245.89	
A3650	EMO WMD Grant	2,621.00	
A3997	Sheriff DCJS Grant	12,481.31	
A4010	Public Health Nursing		34,884.81
A4011	Public Health Administration	599.98	6,446.84
A4012	Public Health Education	494.00	2,276.76
A4042	Rabies Control		3,741.96
A4044	Early Intervention	1,984.00	60,900.73
A4053	Preventive/Primary Health Services		88.33
A4054	Preventive Dental		2,435.30
A4064	Dental Van		12,261.70
A4070	Disease Control		2,384.17
A4090	Environmental Health		6,407.21
A4210	Alcohol and Drug Services		16,941.36
A4211	Council on Alcoholism		19,123.84
A4309	Mental Hygiene Co Admin		6,048.81
A4310	Mental Health Clinic		55,156.89
A4315	Mental Retardation		14,329.61
A4320	Crisis Intervention Services		33,414.57
A4321	Intensive Case Management		1,731.02
A5630	Bus Operations		39,223.58
A6010	Social Services Administration	1,154.92	65,083.54
A6422	Economic Development		285.45
A6510	Veterans' Service		1,044.56
A6610	Sealer Weights & Measures		210.18
A7310.41	Youth Programs, Refundable		7,652.20
A8020	Planning		96.61
A9060	Health Insurance		374.80
SOLID WASTE FUND			85,727.07
COUNTY ROAD FUND			91,881.68
SPECIAL GRANT FUND			143.98
CONSOLIDATED HEALTH FUND			663,905.24

<b>CAPITAL FUND</b>	<b>460,229.53</b>
<b>LIABILITY INSURANCE FUND</b>	<b>825.00</b>
<b>WORKERS' COMPN</b>	<b><u>8,699.67</u></b>
<b>GRAND TOTAL</b>	<b>\$ 2,228,688.36</b>

Legislator McEwen made a motion to approve the minutes of August 12, 19, and 28, 2008, seconded by Legislator Burns, 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: PUBLIC SAFETY COMMITTEE**

**RESOLUTION NO . 251-08      *DESIGNATE DISASTER STAGING AREA***

Adoption moved by Legislator Burns,  
Seconded by Legislator McEwen.

**WHEREAS: A threat of disaster, be it manmade or natural, would impact Tioga County, and**

**WHEREAS: If such threat were to occur, there would be a number of volunteers, individuals or groups deployed to Tioga County to help with the recovery effort, therefore be it**

**RESOLVED: That the Tioga Opportunities facility, located at Sheldon Guile Boulevard, Owego, New York, be designated as one of the official Tioga County staging and distribution points for recovery volunteers.**

Legislator Sauerbrey made a motion to amend the above resolution to include the full address, which is 9 Sheldon Guile Boulevard, Owego, New York, seconded by Legislator Roberts.

On vote on the above amendment and resolution, eight members voted Aye, Legislator Oberbeck being absent, and the motion to adopt the amendment and resolution was carried.

Legislator McEwen made a motion to have the following five resolutions, all on erroneous assessments, passed as one, seconded by Legislator Burns, and carried.

**REFERRED TO:**

**FINANCE COMMITTEE**

**RESOLUTION NO. 252-08**

***ERRONEOUS ASSESSMENT  
TOWN OF BERKSHIRE***

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

**WHEREAS:** An application for corrected tax roll indicates that property #117 assessed to Thomas G & Lynn S Acton on the 2008 tax roll in the Town of Berkshire, was split into two parcels in error by the assessor, with the assessment of \$9,200 on property #117 unchanged, and creating new property #839 for Sarah & Sean Acton, assessed at \$1,690; and

**WHEREAS:** The assessor has corrected the error in merging the parcels back as property #117, keeping the original correct assessment of \$9,200 and adding the names of Sarah & Sean Acton; and

**WHEREAS:** The error caused bills to be generated for both property #117 and #839 and both bills were paid to the Town of Berkshire on 1/29/08; be it therefore

**RESOLVED:** That a refund of \$728.00 be issued to Thomas G Acton for overpayment of 2008 taxes on property no. 117 in the Town of Berkshire by payment of the bill for property #839; and be it further

**RESOLVED:** That erroneous town tax of \$295.74 be charged back to the Town of Berkshire, and the erroneous fire district tax of \$70.96 be charged back to the Berkshire Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$15.11 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$346.19 be charged back to the proper account in the record of County Treasurer

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 253-08                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO***

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

**WHEREAS: An application for corrected tax roll indicates that the \$65,000 taxable assessment on property no. 4362, assessed to Mable B Faber on the 2007 tax roll for the Town of Owego, is erroneous in that the taxable assessment was reduced to \$32,300; and**

**WHEREAS: The 2007 taxes on property no. 4362 in the Town of Owego were paid to the Town of Owego; be it therefore**

**RESOLVED: That a refund of \$451.78 be issued to the Estate of Mable B Faber, c/o daughter and POA, Betty Lou Dodge for overpayment of 2007 taxes on property no. 4362 in the Town of Owego; and be it further**

**RESOLVED: That the erroneous town tax of \$87.03 be charged back to the Town of Owego and the erroneous fire district tax of \$37.77 be charged back to the Owego Fire District; and be it further**

**RESOLVED: That the erroneous recycle tax of \$12.99 be charged back to the Recycle Fund; and be it further**

**RESOLVED: That the erroneous county tax of \$313.99 be charged to the proper account in the record of the County Treasurer**

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

**REFERRED TO: FINANCE COMMITTEE**

**RESOLUTION NO. 254-08                      *ERRONEOUS ASSESSMENT*  
*TOWN OF OWEGO***

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

**WHEREAS:** An application for corrected tax roll indicates that the \$65,000 taxable assessment on property no. 4362, assessed to Mable B Faber on the 2008 tax roll for the Town of Owego, is erroneous in that the taxable assessment was reduced to \$32,300; and

**WHEREAS:** The 2008 taxes on property no. 4362 in the Town of Owego were paid to the Town of Owego; be it therefore

**RESOLVED:** That a refund of \$383.81 be issued to the Estate of Mable B Faber, c/o daughter and POA, Betty Lou Dodge for overpayment of 2008 taxes on property no. 4362 in the Town of Owego; and be it further

**RESOLVED:** That the erroneous town tax of \$44.92 be charged back to the Town of Owego and the erroneous fire district tax of \$47.60 be charged back to the Owego Fire District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$12.17 be charged back to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax of \$279.12 be charged to the proper account in the record of the County Treasurer

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:**

**FINANCE COMMITTEE**

**RESOLUTION NO. 255-08**

***ERRONEOUS ASSESSMENT  
TOWN OF TIOGA***

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

**WHEREAS:** An application for corrected tax roll indicates that the \$6,500 taxable assessment on property no. 1266, assessed to Edward R Hunsinger on the 2006 and 2007 tax rolls for the Town of Tioga, is erroneous in that the taxable assessment was lowered to \$2,700; and

**WHEREAS:** The 2006 and 2007 taxes on property no. 1266 in the Town of Tioga were paid to the Town of Tioga, and included re-levied school taxes; be it therefore

**RESOLVED:** That a refund of \$3,146.20 be issued to Edward R Hunsinger for overpayment of 2006 & 2007 taxes on property no. 1266 in the Town of Tioga; and be it further

**RESOLVED:** That the erroneous town tax of \$324.95 be charged back to the Town of Tioga and the erroneous fire district tax of \$82.22 be charged back to the Tioga Fire District; and be it further

**RESOLVED:** That the erroneous school tax and interest of \$1,794.82 be charged back to the Owego-Apalachin School District; and be it further

**RESOLVED:** That the erroneous recycle tax of \$27.00 be charged to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax and penalty of \$917.21 be charged to the proper account in the record of the County Treasurer.

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

**REFERRED TO:** FINANCE COMMITTEE

**RESOLUTION NO. 256-08** *ERRONEOUS ASSESSMENT  
TOWN OF TIOGA*

Adoption moved by Legislator McEwen,  
seconded by Legislator Huttleston.

**WHEREAS:** An application for corrected tax roll indicates that the \$6,500 taxable assessment on property no. 1266, assessed to Edward R Hunsinger on the 2008 tax roll for the Town of Tioga, is erroneous in that the taxable assessment was lowered to \$2,700; be it therefore

**RESOLVED:** That the erroneous town tax of \$170.32 be charged back to the Town of Tioga and the erroneous fire district tax of \$39.91 be charged back to the Tioga Fire District, said taxes to be levied and collected on the next tax roll and, when collected, paid to the County Treasurer in satisfaction thereof; and be it further

**RESOLVED:** That the erroneous recycle tax of \$16.97 be charged to the Recycle Fund; and be it further

**RESOLVED:** That the erroneous county tax and penalty of \$419.46 be charged to the proper account in the record of the County Treasurer.

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

**REFERRED TO:** ED&P COMMITTEE

**RESOLUTION NO. 257-08** *DESIGNATION OF TIOGA COUNTY  
TOURISM OFFICE AS AUTHORIZED  
TOURISM PROMOTION AGENT  
FOR 2009*

Adoption moved by Legislator Roberts,  
seconded by Legislator Burns.

**WHEREAS:** The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

**WHEREAS:** The State has appropriated funds for this purpose in the 2009 Commerce Department budget; and

**WHEREAS:** The guidelines for this local assistance program encourage counties to appoint a Tourism Promotion Agency; and

**WHEREAS:** The Tioga County Tourism Office has been, and currently is, engaged in tourism promotional activities and coordinates with the state in its tourism grants program, therefore be it

**RESOLVED:** That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2009 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

**CARRIED**

**Legislator Penney introduced Local Law Introductory No. C of 2008.**

**County of Tioga**

**Local Law No. of the Year 2008.**

**A Local Law providing for an increase in fees collected by the County Clerk for the recording, entering, indexing, and endorsing a certificate on any instrument.**

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

**SECTION 1: TITLE**

**This law shall be known as the “Authorize an Increase in Fees Collected by the County Clerk for Recorded Documents Law.”**

**SECTION 2: DECLARATON OF INTENT**

**In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the Tioga County Legislature authorizes the Tioga County Clerk to increase the fees charged for certain documents recorded with the County Clerk’s Office.**

**SECTION 3: FEES FOR RECORDING DOCUMENTS**

**For recording, entering, indexing, and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument.**

**SECTION 4: SEVERABILITY**

**If any section, subsection, sentence, clause, phrase or other portion of this Local Law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.**

**SECTION 5: EFFECTIVE DATE**

**This Local Law shall take effect thirty days after filing in the Office of the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.**

**REFERRED TO:** ADMINISTRATIVE SERVICES COMMITTEE

**RESOLUTION NO. 258-08** *A RESOLUTION CALLING A  
PUBLIC HEARING ON INTRODUCTORY  
LOCAL LAW NO. C OF 2008*

Adoption moved by Legislator Burns,  
Seconded by Legislator Penney.

**RESOLVED:** That pursuant to Section 20 of the Municipal Home Rule Law, a public hearing is hereby called upon Introductory Local Law No. C of 2008 to be held before the Tioga County Legislature in the Edward D. Hubbard Auditorium in the County Office Building, 56 Main Street, Owego, New York 13827 on October 9, 2008 at 1:30 p.m. for the purpose of hearing all interested persons on the question of adoption of a proposed Local Law to authorize an increase in fees collected for recording, entering, indexing, and endorsing a certificate on any instrument recorded in the Office of the County Clerk.

**CARRIED**

**REFERRED TO:** PUBLIC WORKS

**RESOLUTION NO. 259-08** *AUTHORIZE TO HOLD JOINT  
AUCTION WITH BROOME COUNTY*

Adoption moved by Legislator Roberts,  
seconded by Legislator McEwen.

**WHEREAS:** Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

**WHEREAS:** Broome County has contracted with Mel Manassee & Son Auctioneers for Saturday, September 20, 2008 @ 10:00 AM; therefore be it

**RESOLVED:** That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 20, 2008; and be it further

**RESOLVED:** That the Tioga County's auction for surplus properties will be held at the Broome County Highway Dept., 47 Thomas St., Binghamton, NY 13901 and at a fee of 9% of the proceeds.



**REFERRED TO:                    INFORMATION TECHNOLOGY COMMITTEE  
   FINANCE COMMITTEE**

**RESOLUTION NO. 261-08            *TRANSFER OF FUNDS*  
   *PURCHASING***

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

**WHEREAS: Legislative approval is necessary to purchase equipment; and**

**WHEREAS: Legislative approval is necessary to transfer funds from one account to another; and**

**WHEREAS: The Purchasing Coordinator is in need of a computer monitor and privacy screen; and**

**WHEREAS: Purchasing has money in its budget, but requires a transfer of funds in the amount of \$500.00 from Purchasing Account A1345.40-733 to Purchasing Account A1345.20.90; and**

**WHEREAS: Information Technology has recommended the purchase and provided quotes for such; and**

**WHEREAS: The Director of Information Technology has approved the purchase of such monitor and privacy screen; therefore be it**

**RESOLVED: That the Purchasing Coordinator be authorized to purchase a computer monitor and privacy screen at a sum not to exceed \$500.00 with a transfer of funds in the amount of \$500.00 to be transferred from Purchasing Account A1345.40.733 to Purchasing Account A1345.20.90.**

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**REFERRED TO:** PERSONNEL COMMITTEE  
FINANCE COMMITTEE  
LEGISLATIVE SUPPORT COMMITTEE

**RESOLUTION NO. 262–08**      *TRANSFER FUNDS  
(PERSONNEL DEPARTMENT TO  
LEGISLATIVE OFFICE)*

Adoption moved by Legislator Burns,  
seconded by Legislator Sauerbrey.

**WHEREAS:** The Legislative Office has incurred significant bills for legal services related to negotiation of the CSEA contract; and

**WHEREAS:** The duration and cost of said negotiations could not have been forecasted; and

**WHEREAS:** The Personnel Department has money budgeted for legal services which has been offered to offset some of the Legislative Office’s legal fees; therefore be it

**RESOLVED:** That the following sums be transferred:

<b>From:</b> Personnel Account A1430.40-330	<b>\$1,300</b>
<b>To:</b> Legislative Account A1010.40-330	<b>\$1,300</b>

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

**REFERRED TO:** PERSONNEL COMMITTEE  
FINANCE COMMITTEE

**RESOLUTION NO. 263–08**      *RATIFY COLLECTIVE BARGAINING  
AGREEMENT BETWEEN TIOGA COUNTY  
AND THE C.S.E.A.*

Adoption moved by Legislator Burns,  
seconded by Legislator McEwen.

**WHEREAS:** Since late September 2007, Tioga County and the CSEA Unit #8850 have been negotiating a successor agreement to the collective bargaining agreement which expired December 31, 2007; and

**WHEREAS:** The parties jointly declared Impasse in January 2008 and requested assistance from the Public Employment Relations Board (PERB); and

**WHEREAS:** A Tentative Agreement reached in May 2008 was not approved by the CSEA membership in May but the same Tentative Agreement was approved in August 2008 when resubmitted for a second vote on August 21, 2008; therefore be it

**RESOLVED:** That the Tioga County Legislature does hereby approve the terms of the Agreement and authorizes and directs the Chair to sign the same in conjunction with the Sheriff as joint employers; and be it further

**RESOLVED:** That the Tioga County Legislature does hereby authorize the County Treasurer to provide the funds necessary to carry out the terms and provisions of said Agreement, which covers the period of January 1, 2008-December 31, 2011.

**Roll Call:**

Ayes 08

Noes 00

Absent 01

**CARRIED**

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

**RESOLUTION NO. 264-08** *ABOLISH THE STAFF DEVELOPMENT  
COORDINATOR POSITION AND CREATE A  
SENIOR CASEWORKER POSITION  
SOCIAL SERVICES*

Adoption moved by Legislator Huttleston,  
Seconded by Legislator Burns.

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

**WHEREAS:** Staff Development Coordinator, Ann Simons, will retire on September 30; and

**WHEREAS:** The Department of Social Services has considered certain efficiencies which may be accomplished throughout the agency; and

**WHEREAS:** The starting salaries for Staff Development Coordinator and Senior Caseworker are, respectively, \$30,283 and \$32,853, an increase of \$2,570; and

**WHEREAS:** At separation, the salary of the Staff Development Coordinator was \$45,150, creating an actual salary reduction of \$12,297 for the department; and

**WHEREAS:** The Commissioner of Social Services has been given prior approval; therefore be it

**RESOLVED:** That the Tioga County Legislature authorize the Commissioner of Social Services to abolish the Staff Development Coordinator position and create and fill a Senior Caseworker position at an annual salary of \$32,853 effective October 1, 2008.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

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

**RESOLUTION NO. 265-08 AMEND RESOLUTION 241-08 APPROVE  
LEAVE OF ABSENCE MENTAL HYGIENE**

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

**WHEREAS:** In accordance with Tioga County Policy 1, Section VII, Resolution 241-08 approved a leave of absence for Linda Haacker through August 26, 2008; and

**WHEREAS:** Linda has submitted an updated medical note dated August 7, 2008 indicating she will be unable to return for 3 months; and

**WHEREAS:** The Director of Community Services recommends that Ms. Haacker's leave be approved; therefore be it

**RESOLVED:** That the Tioga County Legislature hereby approves Linda Haacker's leave through January 1, 2009.

**Roll Call:**

**Ayes 08**

**Noes 00**

**Absent 01**

**CARRIED**

**Legislator Huttleston made a motion to adjourn at 6:34 P.M., seconded by Legislator Burns, and the motion to adjourn was carried.**