

*Fifth Regular Meeting  
May 9, 2017*

The Fifth Regular Meeting of 2017 was held on May 9, 2017 and was called to order by the Chair at 11:07 A.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "Oh God, grant us the serenity to accept the things we cannot change, courage to change the things we can, and wisdom to know the difference."

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

There were 29 people in attendance.

William Ostrander of the Employee Recognition Committee presented the Employee of the 1<sup>st</sup> Quarter 2017 to Roy Schreiner of the Sheriff's Office. "I want to thank the Legislature for supporting our Employee Recognition Program. Our employees get a lot of satisfaction out of it and the Committee gets a lot of satisfaction out of meeting some of these employees and learning about them. Our Employee of the Quarter this quarter is Roy Schreiner.

"I want everybody to watch you while I assault your humility. Roy started working for the County as a part-time Corrections Office and became full time about 20 years ago. As a Corrections Officer he has served as a Court Officer, Jail Training Officer, CPR and First Aid Instructor, Jail First Safety Inspection Officer. Currently he serves as the ATI Coordinator. ATI is Alternatives to Incarceration. The alternative is community service in the weekend work program. Do community service and you can stay out of jail.

"Roy does a great deal of community service himself, serving for many years as a volunteer fireman and in Emergency Medical Services. Ironically he still has to go to jail every day. The Sheriff's Office has always received letters from organizations for almost every assignment that Roy has had, extolling Roy's exemplary job performance and positive attitude. As a Corrections Officer his demeanor and ability to communicate with others can diffuse most volatile situations, making him a valuable asset to the Sheriff's Office, to his Supervisors and to his coworkers.

"Roy enjoys auto racing, hunting, four-wheeling and spending time with his family. That intelligence is about 10 years old so I am not sure that is all true, but we were in his office and there were a lot of family pictures, so I am pretty sure the last part is. His nominator noted that he always acts in a professional

manner, is always kind and considerate, and always goes the extra mile to help wherever he can. We congratulate you Roy."

Legislator Mullen spoke. "I have known Roy for a long time and I really got to know Roy as Chair of Public Safety going to the quarterly Probation meetings and where ATI he reports directly. I can say in almost every one of our Public Safety meetings the Sheriff brings up Roy and the great job that he does. Everyone says oh well what do they do? They pick up the trash alongside the highway. We have all seen that. Then we get into the list of the things that they do do and Roy always has a full crew and guys want to come to work for Roy. Now these guys are sentenced for crimes they have committed and they are fighting with each other to go work for Roy. He is doing something right.

"He takes a personal interest in the people on the work groups that work for the ATI Program. It is not just the garbage. They clean and wash fire trucks, they clean the fire department kitchens, they shovel the snow at county office buildings, they rake the leaves, they pick up and clean up after Strawberry Festival and the County Fair. They clean the county barns, they paint the county barns. These guys are working hard and Roy gives them and instills in them a work ethic that a lot of these guys and gals do not have when they come into the program. I can tell you we are always pinching every nickel and the amount of money that is saved in keeping these people out of jail and putting them in ATI is monumental to the County. It is hundreds of thousands of dollars a year and the County owes you a great debt of gratitude for that. Not only are you saving money, but you have changed hundreds of lives and we have had many testimonies from guys that work through the ATI Program where they have noted that Roy was the motivating factor for them to get the help they need, to stay in rehab, to get a good job, and mainly teach that work ethic, get up and go to work and meet your responsibilities, which is a problem and Roy does a great job motivating these guys. I just want to say thank you publicly, I appreciate it."

Sheriff Howard spoke. "I actually cannot say too much, Legislator Mullen covered a lot of it. If you ever travel down 17 or 17C and see the clear garbage bags along the roadway, and then you hit the Broome County line and you think what is the difference here. That is Roy. You look at the Sheriff's cars, they are nice and clean and waxed, that is Roy. The Fire stations are clean, fire trucks clean, that is Roy. I can go on and on about all the stuff that Roy does for the County, but one of the things, in cooperation with the State and the Commission of Corrections and Probation, and the Sheriff's Office, the money that Legislator Mullen spoke about, without the Alternatives to Incarceration the Jail would have to go to what is called a "16 classification" and therefore our jail would be full, and that is because of Roy and the ATI Program in cooperation between departments and the State, we were able to have the ATI Program,

which is huge. It is a huge savings to the County, not just to the Sheriff's Office, but for the County as a whole. I cannot say enough. Roy stops by and sees me almost every day when he can and ATI is just a small part of what Roy does. There is a whole list that Bill spoke of, things that he does for us, and he is an outstanding employee and I cannot think of anybody better to get Employee of the Quarter than Roy."

William Ostrander of the Employee Recognition Committee talked about Employee Recognition and Appreciation Week. "The following Proclamation relates to our Employee Recognition Week coming up next week, so I just wanted to mention that and that will culminate with a luncheon on Tuesday, May 23 at noon at Donoli's and everyone is invited. That will be particularly to recognize folks who have completed 25, 30 and 35 years of service."

Legislator Mullen read the following Proclamation on Employee Recognition and Appreciation Week and presented to the employees with 25 plus years of service.

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30, 35 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
Michael Jackson	Sheriff's Office	35
Mary Roddy McKee	Social Services	30
Maureen Dougherty	Legislature	30
Carlton D. Snapp	Public Works	30

Paul C. Rhodes	Sheriff's Office	25
Richard Huttleston	Legislature	25 (PT)

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 15-19, 2017 as

#### EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Chair Sauerbrey noted the following Proclamation on Foster Care Recognition Month.

#### **FOSTER CARE RECOGNITION MONTH PROCLAMATION**

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WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem and support for children in Tioga County; and

WHEREAS: There are 34 children in foster care in Tioga County, 25 of these children are in foster homes; and

WHEREAS: We have 22 certified foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2017, as

#### **FOSTER CARE RECOGNITION 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 recognize foster parents in Tioga County.

Legislator Standinger read and presented the following Proclamation on American Stroke Month in Tioga County to Amy Fancher, Public Health Educator of the Public Health Department. "Every year since we have had this I have read it because I experienced a stroke myself and I can answer any questions if anybody has them. It is not a fun experience."

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 130,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 20.5% between 2012 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 158% from \$71 billion in 2012 to \$183 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and

WHEREAS: Studies show that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2017 as:

**AMERICAN STROKE MONTH IN TIOGA COUNTY**

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "Now with this being said, I can tell you that when I had my stroke it was after a truck had hit my car on the thruway in Albany and I had no idea I was having a problem. I was fortunate enough that I had the ability to make a call to one of my coworkers who came and responded and got me medical care, which is probably why I am still here today. It is not something that you really know is happening until it happens.

That being said, we have the Health Department Educator here to accept this Proclamation.”

Amy Fancher, Public Health Educator of the Public Health Department spoke. “I just want to thank the Legislators for recognizing our Stroke Month. It is obviously very important. Thank you.”

Chair Sauerbrey noted the following Proclamation on Child Hunger Awareness Week.

**COUNTY OF TIOGA  
EXECUTIVE PROCLAMATION**

WHEREAS: Tioga County Public Health reports that 20 percent of the children in Tioga County are considered food insecure (not enough food, not enough healthy food); and

WHEREAS: 18 percent of the children in Tioga County are living below the poverty line; and

WHEREAS: Half of all Tioga County children are eligible for free or reduced-price lunch; of those eligible, 75 percent are participating; and

WHEREAS: On average, 508 children a day receive free meals during the summer through the Tioga County Summer Food Service Program; and

WHEREAS: The number of children receiving free meals during the summer has increased by 23 percent since 2015; and

WHEREAS: Nearly half of all people who use the Supplemental Nutrition Assistance Program (SNAP) are children; and

WHEREAS: Hunger is a community problem and finding solutions depends on the involvement of all people throughout Tioga County; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim June 5-9, 2017 as

**CHILD HUNGER AWARENESS WEEK**

and encourages all residents to become more aware of the prevalence and negative effects of child hunger in our neighborhoods, and to

participate in the Tioga County Hunger Task force to end childhood food insecurity.

Chair Sauerbrey noted the following Proclamation on Elder Abuse Prevention Month.

#### PROCLAMATION

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2017 to be

#### Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Chair Sauerbrey noted the following Proclamation on Mental Health Awareness Month & Children's Mental Health Awareness Week.

**2017 PROCLAMATION**

*Mental Health Awareness Month & Children's Mental Health Awareness Week*

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness; and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2017 as *Mental Health Awareness Month* and May 1st – 7th, 2017 as *Children's Mental Health Week* in Tioga County.

Chair Sauerbrey noted that we have two recognition resolutions this month.



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

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 106-17

*RESOLUTION RECOGNIZING  
ELIZABETH HARRIS'  
20 YEARS OF DEDICATED SERVICE TO  
TIOGA COUNTY*

WHEREAS: Elizabeth Harris was appointed as an E911 Dispatcher on 2/3/97; and

WHEREAS: Elizabeth Harris has been dedicated in the performance of her duties and responsibilities during the past 20 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Elizabeth Harris retired from the Tioga County Sheriff's Office on April 21, 2017; 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 Elizabeth Harris for her 20 years of dedicated 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 Elizabeth Harris.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Carol Gehen.

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

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 107-17

*RECOGNITION OF  
CAROL GEHEN'S 22 YEARS OF  
DEDICATED SERVICE TO THE TIOGA COUNTY  
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Carol Gehen, was appointed to the position of Part-time Registered Professional Nurse on June 1, 1994, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: During her years of service Carol has focused on Maternal Child Health and the Lead Poisoning Prevention Program; and

WHEREAS: Carol was honored as the Public Health Team Member of the 3<sup>rd</sup> Quarter in 2014 by her peers in the Health Department; and

WHEREAS: Carol Gehen has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 22 years to the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Gehen retired on April 19, 2017; 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 Carol Gehen for her over 22 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, Carol Gehen.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I will say that I really appreciate the work of the nurses in the County and nurses overall in general. It is a difficult profession and one that requires a lot of caring and going over and above the line. Thank you Carol."

Heather Morgan, Community Health Program Supervisor of the Public Health Department spoke. "I have been Carol's Supervisor for the last four months prior to her retirement, but I did have the pleasure of working with her for the last five years as well. As the resolution stated, she primarily worked in Children's Programs and in the last four months that was primarily in Early Intervention and Preschool, which are two of the programs that I oversaw. I would say that among her best qualities are her ability to adapt to change and learn new things, and those two programs that I stated, you need to learn things very quickly and there is a lot of accuracy involved and she adapted to those changes very quickly from the Nursing Program.

"A few things that I think are really important to mention about Carol are, she has kept the Childhood Lead Poisoning Program in our County going strong for years, being that she was the primary nurse that went into people's homes. When a child was diagnosed with lead poisoning she was the one that went into the child's home and educated that family about the child's lead poisoning and what it meant and how to bring the child's lead down, and I was fortunate enough prior to being her Supervisor to go with her on a couple of lead visits. I was able to learn a lot from her with that. She has also worked closely with doctor's offices in our County to increase immunization rates and that includes conducting internal audits of their records and also educating them on what they can do to bring up immunization rates. Our County has some of the lowest immunization rates in all of the State, so as you can imagine this is pretty important.

"She has also assisted increasing the rate of young teens in our community to get their HPV immunization, that is Human Papilloma virus vaccination, which is a cancer preventing vaccine. This is another really important one and as you can imagine with the controversy around that vaccine, Carol did a phenomenal job of getting letters out to families and talking to parents about that vaccine. She has actually published her own children's book about lead poisoning prevention and went to some of our local libraries and read to young children. She even included some of her own grandchildren in the book and I am sure if any of you are interested in seeing that she would love the opportunity to share that with you.

"More recently in Early Intervention she has helped process over 200 patient charts and helped us develop a systematic filing system on how we can

be more efficient in our Children's Program. On a more personal note, Carol has always said okay to anything that we have always asked of her and has had a smile on her face. I am going to share this, I did not have it down on my paper, but I shared it in a staff lunch that we had for her. I am not the best driver, but I think I am a very good driver, but Carol has experienced my driving and she went on a three hour trip with me to Albany and then around downtown Binghamton, and she survived it. I think that is pretty notable. She has also told us that she is already enjoying retirement. She has several grandchildren in Syracuse and Utah, and she loves spending time with them. Carol we really appreciate your contributions to the Health Department and the community as a whole, and more than anything you have been a true asset to our community and we thank you for your service."

Carol Gehen spoke. "As I thought about what to say today, I just feel like my heart is full of gratitude for my opportunity to work in the Public Health Department. I started in the Certified Home Health Agency in 1994 and worked there for six years, and I learned a lot of things there, things that have helped me in my own personal life, and then I moved to Primary and Prevention and had the opportunity as Heather said to work with families that are dealing with children that have lead poisoning. Thankfully we do not have a very high incident of that at the present time. Also, I gained a great knowledge of immunizations and a real knowledge of the importance of a strong immunization program in our county and in our country to keep our population healthy.

"I finally ended up working for Early Intervention and Preschool for a few months and I learned so much there about the struggles of the families with children with disabilities have and also about the compassion of people that care for them, our own staff, the therapists that work with them, the doctors that work with them, and also the school districts, the wonderful special education teachers, the kindergarten teachers, the preschool teachers, the heads of the special education departments, the compassion and the dedication they have to these children and these families. Last of all I would just like to thank the Health Department for being a friend, being my friend, for standing with me during difficult times in my life and for standing with me also during joyful times because that is what friends do. I will miss you all and I do miss you, and I think about my desk on the second floor there, but I wish you all the best and success in all that you do. Thank you again."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of April 11, 2017, seconded by Legislator Mullen, and carried.



	<u>Original Bill #1413</u>	<u>Corrected Bill #1413</u>
County	895.32	821.20
Recycle	41.36	37.93
Town Wide	403.77	370.35
Part Town	12.67	11.62
Newark Valley Fire	<u>162.97</u>	<u>149.48</u>
	\$1,516.09	\$1,390.58

And be it further

RESOLVED: That the erroneous town tax of \$34.48 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 3.42 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 74.12 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$ 13.49 be charged back to the Newark Valley Fire.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 110-17 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2016 to March 31, 2017 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:

Barton (Town)	\$ 16,707.51
Berkshire (Town)	3,941.50
Candor (Town)	20,177.75
Candor (Village)	2,624.71
Newark Valley (Town)	8,318.08
Newark Valley (Village)	3,916.33
Nichols (Town)	7,767.93
Nichols (Village)	2,451.25
Owego (Town)	92,901.87
Owego (Village)	8,175.34
Richford (Town)	6,503.81
Spencer (Town)	13,501.75
Spencer (Village)	4,107.55
Tioga (Town)	17,713.62
Waverly (Village)	<u>23,077.44</u>
	\$231,886.44

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 111-17- AMEND TIOGA EMPLOYMENT  
CENTER BUDGET

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is fully funded under the federal Workforce Innovation and Opportunities Act; and

WHEREAS: Broome County is underspent in Youth funds for Program Year 2015; and

WHEREAS: These Youth funds must be expended by June 30, 2017; and

WHEREAS: Tioga Employment Center can assist in expending these Youth funds to avoid recapture; and

WHEREAS: Broome County has issued Contract Modification #1 in the amount of \$40,000 in Youth funds to Tioga Employment Center; therefore be it

RESOLVED: That the Tioga Employment Center allocates the funds as follows:

From: CD6293 447910-	Federal Aid-Federal Employment Program	\$40,000.00
To:	CD6293 520090 Computer	\$25,056.00
	CD6293 540487 Program Expense	\$ 1,793.00
	CD6293 530551 MLR	\$ 2,466.52
	CD6293 540190 Education Reimbursements	\$10,684.48

#### ROLL CALL VOTE

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

No – None.

Absent – None.

#### RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 112-17	<i>APPROPRIATION OF FUNDS</i>
	<i>PUBLIC HEALTH</i>

WHEREAS: New York State Child Passenger Safety Program funding has been awarded to the Tioga County Public Health Department; and



WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 434011 State Aid	\$ 5,500
To: A4053 540640 Supplies	\$ 5,500

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 113-17 *AUTHORIZATION TO APPLY FOR GRANT  
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has been invited to submit a grant application to the Appalachian Regional Commission; and

WHEREAS: TCPH has developed a plan to transform the provision of Dental services to the uninsured and under-served Tioga County citizens; and

WHEREAS: Current Dental Program, Tioga Mobile Dental Services is instrumental in addressing the unmet oral health needs of children and adults in Tioga County; and

WHEREAS: The amount of the grant funding is not yet determined; and

WHEREAS: If awarded the grant, TCPH will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that require the signature of the Chief Elected Official; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Appalachian Regional Commission.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 114-17

*PURCHASE OF CARGO VAN AND  
TRANSFER OF FUNDS/BUDGET  
MODIFICATION  
BUREAU OF FIRE*

WHEREAS: The Bureau of Fire has a 1989 Ford F350 custom vehicle that is used for the Hazardous Materials Team that has been deemed unsafe and will not pass inspection due to a rusted frame; and

WHEREAS: This vehicle is an essential part of the service provided to the residents of Tioga County; and

WHEREAS: This was an unanticipated expense and the Bureau of Fire did not budget for said expense for 2017, which will require a transfer of funds and a budget modification; and

WHEREAS: The Bureau of Fire would like to purchase a  $\frac{3}{4}$  ton cargo van with accessories to better accommodate the Hazardous Materials Team, which would total approximately \$30,000; and

WHEREAS: The Fire Coordinator has secured three quotes for said cargo van and found Feduke Ford of Vestal, New York to be the best price; and

WHEREAS: This purchase requires a transfer of funds within the Bureau of Fire's budget for this capital expense and the Fire budget has had historical surplus funds for prior years 2013-2016 and 2017 budget is projected to have surplus of approximately \$25,000; and

WHEREAS: There may be a need to cover any deficit operating costs for the Bureau of Fire due to this unanticipated expenditure from Contingency before 2017 year end; therefore be it

RESOLVED: That the Tioga County Fire Coordinator be authorized to purchase said ¾ ton cargo van with accessories in an amount not to exceed \$30,000 from Feduke Ford of Vestal, New York; and be it further

RESOLVED: That funding for said ¾ ton cargo van be transferred as follows:

From: A3410 510010	Fire Salary Full Time	\$ 4,500.00
A3410 510020	Fire Salary Part Time	2,000.00
A3410 520020	Fire Audio Visual Equipment	1,000.00
A3410 520030	Fire Batteries (Portable)	1,000.00
A3410 520130	Fire Equipment (Not Car)	500.00
A3410 520215	Fire Personal Protective Equip	2,000.00
A3410 540070	Fire Car Maintenance	1,500.00
A3410 540140	Fire Contracting Services	1,000.00
A3410 540144	Fire Ems Instructors	3,000.00
A3410 540180	Fire Dues	500.00
A3410 540220	Fire Automobile Fuel	2,500.00
A3410 540350	Fire Office Equip Maintenance	1,500.00
A3410 540370	Fire Medical Expense	1,500.00
A3410 540390	Fire Mileage Expense	1,000.00
A3410 540560	Fire Repairs	2,000.00
A3410 540620	Fire Software Expense	1,700.00
A3410 540660	Fire Telephone	1,300.00
A3410 540733	Fire Training/All Other	1,500.00
To: A9950 593715	Inter Fund Transfer to Capital	\$30,000.00
From: H1340 450310	Inter Fund Transfer from A Fund	\$30,000.00
To: H3410 520060	Fire Car/Truck	\$30,000.00



WHEREAS: Construction and Construction Supervision and Inspection have been approved by the New York State Department of Transportation for the amount of \$225,000, in which 0% of Federal Funds and 100% of State Funds will be reimbursed to Tioga County; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That revenue and expense accounts are established as follows for West River Drive over Walker Creek culvert replacement:

H5110 435020 H1709	State Revenue for PIN 9754.52	\$225,000
H5110 540001 H1709	West River Road over Walker Creek	\$225,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 116-17 AMEND BUDGET  
PUBLIC WORKS

WHEREAS: West River Drive Paving Project 2017 budget amount is insufficient to complete the project, NYS Chips Funding and Pave NY Funding amount is sufficient to increase the budget for West River Drive; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That expense account is established as follows for West River Drive Paving for a total of \$745,000.00 and transfer of Capital Funds are needed:

From: H5110 540001 H1607	Paving – Pave NY	\$ 270,880.57
H5110 435020 H1607	State Aid-County Road & Bridge	\$ 270,880.57

To: H5110 540001 H1703	Paving – West River Drive	\$270,880.57
H5110 435020	State Aid-County Road & Bridge	\$270,880.57

And be it further

RESOLVED: To amend 2017 Budget and appropriate additional funds from Capital Fund:

To: H5110 540001 H1703	Paving – West River Drive	\$304,119.43
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To: H5110 435010	CHIPS Paving – West River Drive	\$304,119.43
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#### ROLL CALL VOTE

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

No – None.

Absent – None.

#### RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 117-17 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE - AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Tioga County will Design, let and construct the “project”; and

WHEREAS: A project for the culvert replacement on West River Drive over Walker Creek, Town of Nichols, Tioga County, PIN 9754.52 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 0% Federal Funds and 100% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work; now therefore

The Tioga County Legislature, duly convened does hereby

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

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

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

RESOLVED: That the sum of \$225,000 is hereby appropriated from the West River Drive Culvert account H5110 540001 H1709 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

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

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

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HHS COMMITTEE

RESOLUTION NO. 118-17                      *REAUTHORIZE CONTRACT  
SUPERIOR GROUP  
TIOGA EMPLOYMENT CENTER*

WHEREAS: Broome & Tioga Counties, in partnership through the Broome/Tioga Workforce Development Board, provides for the delivery of employment and training services under the Workforce Innovation Opportunity Act 2015; and

WHEREAS: The Tioga Employment Center continues to have a need for a Resource Room Clerk to assist individuals in the Employment Center's Resource Room with operation of computers and various computer programs, to instruct clients on how to use NYS Dept of Labor job site, and to assist clients in accessing employment opportunities; and to assist Workforce staff and businesses in maintaining current job listings; and

WHEREAS: Superior Group is able to provide such services for the Tioga Employment Center, from July 1, 2017 to June 30, 2018, and said contract is to be funded entirely by the Workforce Innovation Opportunity Act; and

WHEREAS: The funds necessary for said contract were included in the WIOA PY 2017 Budget under the WIOA Grant; and

WHEREAS: The Supervisor of the Tioga Employment Center is authorized to enter into such contract as indicated; and



WHEREAS: Said contract would provide for compensation at the bill rate of \$12.42 per hour from 7/1/16-12/30/17, and \$13.31 per hour from 12/31/17-6/30/18 at a maximum of 25 hours per week; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Employment Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the above bill rate(s) effective July 1, 2017 through June 30, 2018.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 119–17

*AMEND COUNTY POLICY 1: NEW POSITIONS, UPGRADINGS, DOWNGRADINGS; TEMPORARY RE-ASSIGNMENT; TEMPORARY HIRE; TEMPORARY APPOINTMENT; LEAVE TIME; LEAVES OF ABSENCE; ADDITIONAL LEAVE CRITERIA; FILLING VACANCIES; RECLASSIFICATIONS*

WHEREAS: County Policy 1, Section V.B requires Department Heads to notify the Legislative Chair and their standing committee of a leave of one week or more; and

WHEREAS: The Legislature would like to clarify and expand upon said requirement; therefore be it

RESOLVED: That County Policy 1, Section V.B shall be amended to read as follows:

The Department Head notifies the standing committee Chair and Chair of the Legislature in writing at least ten (10) working

days in advance if will be absent for five (5) work days or more. Department Head shall also notify the same when a work conference or another work activity takes them away from the office for three (3) consecutive days or more. The Legislative Chair and Committee Chair shall be notified by the Department Head of who is in charge of the department in the absence of the Department Head. The Department Head and second in command (as designated by the Department Head) shall not be away from the office at the same time for more than three (3) work days without advance authorization from the Chair of the Legislature and Committee Chair; it is the Department Head's responsibility to submit such request in writing; and be it further

RESOLVED: That the remainder of Policy 1 is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 120-17 AMEND COUNTY POLICY 20: NON-UNION VACATION

WHEREAS: County Policy 20, Section II: Utilization requires that Department Heads advise the Legislative Office ten (10) days in advance of using five (5) or more days of vacation, plus other requirements; and

WHEREAS: The Legislature would like to clarify and expand upon said requirements; therefore be it

RESOLVED: That County Policy 20, Section II: Utilization shall be amended to read as follows:

1. Department Heads shall notify the Chair of the Legislature and Standing Committee Chair a minimum of ten (10) days in advance of their intent to use vacation time, per County Policy 1, Section V.B; this notification shall be in writing, for which email is acceptable.

The Department Head and second in command (as designated by the Department Head) shall not be on vacation at the same time for more than three (3) work days without advance authorization from the Chair of the Legislature and Standing Committee Chair. It is the Department Head's responsibility to submit such request in writing.

Any vacation leaves in excess of ten (10) work days require prior approval of the Legislative Chair.

2. All Other Non-Union Employees must file a written request for vacation a minimum of ten (10) working days in advance of the requested leave with the Department Head for all leaves over five (5) days in length. Leave of less than five (5) days duration may be granted within 24 hours' notice. Exceptions to this may be granted by the Department Head, however all requests for vacation leave must be approved by the Department Head.

RESOLVED: That the remainder of Policy 20 is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.



- A. Active Shooter (Threat) - is defined as an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm(s), but any weapon could be a possibility. There is no pattern or method to their selection of victims.
- B. Lockdown - is a process of alerting staff and visitors in an area or building that a life threatening situation is either on-going or imminent and that evacuation from the area or building may be unsafe and may require other immediate action to be taken.

#### IV PROCEDURES:

- A. Lockdown alert

Any employee who observes, or is informed that an individual is on the property or in the building with a weapon with the intent to use the weapon to harm others should immediately call 911 and activate the closest panic button or designated emergency notification system. Notification systems may vary by building. Once the alert sounds, all staff and visitors should consider the facility to be in Lockdown and take immediate and appropriate action to insure their safety.
- B. Immediate Vicinity Actions

If you are within the immediate vicinity of an active shooter you must take immediate action in an effort to protect yourself. **RUN, HIDE, and or FIGHT.**

  - 1. RUN. If there is an immediate and safe way out, then attempt to evacuate. This is your first and best option. Once you feel you're safe, immediately call 911 or attempt to alert law enforcement. Once you are in a safe place, remain there until instructed to do otherwise by law enforcement.
  - 2. HIDE. If evacuation is not possible, find a place to hide which provides immediate cover and concealment from the threat.
    - a. Go to the nearest room. Close and lock or barricade the door if possible.
    - b. Keep concealed and quiet and remain still until directed by law enforcement.

3. FIGHT. As a last resort and only if you can't run or hide, physically engage the shooter in an effort to incapacitate them or to facilitate your safe evacuation.
  - a. Commit and act with aggression by any means to incapacitate the shooter.
  - b. When you can do so safely, immediately call 911 or attempt to alert law enforcement.

C. Nearby Vicinity Actions

If you are within the facility and you become aware of an active shooter situation, either by Lockdown Alert, Panic Alert or other means, you must take immediate action in an effort to protect yourself.

1. DO NOT GO NEAR the location of the threat. If you can evacuate the facility quickly and safely then you should attempt to do so.
2. If you cannot evacuate quickly or safely, proceed to a safe area. A safe area would be any room where the door can be locked or barricaded. Employees should assist visitors to a safe area, as appropriate.
3. Lock all the doors and turn off the lights. If the door does not have a lock, then attempt to barricade the door.
4. If at all possible, position yourself away from all doors and windows, and lie on the floor. Try to remain quiet and out of possible view of the threat.
5. If a fire alarm should sound during a Lockdown, ignore the alarm unless you see fire or smell smoke. This could be a false alarm used by the threat to draw people out of the safe areas and into danger.
6. If the threat enters into or near your safe area, try to remain calm. Dial 911, if possible, and alert law enforcement to the location. If you can't speak, leave the phone line open so the emergency dispatcher can listen to what's taking place.
7. When the threat departs your safe area, you should consider moving immediately to a safer place away from the threat. Do not touch any objects left behind by the threat.

8. No matter what the circumstances, if you decide to flee during an “active shooter” situation, make sure you have an escape route and plan in mind. Move quickly and quietly.

D. Active Shooter Outside of the Facility

Any employee who observes, or is informed that an individual is outside of the facility with a weapon with intent to use the weapon to harm others should immediately call 911 and activate the closest panic button. Once the panic alert sounds, all staff and visitors should consider the facility to be in Lockdown and take immediate and appropriate action to insure their safety.

1. Immediately call 911.
2. If a security detail is not on-site, attempt to safely secure all entrance doors.
3. DO NOT evacuate the building. Stay away from all windows and find a safe area that provides cover and concealment.
4. If you can do so safely, remain in place, out of view from the threat, until instructed to do otherwise by law enforcement personnel.

E. Law Enforcement Response Expectations

Responding law enforcement officers will immediately attempt to engage and incapacitate the threat. Their response will be dynamic and aggressive. Employees should be mindful of the following:

1. Officers may appear in uniform or in plain clothes and will have their weapons drawn.
2. Officers may aggressively confront any evacuating individual, until they are convinced that the individual is not a threat.
3. When approached by law enforcement, keep your hands visible, and follow their commands.
4. Until the threat is incapacitated, law enforcement officers may not render first aid to injured individuals. Medical first responders may only enter and provide aid when the facility has been secured by law enforcement.

5. If you hear or see that law enforcement is in or near your safe area, stay where you are and do not open the door. Law Enforcement will remove you when it's safe to do so. If you are removed at the direction of law enforcement, approach the officer with your hands empty, palms forward – this will show that you are no threat to law enforcement.
6. Once the threat has been removed, law enforcement will immediately secure the facility as a crime scene and will have entire authority over all personnel within or near the scene.
7. Employees should not handle any items within or near the scene unless authorized by law enforcement personnel.

F. Post Event Staging and Accountability

At the conclusion of a Lockdown or an active shooter incident Law Enforcement and first responders may be rendering aid to the injured and initiating a criminal investigation.

1. Law Enforcement will have full authority of all personnel and visitors within the facility or on the property. Personnel and visitors may be directed to relocate to another area for investigative interview or debriefing. Personnel should not leave the area until directed by law enforcement.
2. Employees should not speak to media which might be present unless authorized to do so by law enforcement.
3. Employees should not remove or handle any item at the scene unless authorized by law enforcement.
4. Employees who were able to evacuate the facility and left the immediate area during the incident will attempt to contact law enforcement to disclose their location. Disclosing the location of evacuated personnel from the facility will provide for accountability of personnel, as well as facilitating the subsequent criminal investigation.



**V. TRAINING**

Training shall be conducted for all employees, with the objective of bringing awareness of the potential for an active shooter event, and best practices in preparedness and employee action in these types of events.

**VI. REVIEW**

A review of this policy and training materials shall be conducted each year to insure that they are current with best practices.

**VII. BUILDINGS**

- A. Ronald E. Dougherty County Office Building  
56 Main Street  
Owego, NY 13827
- B. Public Safety Building  
103 Corporate Drive  
Owego, NY 13827
- C. Health & Human Services Building  
1062 State Route 38  
Owego, NY 13827
- D. County Courthouse  
Park Street  
Owego, NY 13827
- E. Court Annex Building  
20 Court Street  
Owego, NY 13827
- F. County Clerk's Building  
16 Court Street  
Owego, NY 13827
- G. Public Works – Highway Garage  
State Route 96, P. O. Box 291  
Owego, NY 13827
- H. Public Works – Buildings & Grounds Building  
68 Temple Street  
Owego, NY 13827

- I. Mental Hygiene – Waverly Office  
80 William Donnelly Parkway  
Waverly, NY 14892

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 122–17 ADOPT LOCAL LAW NO. 1 OF 2017

WHEREAS: A public hearing was held on May 4, 2017, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2017 A Local Law A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2017; therefore be it

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

County of Tioga

Local Law No. 1 of the Year 2017.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

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, 2018 and continuing through and including December 31, 2021.

### SECTION 2: ANNUAL SALARY

- A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2018 and continuing through and including December 31, 2021 is hereby established as follows:

- |                     |          |
|---------------------|----------|
| 1. County Treasurer | \$68,000 |
|---------------------|----------|

### 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, 2018.

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.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES  
COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 123-17 ABOLISH ONE (1) VACANT FULL-TIME  
OFFICE SPECIALIST I; AND CREATE  
ONE (1) FULL-TIME PUBLIC HEALTH  
EDUCATOR  
PUBLIC HEALTH DEPARTMENT

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

WHEREAS: An Office Specialist I position (CSEA SG III, \$24,507–\$25,207) has been vacant within the Public Health Department since March 17, 2017; and

WHEREAS: The Public Health Director has determined that said vacancy would be better utilized within the agency if classified as a Public Health Educator; therefore be it

RESOLVED: That one (1) vacant full-time Office Specialist I position shall be abolished and one (1) full-time Public Health Educator position (CSEA SG XI, \$40,790-\$41,490) shall be created effective May 10, 2017.

## ROLL CALL VOTE

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

No – None.

Abstain – Legislator Sullivan.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES  
COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 124-17 ABOLISH ONE (1) VACANT FULL-TIME  
COMMUNITY HEALTH NURSE; AND  
CREATE ONE (1) FULL-TIME PUBLIC  
HEALTH NURSE  
PUBLIC HEALTH DEPARTMENT

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

WHEREAS: A Community Health Nurse position (CSEA SG XV, \$51,172–\$51,872) has been vacant within the Public Health Department since February 17, 2017; and

WHEREAS: The Public Health Director has determined that said vacancy would be better utilized within the agency if classified as a Public Health Nurse; therefore be it

RESOLVED: That one (1) vacant full-time Community Health Nurse position shall be abolished and one (1) full-time Public Health Nurse position (CSEA SG XV, \$51,172-\$51,872) shall be created effective May 10, 2017.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 125-17                      *AUTHORIZE APPOINTMENT OF  
VOTING MACHINE TECHNICIAN  
BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on April 18, 2017; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That Emily Price is appointed to the title of Voting Machine Technician retroactive to May 1, 2017 at the established non-union rate of \$16.52 per hour.

## ROLL CALL VOTE

Yes – Legislators Roberts, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Abstain – Legislators Standinger and Sullivan.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -17 CREATE AND FILL TEMPORARY, FULL-TIME  
CLERK (SEASONAL) POSITION  
PERSONNEL OFFICE

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

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer has appropriately budgeted for said position according to resolution 280-16; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2017 established rate of \$11.39/hour; and be it further

RESOLVED: That Addison O'Rourke shall be hired to fill said position effective May 15, through August 15, 2017.

Legislator Hollenbeck made a motion to withdraw the following resolution, seconded by Legislator Monell.

ROLL CALL VOTE TO WITHDRAW RESOLUTION

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

No – None.

Absent – None.

RESOLUTION WITHDRAWN.

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

REFERRED TO: FINANCE COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 126-17      *CREATE AND FILL TEMPORARY, FULL-TIME  
CLERK (SEASONAL) POSITION  
TREASURER'S OFFICE*

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

WHEREAS: The Tioga County Treasurer has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the Treasurer's Office; and

WHEREAS: The Treasurer appropriately budgeted for this seasonal position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to create and fill one (1) temporary, full-time position of Clerk (Seasonal) at the rate of \$11.39/hour effective May 27, through September 1, 2017.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried.



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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 127-17 AMENDING POLICY 41  
TIOGA COUNTY COMMERCIAL  
DRIVER LICENSE DRUG AND ALCOHOL  
TESTING

WHEREAS: The Legislature wishes to amend Policy 41 to reflect the regulations set forth in Federal Motor Carrier Safety Administration Sections 382.303 and 382.305; therefore be it

RESOLVED: That Section IV paragraph 3 Post Accident Testing sub- paragraph b is amended as follows:

b. Each employee performing safety sensitive functions with respect to a vehicle involved in an accident shall be tested for alcohol and drugs if:

- The accident involves a human fatality;
- The accident involves bodily injury with immediate medical treatment away from the scene and CDL operator cited for a moving violation;
- Disabling damage to any motor vehicle requiring tow away and CDL operator cited for a moving violation;

And be it further

RESOLVED: That Section IV paragraph 4 Random Testing sub-paragraph b is amended as follows:

b. The selection of employees for random alcohol or drug testing shall be made by a scientifically valid method, such as a random number table or a computer based random number generator that is matched with the employee's social security number, payroll identification number or other comparable identifying number. Each employee shall have an equal chance of being tested each time selections are made. An employee may be selected for both types of tests at the same time;

And be it further

RESOLVED: That Section IV paragraph 4 Random Testing sub-paragraph c is amended as follows:

c. The number of random drug and alcohol tests conducted each year shall be consistent with the minimum annual percentage testing rate as determined by the Federal Motor Carrier Safety Administration;

And be it further

RESOLVED: That Section VII Violations, sub-paragraph A 1 is amended as follows:

1. Having a verified positive result after having taken a drug or alcohol test as required by this policy. For purposes of this subparagraph A, a verified positive result includes an alcohol test indicating an alcohol concentration of .04 percent or more;

And be it further

RESOLVED: That the remainder of Policy 41 is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 11:46 P.M.