

Fourth Regular Meeting
April 12, 2011

The Fourth Regular Meeting of 2011 was called to order by the Chair at 1:30 P.M. Eight Legislative members were present, Legislator Sauerbrey being absent.

Chair Weston asked Legislator McEwen to have a moment of prayer. "I would like to ask for a moment of silence for all our men and women serving around the world and also for all of the people suffering through natural disasters around the world."

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

There were 19 people in attendance.

Chair Weston noted the following two proclamations on Mental Health Awareness Month & Children's Mental Health Week and Child Abuse Prevention Month.

2011 PROCLAMATION

Mental Health Awareness Month & Children's Mental Health 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: In any given year, one in ten Americans experience a mental illness serious enough to impact their life at home, in school, or at work; 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: 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: It is known that early detection, identification, and treatment for children and adolescents can prevent mental health conditions from becoming more serious or long-lasting; 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 provides opportunities for the promotion of health, wellness, and recovery; therefore

THE TIOGA COUNTY LEGISLATURE hereby asks all residents of our county to join in declaring May 2011 as *Mental Health Awareness Month* and May 1 – 7, 2011 as *Children's Mental Health Week* in Tioga County.

Child Abuse Prevention Month Proclamation

WHEREAS: The Tioga County Department of Social Services received 1,024 reports of alleged abuse/neglect involving 2,168 children in 2010; and

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

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

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

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: The Family Resource Centers of Tioga County, a program of Cornell Cooperative Extension of Tioga County in collaboration with Tioga County families and agencies, will again sponsor a Family Fun Night on May 13, 2011 to celebrate Tioga County's investment in the safety and nurturing of all children; and

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

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2011 as

Child Abuse Prevention Month

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

Kevin McCabe, Governor Cuomo's Regional Representative spoke. "Thank you Mr. Chairman. I appreciate the opportunity to come here today. I am here mainly to introduce myself. I am Governor Cuomo's Regional Representative. I work in the Binghamton Region, which comprises six counties, Broome and Tioga, Chenango, Chemung, Tompkins, and Delaware. I am located in the Binghamton State Office Building on 44 Hawley Street in Binghamton. My phone number is 607-721-8367 and my email address is Kevin.mccabe@exec.ny.gov. The main reason why I asked the Chairman if I could be here today was just to introduce myself, let you know that the Governor has a regional representative in this area, in this community, and I am available to help you with any kind of issues that you might be having with the State and I would be happy to assist you in anyway that I can. Thank you very much for the time."

Chris Bonner had privilege of the floor. He spoke about his concerns of jobs going overseas, tax credits and programs, and the upcoming Presidential Election for 2012.

John Schaffer had privilege of the floor. "I am a Business Agent for Laborers Local 785, Binghamton, New York. Thank you for letting me come down and speak. I have spoken here on several occasions, when we had Tioga Downs coming in. I spoke on the millennium pipeline, which benefited the County. We have 1200 proud members of our Labor's Union, our combined local 785 and none of them are working on this new compressor station. Shame, shame on you guys for giving them that money, not putting a requirement in there for them to hire any local help. They are claiming, I watched on TV the other night, one of you gentlemen spoke up, no they are going to buy our material here, well let's wait and see, we are going to hire local people. I have tried, I have tried, they do not want to hear it.

"I have got documentation right on me if you want to see it, they are on the Craig's list hiring electricians out of Scranton, Pennsylvania to do work in Owego, New York. We have electricians that live in Owego, New York. We have laborers that work in Owego, New York, we have carpenters that work in Owego, New York. That compressor station was going to be built in Owego, New York because the pipeline goes through Owego, New York. They were not going to build it anyplace else. They did not need that money. They did not need what you guys gave them and you handed it to them, and we cannot get a New Yorker on the job.

"Now me putting people to work is very important to me. It should be important to you guys. You are taking our New York tax dollars and giving it to the people from Pennsylvania and West Virginia, pretty soon, you can sit and smirk all you want, but I am going to tell you something, pretty soon you are going to have the wild wild west up here just like they have in Pennsylvania. Do we want that? You control and I am asking for your help, the next piece that comes through, put something in there to hire local people. I do not care if they are union or non-union, I prefer them to be union. We can use the money here. My children live in Tioga County, a great percentage of our workers live in Tioga County, and you are not affording them the opportunity to work and that stinks. Thank you very much."

Alex Parillo had privilege of the floor. "Thank you Mr. Chairman, thank you Legislative body. I live at 130 Reservoir Hill Road in Candor, New York. I have been a Tioga County resident for over 10 years now. I generally work in Tioga County, I hold two mortgages in Tioga County, I bought all my vehicles in Tioga County, I buy all my gas in Tioga County, I put three kids in school in Tioga County, my wife is a teacher in Tioga County. I spend all my time in Tioga County. I sell wood here, I plow driveways here, all my friends live here, all my family lives here. I do not have a job here right now.

"Now I am a proud taxpayer. I pay them whenever they come in the mail. I pay them out of my check every week when I am working and I do not necessarily have a problem with the way these IDAs function and the way that we invite business and we encourage entrepreneurs to start businesses and bring money and prosperity to our community. That is a great plan, it is a great idea. Unfortunately we have kind of missed the boat. I have been to probably two or three dozen Legislative meetings at cities, county levels, as well as the State in regards to IDA and the way it is put out. They are asked to spend a certain amount of money in the local

community. Usually they do it in way of materials or labor, and those are the tax incentives and abatements that they are asking for. Not pretending to be a tax expert or financial expert, that is my basic understanding of how that system works. We give them a little break, they promise to come here and spend a little money. Well I paid my share in and I am not feeling like I am really getting my share out on this Central New York Oil & Gas project.

“We have had this happen, I went and spoke down in Chemung County about CVS a few years ago. Huge project, millions of dollars in State money and County money. Now we had probably 12 different contractors down there on that project, every single one of them was from out of New York, not even from within our State, I mean that is just ridiculous. Six of them were illegal immigrants, one of them had a gun. I mean is it so difficult to put in a little bit of stipulation in there, 20% local hiring, 50%, something, a start anywhere. We require them to permit here. We require them to do business here as far as materials. We would love to see the language go in there. Now it is not going to get fixed, this Legislation has been sitting at the State level from my understanding for close to a decade now as far as IDA reform goes. It is not going to happen. I go to the counties, I go to the cities, I go the other places, they tell me they are waiting for the State to act. I go to the State, the State tells me they are waiting for the counties, it is their problem. Once enough counties pass resolutions then it will come to the State and we will pass a statewide resolution. It has been getting kicked back and forth here and it is really starting to aggravate me as a taxpayer. Either abolish the system, fix the system, or take me right out of it to be honest with you. If everybody else in the County wants to spend their money that way and ship their money down the road, then so be it, but I do not want to ship anymore of my money out of State.

“I fight and I try very very hard to spend locally. If I am in Ithaca, if I am in Tompkins County and I have enough gas to get back to Tioga County, I drive back to Tioga County and buy my gas. If there is a sale price on something in Tompkins County, it does not matter because we prefer to do our business in Tioga County. We prefer to keep it right in Candor because that is where I live, but if I cannot keep it in Candor then I go to Owego, they have some bigger stores than we do down in Candor. I guess you guys are getting the jest of what I am getting at, if there is anything this body can do in the way of talking to the folks down at Central New York Oil & Gas, I mean the deal is already down, so we are not going to take that back, but in the meantime we can probably try

to work something out that would help out both parties and help the County, and help give a little return to us folks that are paying in, paying into this system every week, every month, every year just to make sure I can get a little bit of that back. Thank you for your time."

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		445.64
A1165	District Attorney		1,908.23
A1170	Public Defender		893.04
A1172	Assigned Counsel		23,414.74
A1185	Medical Examiners/Coroners		1,610.03
A1325	Treasurer		232.20
A1355	Assessments		2,160.00
A1410	County Clerk		601.87
A1411	Department of Motor Vehicles		429.84
A1420	Law		3,261.00
A1430	Personnel		1,367.15
A1450	Elections		16.60
A1460	Records Management		84.70
A1490	Public Works Administration		502.04
A1620	Buildings		49,131.82
A1621	Buildings		17,710.39
A1680	Information Technology		23,946.95
A2490	Community College Tuition		537,900.32
A2960	Education of Handicapped Children		169,544.73
A3020	Public Safety Comm E911 System	8.00	3,177.14
A3110	Sheriff	849.09	29,093.07
A3140	Probation		25.75
A3146	Sex Offender Program		8,766.67
A3150	Jail-Annex		46,402.28
A3315	Special Traffic Programs		74.70
A3410	Fire		3,465.80
A3640	Emergency Mgmt Office		378.45
A3641	Emergency Mgmt Grant Program	278.00	
A3992	EMO C837990 Grant	780.00	
A4010	Public Health Nursing		30,387.95
A4011	Public Health Administration		3,517.06
A4012	Public Health Education		306.66
A4042	Rabies Control		3,925.53
A4044	Early Intervention		28,993.15

A4053	Preventive/Primary Health Svcs		4,481.77
A4054	Preventive Dental Services	134.00	339.37
A4062	Lead Poisoning Program		24.00
A4064	Managed Care-Dental Services		14,727.26
A4070	Disease Control		3,315.37
A4090	Environmental Health		507.88
A4210	Alcohol and Drug Services		10,997.24
A4211	Council on Alcoholism		20,999.47
A4309	Mental Hygiene Co Admin	159.00	9,957.69
A4310	Mental Health Clinic		42,037.01
A4311	Rehabilitation Support Services		3,705.78
A4315	Mental Retardation		614.41
A4320	Crisis Intervention Services		22,178.07
A4321	Intensive Case Management		1,959.67
A4333	Psycho Social Club		38,739.38
A6010	Social Services Administration		63,264.85
A6422	Economic Development		808.45
A6510	Veterans' Service		132.00
A6610	Sealer Weights/Measures		139.67
A7510	Historian		350.00
A8020	Planning		131.82
SOLID WASTE FUND			87,648.56
COUNTY ROAD FUND			105,497.75
SPECIAL GRANT FUND			21,841.73
CONSOLIDATED HEALTH FUND			35,749.09
CAPITAL FUND			28,292.61
LIABILITY INSURANCE FUND			3,046.00
WORKERS' COMP			<u>10,749.00</u>
GRAND TOTAL			\$ 1,528,119.49

Legislator McEwen made a motion to approve the minutes of March 15, 2011, seconded by Legislator Monell, and carried.

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

Legislator Sullivan introduced A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for a four year term of office commencing January 1, 2012 and continuing through and including December 31, 2015.

County of Tioga

Local Law No. of the Year 2011.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2012 and continuing through and including December 31, 2015.

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 offices of County Clerk and County Sheriff 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 the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2012 and continuing through and including December 31, 2015.

SECTION 2: ANNUAL SALARY

- A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2012 and continuing through and including December 31, 2015 is hereby established as follows:

1. County Clerk	\$61,000
2. County Sheriff	\$77,000

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, 2012.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 99-11 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. A OF 2011*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2011 A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2012 and continuing through and including December 31, 2015 in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 5, 2011 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

Legislator McEwen introduced A Local Law to establish the staggered terms of Tioga County Legislators in accordance with Local Law No. 2 of 1994.

County of Tioga

Local Law No. of the Year 2011.

A Local Law to establish the staggered terms of Tioga County Legislators in accordance with Local Law No. 2 of 1994.

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

SECTION 1: TERMS OF OFFICE

Notwithstanding the provisions of any general, special or local law to the contrary, members of the Tioga County Legislature shall continue to be elected to staggered terms of three and four years over a ten year cycle as established in Local Law No. 2 of 1994.

SECTION 2: STAGGERED TERMS OF OFFICE

A. The seven County Legislative Districts shall be divided into two groups as follows:

1. Group One shall consist of:
 - a. The representative from District No 1
 - b. The representative from District No 2
 - c. The representatives from District No. 4
 - d. The representative from District No. 5
2. Group Two shall consist of:
 - a. The representative from District No. 3
 - b. The representative from District No. 6
 - c. The representatives from District No. 7

B. The County Legislators elected from the County Legislative Districts included in Group One shall be elected for a term of four (4) years at the general election to be held in the year Two Thousand Eleven (2011) and shall be elected for a term of three (3) years at the general elections to be held Two Thousand Fifteen (2015) and Two Thousand Eighteen (2018).

- C. The County Legislators from the County Legislative Districts included in Group Two shall be elected for a term of three (3) years at the general elections to be held in the years Two Thousand Eleven (2011) and Two Thousand Fourteen (2014) and shall be elected for a term of four (4) years at the general election to be held in Two Thousand Seventeen (2017).
- D. Subject to reapportionment, if necessary, staggered terms shall be utilized in the general elections following succeeding federal decennial censuses.

SECTION 3: COUNTY ATTORNEY

The term of office of the County Attorney shall be the same as the term of office of the Legislators in Group One.

SECTION 4: LEGISLATIVE CLERK

The term of office of the Legislative Clerk shall be the same as the term of office of the Legislators in Group One.

SECTION 5: BUDGET OFFICER

The term of office of the Budget Officer shall be the same as the term of office of the Legislators in Group One.

SECTION 6: EFFECTIVE DATE

This local law shall be effective on the date of adoption.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 100-11 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. B OF 2011*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2011 A Local Law to establish the staggered terms of Tioga County Legislators in accordance with Local Law No. 2 of 1994 in the Edward D. Hubbard Auditorium of the Tioga County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 5, 2011 at 1:05

P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 101-11 *APPLY FOR NEW YORK STATE
HOUSING TRUST FUND CORPORATION
– 2011 NEW YORK MAIN STREET
PROGRAM GRANT FUNDS*

WHEREAS: The NYS Housing Trust Fund Corporation through their 2011 New York Main Street Program (NYMS) has made available a funding opportunity for rehabilitation of building stock to foster small business development, expand housing, stimulate reinvestment, enable adaptive reuse, address Americans with Disabilities Act (ADA), address code enforcement issues, energy efficiency and to preserve and revitalize mixed-use (commercial, civic and residential) business districts through building rehabilitation, façade improvement and streetscape improvement grants; and

WHEREAS: The NYMS Program criteria allows units of government to be eligible applicants and to act as a Local Program Administrator (LPA); and

WHEREAS: The Tioga County Tourism Study (2004) recommends that our revitalization efforts follow the National Trust's Main Street Center 4-point Approach, one of which is – Design: Enhancing the historic commercial district's physical appearance through building rehabilitation, compatible new construction, public improvements and design management systems; and

WHEREAS: The Village of Owego has initiated a coordinated effort to revitalize their targeted historic central business district through several recent, significant accomplishments and their Village of Owego Consolidated Master Plan (adopted 2003), includes a strategy in the Economic Development Chapter and Building Improvements and Filling Vacancies section to “Seek... pertinent funding to undertake commercial revitalization”; and

WHEREAS: The Village of Owego and Tioga County approved resolutions for the 2010 NYMS Program in which application was made and said application was awarded and is has been encumbered for twelve on-going projects at this time, and

WHEREAS: The Village of Owego approved a resolution in support of this application to the 2011 NYMS Program by Tioga County and is desirous of the County conducting this activity for them; and

WHEREAS: Several additional property owners in the Village of Owego downtown business district target area have expressed in writing interest in utilizing this funding to make building improvements; and

WHEREAS: This grant source requires applicants to administer and ensure successful completion of all assisted projects by evaluating and assuring compliance with all local, state and federal laws and regulations, and allows an up to a 7.5% administrative fee as administrative revenue for providing such services; and

WHEREAS: The NYMS Program grant application will be submitted for a total of up to \$500,000 for building rehabilitation and façade improvements with 25% cash match provided by property owners, plus Tioga County Department of Economic Development & Planning will receive revenue for staff time to provide administrative services, therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Housing Trust Fund, NYMS Program in the amount of up to \$500,000 with cash match provided by property owners with up to 7.5% in administrative revenue to be received for providing such services.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 102-11

*AWARD CONSTRUCTION BID FOR
STRAITS CORNERS RD BRIDGE
OVER PIPE CREEK (BIN: 3335040)
TO ECONOMY PAVING
CORTLAND, NEW YORK*

WHEREAS: Tioga County has received a bond issue for Capital Projects; and

WHEREAS: March 16, 2011 at 10:30 AM sealed bids were opened for the construction of the Straits Corners Bridge over Pipe Creek (BIN: 3335040), Town of Tioga, NY; and

WHEREAS: The bid results were as follows:

1. Economy Paving	Cortland, NY	\$ 986,689.80
2. Frampton Construction	Pine City, NY	\$ 990,000.00
3. Procon Contracting	Vestal, NY	\$ 998,000.00
4. Vector Construction	Cicero, NY	\$1,009,724.20
5. Silverline Construction	Burdett, NY	\$1,086,000.00
6. R. DeVincentis Construction	Binghamton, NY	\$1,086,000.00
7. Slate Hill Constructors, INC	Warners, NY	\$1,179,748.40
8. FAHS Construction Group	Binghamton, NY	\$1,228,589.70

And

WHEREAS: Labella Associates, Rochester, NY has reviewed the bid proposals and recommends awarding the project to the low bidder Economy Paving Co., Cortland, NY, which satisfies the requirement for qualifications; therefore be it

RESOLVED: That the Tioga County Legislature award the bid for the replacement of the Straits Corners Road Bridge over Pipe Creek (BIN: 3335040) not to exceed \$986,689.80 to be paid out of the Straits Corners Road Bridge Account H2010.06.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 103-11

*HIRE LABELLA ASSOCIATES FOR
CONSTRUCTION MANAGEMENT &
INSPECTION SERVICES FOR THE
STRAITS CORNERS RD BRIDGE
BIN: 3335040*

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

WHEREAS: Labella Associates has submitted a proposal for Construction Management and Inspection for the Replacement of Straits Corners Rd. Bridge over Pipe Creek (Bin: 3335040); therefore be it

RESOLVED: That the Tioga County Legislature award the Construction Management and Inspection Services contract to Labella Associates, Rochester, NY 14614 in the amount of \$92,447 to be paid out of Straits Corners Rd Bridge Account H2010.06.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES

RESOLUTION NO. 105-11 *AUTHORIZATION TO MAKE FEDERAL
SECTION 5311 CONSOLIDATED GRANT
APPLICATION
SOCIAL SERVICES*

WHEREAS: The County of Tioga is submitting a request for a grant of operating assistance and capital funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for fixed route and demand response service throughout the County, with limited service to contiguous counties, by Tioga Transport, Inc. for the 2011 and 2012 fiscal years; and

WHEREAS: The County of Tioga and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and payment of the Federal Share; and

WHEREAS: The County of Tioga is contracting with a third party subcontractor for the project described above; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of the County of Tioga to sign the application and progress and complete the above named project; and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between County of Tioga and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 106-11

*RESOLUTION APPOINTING
DONNA CORBIN TO THE MENTAL
HEALTH SUBCOMMITTEE OF THE
COMMUNITY SERVICES BOARD*

WHEREAS: The Mental Health Subcommittee of the Tioga County Community Services Board has a vacant position available; and

WHEREAS: Donna Corbin, representing Glove House, Inc. has been attending the Mental Health Subcommittee meetings in a Guest capacity for the last six months and has now expressed an interest in filling the vacant position; and

WHEREAS: The Chair of the Mental Health Subcommittee recommended her membership on the Subcommittee to the Community Services Board; and

WHEREAS: The Community Services Board nominated Ms. Corbin for the position at its March 17, 2011 meeting; now therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Donna Corbin to the Mental Health Subcommittee of the Tioga County Community Services Board effective April 12, 2011.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 107-11 *RESOLUTION URGING GOVERNOR CUOMO
TO REJECT THE 2011 NYS MANDATE
RELIEF REDESIGN TEAM REPORT*

WHEREAS: Governor Andrew Cuomo issued Executive Order No. 6 which, among other things, formed a Mandate Relief Redesign Team to fundamentally redesign and reform government to make it more affordable and efficient; and

WHEREAS: On March 1, 2011, Governor Cuomo accepted a preliminary report from said Redesign Team; and

WHEREAS: Although the effort may have been well-intended, the Report provides little mandate relief and, instead, offers goals and ideas for future study; and

WHEREAS: The Report does not meet the mission that was identified by the Governor and provides no substantial recommendations or specific legislation to curb unfunded mandates or implement mandate relief in the near future; and

WHEREAS: New York State mandates upon lower level governments are responsible for imposing huge property taxes upon residents of the State; and

WHEREAS: It is imperative that Governor Cuomo implement real mandate reform now, rather than promise relief to taxpayers through future studies; now therefore be it

RESOLVED: That the Tioga County Legislature hereby urges Governor Andrew Cuomo to reject the 2011 Mandate Relief Redesign Team Report and to immediately direct said Team to prepare a final report that introduces property tax relief for the citizens of New York State; and be it further

RESOLVED: That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator Thomas Libous, Assemblymen Finch and Friend, NYS Association of Counties, all New York State Counties, and to each and every other person, institution or agency who will further the purport of this Resolution.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 108-11 *AMEND POLICY 11*
TRAVEL POLICY AND PROCEDURES

WHEREAS: Policy 11 Travel Policy and Procedures needs to have an accountable plan to be in conformance with IRS regulations; therefore be it

RSOLVED: That Policy 11 Travel Policy and Procedures be amended to add Section IX Accountability and shall read as follows:

IX. ACCOUNTABILITY

- A. You must adequately account to the County of Tioga for expenses within 30 days of completion of travel.
- B. You must return any excess reimbursement or allowance within 30 days of completion of travel.

And be it further

RESOLVED: That the remainder of Policy 11 Travel Policy and Procedures shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 109-11 POLICY 25 BLOODBORNE
PATHOGENS PROTECTION PROGRAM
AND EXPOSURE CONTROL PLAN

WHEREAS: Policy 25 Bloodborne Pathogens Protection Program and Exposure Control Plan needed to have significant changes made to it along with the addition of a section; therefore be it

RESOLVED: That Policy 25 Bloodborne Pathogens Protection Program and Exposure Control Plan be amended in its entirety and the amended Policy is as follows:

POLICY 25**BLOODBORNE PATHOGENS PROTECTION PROGRAM
AND
EXPOSURE CONTROL PLAN**

Sec.

- I. Purpose and Scope
- II. Definitions
- III. Exposure Control Plan
- IV. Personal Protective Equipment (PPE)
- V. Housekeeping
- VI. Training
- VII. Hepatitis B Vaccine Program
- VIII. Post Exposure Program

In accordance with the Occupational Safety and Health Administration Rule as set forth in 29 CFR Part 1910.1030 inclusive of 2001 changes to the Standard, Tioga County hereby adopts the following policy:

I. PURPOSE AND SCOPE

The purpose of this policy is to limit occupational exposure to blood and other potentially infectious materials since any exposure could result in transmission of bloodborne pathogens which could lead to disease or death. This policy shall cover all employees who, as a result of performing their job duties, can be reasonably anticipated to face contact with blood or other potentially infectious material.

II. DEFINITIONS

BLOOD: means human blood, human blood components and products made from human blood.

BLOODBORNE PATHOGENS: means pathogenic microorganisms that are present in human blood or other potentially infectious materials and can cause disease in humans. These pathogens include, but are not limited to Hepatitis B virus (HBV), Hepatitis C virus (HCV) and Human Immunodeficiency virus (HIV).

CLINICAL LABORATORY: means a workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.

CONTAMINATED: means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

CONTAMINATED LAUNDRY: means laundry that has been soiled with blood or other potentially infectious materials or may contain sharps.

CONTAMINATED SHARPS: means any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes and exposed dental wires.

DECONTAMINATION: means the use of physical or chemical means to remove, inactivate or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

ENGINEERING CONTROLS: means controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices such as sharps with engineered sharps injury protection and needleless systems) that isolate or remove the bloodborne pathogens hazard from the workplace.

SHARPS WITH ENGINEERED SHARPS INJURY PROTECTIONS (SESIPs): means a non-needle sharp or a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medication or other fluids, with a built-in safety mechanism that effectively reduces the risk of an exposure incident (e.g., syringes with guards or sliding sheaths attached, phlebotomy tube holders that cause the needle to retract into them when the cap is closed).

NEEDLELESS SYSTEM: means a device that does not use needles for: (1) the collection of body fluids or the withdrawal of body fluids after the initial venous or arterial access is established; (2) the administration of medications or fluids; or (3) any other procedure involving the potential for occupational exposure to bloodborne pathogens due to injuries caused by contaminated sharps penetrating the skin.

EXPOSURE INCIDENT: means a specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

HAND WASHING FACILITIES: means a facility providing an adequate supply of running potable water, soap and single-use towels or hot air drying machines.

LICENSED HEALTH CARE PROFESSIONAL: is a person whose legally permitted scope of practice allows him or her to independently perform the activities required by 29 CFR 1910.1030 paragraph (f) "Hepatitis B Vaccination and Post-exposure Evaluation and Follow-up."

HBV: means Hepatitis B virus.

HCV: means Hepatitis C virus.

HIV: means Human Immunodeficiency virus.

OCCUPATIONAL EXPOSURE: means reasonably anticipated non-intact skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. "Reasonably anticipated contact" includes both potential for contact as well as actual contact with blood and other potentially infectious materials.

OTHER POTENTIALLY INFECTIOUS MATERIALS (OPIM): means

- A. The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid visibly contaminated with blood and all body fluids where it is difficult or impossible to differentiate between body fluids.
- B. Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and
- C. HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs or other tissues from experimental animals infected with HIV, HBV or HCV.

PARENTERAL: means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts and abrasions.

PERSONAL PROTECTIVE EQUIPMENT: is specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g. uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

REGULATED MEDICAL WASTE: means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

SOURCE INDIVIDUAL: means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in

institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospice and nursing homes; human remains; and individuals who donate or sell blood or blood components.

STERILIZE: means the use of physical or chemical procedure to destroy all microbial life including highly resistant bacterial spores.

UNIVERSAL PRECAUTIONS: is an approach to infection control. According to this concept, all blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, HCV and certain other bloodborne pathogens. Universal Precautions are the required methods of control to prevent exposure to blood or OPIM under 29 CFR 1910.1030.

STANDARD PRECAUTIONS: means an approach to infection control that combines major features of Universal Precautions and Body Substance Isolation. It is based on the principles that all blood, body fluids, secretions and excretions except sweat, non-intact skin and mucous membranes may contain transmissible infectious agents. Standard Precautions include a group of infection prevention practices that apply to all patients, regardless of confirmed or suspected infection status, in any setting in which health care is delivered. They include: hand hygiene; use of gloves, gowns, masks and eye protection or face shields depending on the anticipated exposure; and safe injection practices (Guidelines for Isolation Precautions: Prevention of Transmission of Infectious Agents in HealthCare Settings, 2007, page 66). OSHA considers Standard Precautions to be an acceptable alternative infection control method to Universal Precautions as long as all other provisions to 29 CFR 1910.1030 are adhered to.

WORK PRACTICE CONTROLS: means controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g. prohibiting recapping of needles by the two-handed technique.)

III. EXPOSURE CONTROL PLAN

A. EXPOSURE DETERMINATION

Each department shall determine which of their personnel can be reasonably anticipated to be at risk of exposure to blood or other potentially infectious materials. This determination shall be made according to job title. There can be two job determination lists;

1. An (A) list in which all employees within a given job title can be reasonably anticipated to be at risk of exposure
2. A (B) list in which only some employees within a given job title can be reasonably anticipated to be at risk of exposure.

These Exposure Determination lists shall be made without regard as to the use of personal protective equipment. A "Bloodborne Pathogen Risk Assessment Questionnaire" is attached to assist in making your determination.

B. IMPLEMENTATION SCHEDULE

Each department or agency within the County who has one or more employees that are covered by the Exposure Determination shall develop written procedures to ensure compliance. Each department is to cooperate with the Health Department for the delivery of these services. The Safety Officer shall make inspections for compliance.

1. Each department or agency within the County who has one or more employees that are covered by the Exposure Determination shall within thirty (30) days after the adoption of this policy develop written policies and procedures to ensure compliance with this policy and with OSHA regulations. Said protocol shall include, at a minimum, the following items:
 - a. Universal precautions shall be used to prevent contact with blood or other potentially infectious materials. Standard Precautions shall be an acceptable alternative.
 - b. Engineering and work practice controls are to be used to eliminate or minimize employee exposure.
 - c. Where risk of exposure still remains, personal protective equipment shall be used.
 - d. The provisions for hand washing facilities, or, where not feasible, suitable substitutes.
 - e. Procedure for handling contaminated needles or other contaminated sharps, i.e., glass shards, used razors.
 - f. Policies written to ensure that all procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, splattering and generation of droplets of these substances.
 - g. Procedure for the examination and decontamination of equipment which may become contaminated with blood or other potentially infectious material.
2. Upon adoption of this policy, the County shall make available the Hepatitis B Vaccine and post vaccination immune confirmation bloodwork to all employees who can reasonably be anticipated to have occupational exposure to blood and other potentially infectious materials, and post-exposure evaluation and follow-up to all employees who have had an exposure incident.
3. Within thirty (30) days after the development of the policy / protocol by each department:
 - a. Biohazard warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and to the doors of rooms where these are located or where blood is drawn; and to other containers used to store, transport or ship blood or other potentially infectious materials, except as provided in the regulations.
 - b. All employees with reasonably anticipated occupational exposure shall participate in a training program to be provided, at no cost to the employee, during working hours.
4. Within sixty (60) days from the adoption of this policy, each department shall establish and maintain accurate records for each employee with occupational exposure evaluation in accordance with OSHA regulations.
5. Each department shall maintain training records in accordance with the OSHA regulations.

6. Each department shall develop a departmental specific Exposure Control Plan and a copy of their Exposure Plan shall be accessible to all their employees.
7. This policy shall be made available to the Assistant Secretary of Labor for OSHA and Director of National Institute for Occupational Safety & Health, U.S. Department of Health & Human Services; upon request for examination and copying.

IV. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- A. Personal Protective Equipment shall be provided by each department to each covered employee. This equipment shall be appropriate to the task performed as specified in the standard.
- B. The department head shall ensure that the employee uses the appropriate Personal Protective Equipment. An employee, in extraordinary circumstances, may, in accordance with OSHA regulations, exercise his / her professional judgment not to use Personal Protective Equipment in order to deliver the health care of public safety service. In such circumstances, the department protocol shall provide for the investigation of said event.
- C. The department shall ensure the appropriate PPE is readily available. PPE that is reusable will be properly decontaminated / cleaned and repaired.
- D. Gloves shall be worn when it is reasonably anticipated that the employee may have contact with blood or other potentially infectious material.
- E. All Personal Protective Equipment shall be appropriate to comply with the standards.

V. HOUSEKEEPING

- A. All departments shall ensure that all appropriate methods are used to maintain the workplace in a clean and sanitary condition.
- B. All disposable PPE and equipment shall be disposed of in a manner to comply with the standard.

VI. TRAINING

Each department shall ensure that all employees are trained regarding exposure precautions, use of personal protective equipment, Post Exposure Evaluation Process, universal precautions and the availability of Hepatitis B Vaccines. The training programs must include an opportunity for questions and answers. After the initial training, training shall be provided as follows:

- A. At the time of initial assignment to task where occupational exposure may take place;
- B. At least annually thereafter;
- C. Such additional training shall take place when changes such as modification of task or procedures or institution of new task or procedure affect the employee's occupational exposure. The additional training shall be limited to addressing the new exposures created.

- D. Each department will develop department specific training for tasks specific to their department to supplement training provided by the Health Department.
- E. At the direction of the County Legislature, Tioga County Health Department will develop an appropriate general bloodborne pathogen training program in accordance with the OSHA regulations, which will be made available to the departments.

VII. HEPATITIS B VACCINE PROGRAM

- A. Each department shall make Hepatitis B Vaccine available to all employees who can reasonably be anticipated to have occupational exposure to blood or OPIM.
- B. This Hepatitis B vaccine will be provided at no cost to the employee, within ten (10) working days of assignment.
- C. This Hepatitis B vaccine shall be made available at a reasonable time and place.
- D. This Hepatitis B vaccine shall be administered by a recognized health care professional.
- E. Each department shall maintain appropriate records for their employees regarding Hepatitis B vaccination or declination of same
- F. Tioga County Health Department will provide Hepatitis B Vaccination series to all county employees referred by their departments and shall maintain their Hepatitis B vaccination or declination of same received at orientation training.
- G. A copy of the Hepatitis B Vaccine declination is attached to this policy.
- H. The County reserves the right to act as the subcontractor for the delivery of these services to local Tioga County municipalities and non-profit agencies.

VIII. POST EXPOSURE PROGRAM

- A. Hepatitis B Vaccine shall be made available to all employees following an exposure incident.
- B. A Confidential medical evaluation, post exposure counseling and testing and HIV post exposure prophylaxis, if appropriate, shall also be made available at no cost to the employee.
 - 1. Documentation shall be kept concerning the exposure circumstances.
 - 2. All means available shall be used to determine if the employee was exposed to HBV or HIV.

TIOGA COUNTY HEALTH DEPARTMENT BLOODBORNE PATHOGEN QUESTIONNAIRE

NAME: _____

JOB TITLE: _____

1. While performing your normal work duties, can you reasonably anticipate ever coming in contact with:
- | | | | |
|----|--|-----------|----------|
| A. | Human blood or blood products? | YES _____ | NO _____ |
| B. | Other human body fluids visibly contaminated with blood? | YES _____ | NO _____ |
| C. | Human body fluids not easily identified? | YES _____ | NO _____ |
| D. | Being bitten, scratched or cut by another person? | YES _____ | NO _____ |

If you answered "YES" to any of the above, please describe those work duties where contact could occur.

2. While performing your normal work duties, can you reasonably anticipate that you will:
- | | | | |
|----|--|-----------|----------|
| A. | Be required to carry a gun | YES _____ | NO _____ |
| B. | Be required to restrain another person? | YES _____ | NO _____ |
| C. | Be required to be a first responder? | YES _____ | NO _____ |
| D. | Working with toddlers and young children in stressful circumstances? | YES _____ | NO _____ |

If you answered "YES" to any of the above, please describe those work duties where any of these circumstances could occur.

HEPATITIS B VACCINE DECLINATION

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B Vaccine at no charge to myself. However, I decline Hepatitis B Vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B Vaccine, I can receive the vaccination series at no charge to me.

SIGNATURE

DATE

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE
LEGAL & FINANCE COMMITTEE

RESOLUTION NO. 110-11

*AMEND COUNTY POLICY 30
DRUG-FREE WORKPLACE POLICY*

WHEREAS: Resolution No. 234-93 established Tioga County's Drug-Free Workplace Policy (County Policy 30); and

WHEREAS: Resolution No. 179-96 amended County Policy 30 Section I, Paragraph 2; and

WHEREAS: Said Policy was established in accordance with the Drug Free Workplace Act of 1988; and

WHEREAS: The Federal regulations address only controlled substances, but make no mention of alcohol; and

WHEREAS: Tioga County believes for safety reasons it is in the best interest of the employees, residents and customers of Tioga County to include reference to alcohol in Policy 30; now therefore be it

RESOLVED: That County Policy 30 be amended and be re-titled “Drug-Free and Alcohol-Free Workplace Policy”; and be it further

RESOLVED: That the second sentence of the first paragraph of Policy 30 shall be amended to read as follows:

“Being under the influences of any drug or alcohol on the job poses serious risks to a person’s health and safety, and jeopardizes the public trust that has been placed in Tioga County.”

and be it further

RESOLVED: That wherever reference to “controlled substance” is made throughout Policy 30, that Policy 30 be amended to add the phrase “and/or alcohol”; and be it further

RESOLVED: That the remainder of Policy 30 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 111-11 *APPROVAL TO WAIVE 90-DAY HIRING
DELAY AND BACKFILL ENGINEERING
TECHNICIAN; AUTHORIZE CREATION
OF TEMPORARY, PART TIME
ENGINEERING TECHNICIAN
PUBLIC WORKS DEPARTMENT*

WHEREAS: Resolution 269-10 instituted a 90-day hiring delay, for most positions sought for backfill which could not otherwise be filled by promotion; and

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

WHEREAS: The Public Works Department will experience a vacancy on June 10, 2011 when a long term employee, George Craven, retires from the position of Engineering Technician; and

WHEREAS: The Engineering Technician position is vital to the operations of the Public Works Department; therefore be it

RESOLVED: That the Public Works Commissioner be granted a waiver from the 90-day hiring delay and be allowed to backfill the Engineering Technician position effective June 13, 2011 on a provisional basis pending civil service examination; and be it further

RESOLVED: That the Public Works Commissioner be authorized to create a temporary, part-time Engineering Technician position effective June 13, 2011, which will be filled by Mr. Craven in order to help train his replacement; and be it further

RESOLVED: That said temporary, part-time Engineering Technician position shall be compensated at a rate of \$20.00/hour, not to exceed \$2,040.00, and be paid out of Public Works Personnel Services/part time A1490.10 use code 20; and be it further

RESOLVED: That the sum of \$2,040.00 shall be transferred from Public Works Administration Account A1490.10-10 to Public Works Administration Account A1490.10-20.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 112-11 *AUTHORIZATION TO RECLASSIFY VACANT SENIOR TYPIST POSITION TO SENIOR ACCOUNT CLERK TYPIST AND FILL; AUTHORIZATION TO RECLASSIFY FUTURE SENIOR ACCOUNT CLERK TYPIST VACANCY TO ACCOUNT CLERK TYPIST HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required for the reclassifying of any position within Tioga County; and

WHEREAS: The Public Health Department has been carrying a vacant Senior Typist position (CSEA Grade IV) since 1/30/10 and will be faced with a Senior Account Clerk Typist vacancy on 6/6/11 due to retirement of long term employee, Sylvia Deats; and

WHEREAS: The Public Health Department has identified the importance and efficiencies of providing training by the retiring employee directly to the new employee responsible for the critical billing role, thereby creating the most efficient and seamless transition of billing and of receiving revenue; and

WHEREAS: Said efficiencies will be realized by reclassifying the vacant Senior Typist position to that of a Senior Account Clerk Typist and thereby providing staff training prior to the retirement of Ms. Deats: therefore be it

RESOLVED: That the Tioga County Legislature authorize the Public Health Director to abolish one vacant Senior Typist position (CSEA Salary Grade IV) and create a Senior Account Clerk position (CSEA Salary Grade V) effective April 13, 2011; and be it further

RESOLVED: That the Public Health Director be allowed to fill the reclassified Senior Account Clerk Typist position effective April 13, 2011, due to carrying a Senior Typist vacancy for 14 months; and be it further

RESOLVED: That upon retirement of Ms. Deats on June 6, 2011, her vacant position of Senior Account Clerk Typist shall be reclassified and downgraded to that of an Account Clerk Typist (CSEA Grade IV) and said vacancy will be subject to the 90-day hiring delay.

ROLL CALL VOTE

Yes – Legislators McEwen, Monell, Weston, Quinlan, Roberts, Sullivan, Hollenbeck, and Huttleston.

No –None.

Absent –Legislator Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:53 p.m.