

*Sixth Regular Meeting*  
June 15, 2021

The Sixth Regular Meeting of 2021 was held on June 15, 2021 and was called to order by the Chair at 12:00 P.M. Seven Legislators were present with Legislators Mullen and Sullivan being absent.

Chair Sauerbrey asked Legislator Balliet to have a moment of prayer. "Let us pray. Our Heavenly Father, we thank you for guiding and giving this Legislature hope during this COVID-19 pandemic. We ask that you give us strength as we work to lead our county out of COVID-19 and into a better future. Please bless all of our public servants who have stepped up and dealt with this pandemic for all of our benefit."

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

There were 8 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Roberts read and presented the following resolution to Teri Brogdale, daughter of former Legislator Richard Huttleston.

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

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 131-21	<i>RECOGNITION RESOLUTION</i> <i>RECOGNIZING RICHARD HUTTLESTON</i> <i>POSTHUMOUSLY</i>

WHEREAS: Richard Huttleston passed away on April 22, 2021; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Huttleston for his dedicated service as a Tioga County Legislator; and

WHEREAS: Dick was appointed to the position of Tioga County Legislator, District #1, on January 1, 1992 and was successfully re-elected up until his retirement on December 31, 2018; and

WHEREAS: To date, Dick was the second longest running Tioga County Legislator serving faithfully for 26 years; and

WHEREAS: Dick was extremely dedicated and loyal in the performance of his duties and responsibilities as Legislator; and

WHEREAS: Over the course of his Legislative career, Dick served as Chairman of several Legislative committees overseeing numerous departments with his longest running term as Chair of the Health and Human Services Committee for 14 years from 1999-2013 and returning as Chair of the Administrative Services Committee from 2014 until time of his retirement in 2018; and

WHEREAS: As Chair of the Health and Human Services Committee, Dick proudly served on the Tioga County Board of Health from January 1, 1998 – February 11, 2014 and enjoyed their monthly breakfast meetings and establishing friendships; faithfully attended Mental Hygiene's Community Services Board evening meetings; and served several years on the Tioga Opportunities, Inc. Office for the Aging Advisory Council, which was a program area he was most passionate about; and

WHEREAS: Dick is survived by his daughter, Teri, and was predeceased by his wife, Marian, son, Gary, and grandson, Lon; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Richard Huttleston posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Richard Huttleston.

#### ROLL CALL VOTE

Unanimously Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, and Weston.

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

Teri Brogdale spoke. "I would like to thank the Legislature. My dad was very proud to be a Legislator. My dad was a very proud man. He made friends wherever he went and this last year with COVID-19 it was very hard on him. It was hard for him because he could not sit out in the hallway and chat with everyone in the nursing home and know what is going on every minute, as we all know that is what he enjoyed doing. He had to know what everyone was doing and he missed having visitors. I missed visiting him the most because I would see him twice a week. I did sneak a couple of times and the one time he had a dentist appointment I just happened to show up there and took him out in the parking lot and cut his hair. The

last year was very hard on him. When I finally was able to get back in the nursing home to visit him, I was able to get him in a private room which was wonderful. The first time, I did not tell him I was coming and he was very happy to see me, however, the following week when I went back to visit he had expressed to me that he was ready to die. He said he was ready, but just did not know how this worked. Of course, he had to figure everything out. He had to know how everything worked. That was him. I am glad that he did not suffer. He talked about different friends, people he knew, and the Legislature. We had a lot of long conversations that last week. I just appreciate this and thank you. From the bottom of my heart, thank you."

Chair Sauerbrey spoke. "Thank you, Teri. We really did not get a chance to say good-bye to Dick because as you know we had a Legislature meeting, he fell that evening, and then was not able to return. Thank you again for coming. It is important that we recognize him and his long-standing years of dedicated service to Tioga County."

Chair Sauerbrey reported this resolution would just be noted for the minutes, as Mr. Berry, Heavy Equipment Operator II for Public Works, is not in attendance. Chair Sauerbrey thanked Mr. Berry for his service to Tioga County.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 132-21      *RECOGNIZING DANIEL BERRY'S  
23 YEARS OF DEDICATED SERVICE  
TO TIOGA COUNTY*

WHEREAS: Daniel Berry started his employment with Tioga County as Laborer of Public Works April 27, 1998 and was promoted to HEO II on December 16, 2020; and

WHEREAS: Daniel Berry has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 23 years to the Public Works Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Berry is retiring on June 24, 2021; 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 Daniel Berry for his 23 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 dedicated and outstanding employee, Daniel Berry.

## ROLL CALL VOTE

Unanimously Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, and Weston.

No – None.

Absent – Legislators Mullen and Sullivan.

## RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have one Proclamation recognizing Skin Cancer Awareness Month.

Legislator Standinger read and presented the Skin Cancer Awareness Month proclamation to Public Health Educator, Laura Bennett.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: Skin cancer is the most common cancer in the United States and worldwide, affecting 1 in 5 Americans by the age of 70; and

WHEREAS: Melanoma, the third most common form of skin cancer and the most deadly, is estimated to kill approximately 7,180 individuals in 2021; and

WHEREAS: According to the New York State Cancer Registry, Tioga County averages about 20 cases of Melanoma annually; and

WHEREAS: If caught early, Melanoma has a 5-year survival rate of 99%; and

WHEREAS: Routine skin cancer screenings and self-examinations for abnormal moles and spots can help catch Melanomas early on; and

WHEREAS: Rates of Melanoma and other skin cancers can be further reduced through routine sun safety practices including: applying sunscreen with a minimum of SPF 15, seeking shaded areas, dressing in long sleeved clothing, wearing sun glasses and wide-brimmed hats, and limiting time outdoors between the hours of 10am and 4pm when the sun's UV rays are strongest; and

WHEREAS: Tioga County Public Health, in partnership with the Cancer Prevention in Action grant funded by New York State, emphasize the importance of sun safety through education and outreach to local daycares, outdoor recreation facilities, outdoor worksites, and the community in general; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of June 2021 as

### **Skin Cancer Awareness Month**

And urges all residents to practice sun safety year round and seek medical advice for any abnormal moles or spots.

Legislator Standinger spoke. "I have discovered that getting a skin check is relatively painless and, if they do locate something, they can remove it which obviously prevents spreading. My advice to all of you is to get your skin checked when you get a chance."

Public Health Educator Laura Bennett spoke. "Hello everyone. I think you have seen me here a few times now, but my name is Laura Bennett and I am a Public Health Educator at the Health Department. First of all, thank you for giving us this opportunity to raise awareness on skin cancer and sun safety. One of my main roles at the Health Department is actually the Cancer Prevention Action Grant, which sun safety is one of its main components. I work with local daycare centers, outdoor worksites, and places of outdoor recreation to help them adopt sun safety policies and provide sun safety education to either the children or staff. If you are aware of any local daycare centers, outdoor worksites, towns and villages that have parks, you can send them my way if you think they would benefit from this service. The more people we reach, the better. There is an incentive; any place that signs a sun safety policy gets a mini grant, which is an amount of money they can use for purchasing sun safety items like tents, shade structures, and anything sun safety related. Thank you again for allowing us to raise awareness on this important topic."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of May 11 and May 20, 2021, seconded by Legislator Hollenbeck and carried.

Chair Sauerbrey made the following appointments to the **Chief Information Officer Search/Interview Committee:**

#### **Chief Information Officer Search Committee:**

Legislator Sullivan

Legislator Balliet

Legislator Roberts

Legislator Monell

Chair/Legislator Sauerbrey

Personnel Officer O'Rourke (non-voting member)

Chief Information Officer Camin (non-voting member)

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 133-21 ADOPT LOCAL LAW NO. 3 OF 2021

WHEREAS: A public hearing was held on May 20, 2021, following due notice thereof to consider the adoption of Local Law Introductory No. C of 2021 of the Year 2021 A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 3 of 2021; therefore be it

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

County of Tioga

Local Law No. 3 of the Year 2021.

A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

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

#### SECTION 1: LEGISLATIVE INTENT

The intent of this Local Law is to authorize Tioga County to permit twelve (12) and thirteen (13) year-old individuals to participate in the new and safe hunting opportunities in accordance with Environment Conservation Law §11-0935. The enacted 2021-2022 New York State Budget includes a pilot program allowing the opportunity for young hunters, ages twelve (12) and thirteen (13), to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Tioga County is passing this Local Law, as hunting is a valued tradition for many families and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

SECTION 2: PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL §11-0935, Tioga County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year-old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- A. Twelve (12) and thirteen (13) year-old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year-old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and
- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year-old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and
- E. All licensed twelve (12) and thirteen (13) year-old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year-olds with a firearm or crossbow.

SECTION 4: LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

SECTION 5: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Legislator Standinger spoke. "I am a Certified Hunter Safety Instructor in New York State and I can tell you that the young folks that come to the hunter safety instruction course, prior to obtaining a license, are probably the safest hunters out there and if they are with an adult hunter, I think it is a good thing because they will be safe and probably not commit any violations. I think this is a positive development allowing the youth the opportunity to hunt."

Chair Sauerbrey spoke. "There has been a lot of interest on this topic. I have had several calls wanting to know where we stand, so this will be good when this passes today."

Legislator Roberts spoke. "I have found that the new hunters give us old guys a refresher course on safety."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 134-21

AMEND ERRONEOUS ASSESSMENT  
TOWN OF TIOGA



WHEREAS: An erroneous application for Corrected Tax Roll for the year 2021 indicated that parcel 148.00-1-11.11 Account #30 in the Town of Tioga assessed to Cindy Agnellino was erroneous in that the Tioga Central School District returned an unpaid school bill that was protected by bankruptcy; and

WHEREAS: Resolution 76-21 authorized a new bill be issued to Ms. Agnellino, and the erroneous school tax of \$2,864.47 be charged back to the Tioga Central School District; and

WHEREAS: The Treasurer has agreed to grant Tioga Central School District's request to be made whole and the County take on the burden of bankruptcy collection for this bill; therefore be

RESOLVED: That the County Treasurer's Office will issue a check to Tioga Central School district in the amount of \$2,864.47; and be it further

RESOLVED: That the erroneous Resolution 76-21 be null and void, and the accounts in the Office of the County Treasurer be corrected.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

#### RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 135-21 AUTHORIZE ACCEPTANCE OF YEAR THREE FUNDING FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES AND ACCEPT YEAR THREE FUNDING FOR HURRELL-HARRING GRANT AND AMEND 2021 BUDGET

WHEREAS: By Resolution No. 257-18 adopted on November 13, 2018 Tioga County entered into a five-year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year April 2020 – March 2021 is \$462,608.65; and

WHEREAS: It is necessary for Tioga County to adopt the third year funding budget for said distribution in said amount of \$462,608.65; and

WHEREAS: Said funding in the amount of \$462,608.65 needs to be appropriated and the 2021 budget be amended; now therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the third year budget of said distribution in the amount of \$462,608.65 and the Chair of the Legislature is hereby authorized to execute the third year ILS Hurrell–Harring contract amendment; and it is further

RESOLVED: That upon execution of the third year contract amendment, the ILS HH Grant of \$462,608.65 be appropriated and the 2021 Budget be amended as follows:

Revenue Account: A1174 430260 State Aid Indigent \$ 462,608.65

Expense Account: A 1174 510010 Full Time Salary	\$ 127,458.00
A 1174 510020 Part Time Salary	\$ 108,000.00
A 1174 520090 Info Tech	\$ 6,400.00
A 1174 520200 Office Equipment	\$ 10,500.00
A 1174 540000 Contracted Services	\$ 12,000.00
A 1174 540040 Books	\$ 2,500.00
A 1174 540180 Dues	\$ 2,500.00
A 1174 540280 Investigations	\$ 41,516.39
A 1174 540320 Leased Services	\$ 3,100.00
A 1174 540390 Mileage	\$ 2,000.00
A 1174 540420 Supplies	\$ 8,500.00
A 1174 540480 Postage	\$ 1,000.00
A 1174 540550 Rent	\$ 7,500.00
A 1174 540620 Software Expenses	\$ 24,634.26
A 1174 540733 Training/CLE	\$ 5,000.00
A 1174 581088 Retirement	\$ 10,120.00
A 1174 583088 Social Security	\$ 12,600.00
A 1174 585588 Disability	\$ 200.00
A 1174 584088 Workers Comp	\$ 7,000.00
A 1174 586088 Health Ins/HRA	\$ 70,000.00
A 1174 588988 EAP	\$ 80.00

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 136-21      *AUTHORIZE THE SUBMISSION OF  
EMPG21 GRANT APPLICATION  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency has issued an Emergency Management Performance Grant (EMPG21) in the amount of \$23,664; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by April 30, 2021; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2021 EMPG grant application, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Roberts, Sauerbrey, Standingger, and Weston.

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 137-21 *AUTHORIZE THE SUBMISSION OF  
HOMELAND SECURITY GRANT APPLICATION (SHSP21)  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency has issued a grant of \$59,750 to the Tioga County Office of Emergency Services. 25% of the monies will be appropriated to the Sheriff's Office (\$14,938) and 75% to Emergency Management (\$44,812); and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by April 28, 2021; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2021 Homeland Security grant application, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 138-21 *AUTHORIZE THE SUBMISSION OF STATEWIDE  
INTEROPERABLE COMMUNICATIONS "FORMULA"  
GRANT (SICG 20) APPLICATION 2020  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security and Emergency Services has issued a Statewide Interoperable Communications "Formula" Grant 2020 to the Tioga County Office of Emergency Services. The grant will be used for upgrading the radio communications in the county and there is no local share associated with said grant; and

WHEREAS: County Policy #47 requires that permission be obtained prior to submitting said application. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by June 11, 2020; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant application 2020, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 139-21      *AUTHORIZATION FOR THE DEPARTMENT OF  
ECONOMIC DEVELOPMENT AND PLANNING TO  
SUBMIT AN APPLICATION AND ADMINISTER A  
USDA COMMUNITY FACILITIES DIRECT LOAN  
AND GRANT FOR VILLAGE OF NICHOLS  
EQUIPMENT PURCHASE*

WHEREAS: The United States Department of Agriculture (USDA) Community Facilities Direct Loan and Grant Program provides affordable funding to develop essential community facilities in rural areas; and

WHEREAS: An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area; and

WHEREAS: Rural areas include cities, villages, townships and towns with no more than 20,000 residents according to the latest US Census Data; and

WHEREAS: Funds can be used to purchase, construct, and/or improve essential community facilities, purchase equipment and pay related project expenses; and

WHEREAS: The Village of Nichols fits the USDA defined criteria under the Community Facilities Direct Loan and Grant Program; and

WHEREAS: The Village of Nichols has identified a need for the purchase of equipment to properly care and maintain Village streets and catch basins; and

WHEREAS: The Village of Nichols has approved a resolution in support of an application to the USDA Community Facilities Direct Loan and Grant Program and is desirous of the Department of Economic Development and Planning conducting this activity for them; and

WHEREAS: There is interest and opportunity for said equipment to be shared among other municipalities within Tioga County; and

WHEREAS: Tioga County supports and encourages shared services within the County; and

WHEREAS: The USDA Community Facilities Direct Loan and Grant Program grant/loan application will be in the name of the Village of Nichols and submitted for a total of up to \$186,200.63 in grant funds and \$152,345.96 in loan funds; and

WHEREAS: The Village of Nichols will assume all responsibility for the repayment of the loan portion of the requested funds; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Department of Economic Development and Planning to submit and administer said grant/loan for a USDA Community Facilities Direct Loan and Grant Program in the amount of \$186,200.63 (grant) and \$152,345.96 (loan) on behalf of the Village of Nichols.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 140-21      *AWARD DESIGN SERVICES TO DELTA ENGINEERS  
FOR PARK SETTLEMENT ROAD BRIDGE  
BIN 3218770*

WHEREAS: The Park Settlement Road Bridge BIN 3218770 is a bridge that needs repair due to a Tioga County Bridge inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$9,890.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Park Settlement Road Bridge BIN 3218770 for Delta Engineers not to exceed \$9,890.00 to be paid out of the Bridge Project account D5110 540050.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 141-21      *MODIFY 2021 BUDGET AND  
APPROPRIATION OF FUNDS  
RESERVE FOR E911  
OFFICE OF EMERGENCY SERVICES*









From: CD6293 447910- Federal Aid-Federal Employment Program \$ 20,000.00

To: CD6293 520070 Chairs	\$ 3,265.59
CD6293 520200 Office Equipment	\$ 1,189.93
CD6293 540420 Office Supplies	\$ 4,500.00
CD6293 540130 Contracts	\$ 11,044.48

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 145-21 TRANSFER OF FUNDS  
BUDGET MODIFICATION  
MENTAL HYGIENE

WHEREAS: Tioga County is required to pay the full costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: Tioga County Mental Hygiene (TCMH) has received notice that a Tioga County resident was assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

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

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From: A4210 510010	Full Time	\$10,000.00
A4309 510010	Full Time	\$10,000.00
A4310 510010	Full Time	\$ 9,919.40
To: A4390 540590 Criminal Psychiatric: Services Rendered		\$29,919.40

## ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

## RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 146-21 *AUTHORIZE BOARD OF ELECTIONS  
BUDGET TRANSFER*

WHEREAS: The Tioga County Board of Elections voter registration software is in the process of being upgraded by the vendor NTS Data Services; and

WHEREAS: For optimal efficiency and functionality, NTS recommends using the Fujitsu FI-7700 document scanner to interface with the upgraded software; and

WHEREAS: The Board of Elections is purchasing one scanner for each workstation that processes voter registration documents and absentee envelopes, for a total of two scanners; and

WHEREAS: The scanners should be categorized as “equipment” for budgeting purposes, and each scanner costs approximately \$5,600.00, for a total of \$11,200.00; and

WHEREAS: The Board of Elections expense account for Equipment only has \$4,000 available, but the Training and Election Inspector expenses are projected to be less than budgeted for in 2021; therefore be it

RESOLVED: That the Board of Elections is authorized to execute a budget transfer as follows:

FROM:	A1450 540143	Election Inspectors	\$4,500.00
FROM:	A1450 540733	Training/All Other	\$4,500.00
TO:	A1450 520130	Equipment (Not Car)	\$9,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 147-21 APPROPRIATIONS OF FUNDS  
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

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

RESOLVED: That funding be appropriated as follows:

From:	A6010.446100 Federal Aid: Administration	\$ 35,412
To:	A6010.540140 Contracting Services	\$ 35,412



Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 149-21 *AUTHORIZE CREATION OF A FULL-TIME  
CLINICAL SOCIAL WORKER POSITION  
MENTAL HYGIENE*

WHEREAS: Legislative approval is required for the creation of positions within a County Department; and

WHEREAS: Due to identified needs within the Owego-Apalachin Central School District, the Director of Community Services has demonstrated a necessity of creating an additional full-time Senior Clinical Social Worker (School / Community Based) position; and

WHEREAS: Funding for this position is Fee-For-Service billable revenue and contracted \$32,000 paid annually by the school; therefore be it

RESOLVED: That one full-time Senior Clinical Social Worker (School / Community Based) position (\$60,908 – CSEA SG XVII) is created effective June 16, 2021, in order for the Director of Community Services to fill said position as of August 2, 2021; and be it further

RESOLVED: The Mental Hygiene Department’s full-time headcount shall increase from 33 to 34; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$43,926.82
To: A4310 510010	Full Time Salary	\$30,454.00
A4310 581088	State Retirement Fringe	\$ 2,247.25
A4310 583088	Social Security Fringe	\$ 1,917.88
A4310 584088	Workers Compensation Fringe	\$ 607.21
A4310 585588	Disability Insurance Fringe	\$ 43.55
A4310 586088	Health Insurance Fringe	\$ 8,650.66
A4310 588988	EAP Fringe	\$ 6.27

Legislator Standinger spoke. "I think the fact that the schools are working together with Mental Hygiene is a positive thing and this resolution is related to that. Kids are experiencing a lot of problems, especially this past year with COVID-19, so I think this is a good thing."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE COMMITTEE

RESOLUTION NO. 150-21 *AUTHORIZATION TO CREATE AND FILL ONE (1) TEMPORARY PART-TIME VETERAN'S SERVICE OFFICER POSITION; AUTHORIZE BUDGET MODIFICATION AND APPROPRIATION FOR TIOGA COUNTY VETERANS' SERVICE AGENCY*

WHEREAS: Legislative approval is required for the creation of any position and for budget modification and appropriation of funds; and

WHEREAS: Due to a leave of absence, the Tioga County Veterans' Service Agency will have a part-time Veteran's Service Officer vacancy for a one-year duration (beginning September 7, 2021 and ending September 6, 2022); and

WHEREAS: The Director of Veterans' Service Agency would like to backfill said vacancy and also be allowed to have an overlap of training prior to the commencement of the leave of absence in order to provide seamless services to the veteran community during this period of transition; and

WHEREAS: The duration for said training is anticipated for a period of 9 weeks at 17 hours a week in the amount of \$17.04 per hour with a maximum cost of \$2,608.00; and



WHEREAS: The Director does not have this money in the Agency's 2021 budget and as a result, a budget modification in the amount of \$2,608.00 is necessary; therefore be it

RESOLVED: That one (1) part-time Veteran's Service Officer position be created and filled for a temporary duration effective July 6, 2021, at a rate of \$17.04 per hour for a duration not to exceed nine (9) weeks and that the 2021 budget be revised, modified and apportioned as follows:

From: A1990-540715 County Contingency Account	\$2,608.00
To: A6510 510020 Part Time/Temporary Hire (9 weeks)	\$2,608.00

and be it further

RESOLVED: That as of September 7, 2021, the temporary part-time Veteran's Service Officer shall continue employment in the permanent, part-time Veteran's Service Officer position until such time the leave of absence ends.

Chair Sauerbrey spoke. "This is another organization that has seen a lot of activity due to COVID-19 and it is important that we keep their staffing up so they can provide services for the veterans of our county."

#### ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:	LEGAL/FINANCE COMMITTEE PERSONNEL COMMITTEE
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RESOLUTION NO. 151-21	<i>AUTHORIZE CREATION OF ADDITIONAL PART-TIME ASSISTANT PUBLIC DEFENDER PUBLIC DEFENDER'S OFFICE</i>
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WHEREAS: Legislative approval is required to create any job title within Tioga County; and



WHEREAS: Due to resignation, a part-time Paralegal position has been vacant in the Public Defender's office since March 31, 2021; and

WHEREAS: Following recruitment, the Public Defender has identified a qualified candidate to fill said position; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Defender to appoint Karen Weston to the title of Paralegal (PT) at an hourly rate of \$16.49 effective June 21, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 153-21 *AUTHORIZE APPOINTMENT OF DIRECTOR OF  
EMPLOYMENT AND TRANSITIONAL SUPPORT  
SOCIAL SERVICES*

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

WHEREAS: Due to retirement, the position of Director of Employment and Transitional Support (\$57,655 - \$67,655; Non-union) became vacant within the Department of Social Services as of June 9, 2021; and

WHEREAS: Following recruitment efforts, the Commissioner of Social Services has identified a well-qualified candidate from within his Department which he would like to appoint to said title; therefore be it

RESOLVED: That the Commissioner of Social Services is authorized to provisionally appoint Julie Whipple as Director of Employment and Transitional Support at an

annual salary of \$69,602 effective June 21, 2021, pending the successful completion of all civil service examination requirements.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Roberts, Sauerbrey, Standing, and Weston.

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:23 P.M.