

Agenda 	TIOGA COUNTY LEGISLATURE 9/15/2026 12:00 PM EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827	
Meeting called by:	Chair Tracy Monell	
Type of meeting:	9 th Regular	
Attendees:	Legislator Aronstam Legislator Brown Legislator Bunce Legislator Cantella Legislator Ciotoli Legislator Flesher Legislator Monell Legislator Rose Legislator Standinger	
Agenda topics		
Invocation Pledge of Allegiance Recognition Resolutions (2) Proclamation (1) Privilege of the Floor	Legislator Aronstam Legislator Aronstam • Rani Kapur-Pado, Board of Health • Debra Goodspeed, Department of Social Services • Employee Recognition & Appreciation Week	

Approval of Minutes	August 11 and 27, 2026	
Petitions, Communications & Notices		
Appointments/Reappointments		
Reports Standing Committees		
RESOLUTIONS	1. LOCAL LAW TO BE INTRODUCED: A Local Law Providing for the Collection of a Hotel and Motel Tax in Tioga County 2. Schedule Public Hearing Local Law Introductory No. A of 2026 3. Acceptance of the Application for Joshua May to the Tioga County Haz-Mat Team 4. Establish Equalization Rates 5. Merging County-Owned Properties 6. Amend Resolution No. 264-07; Grant Partial Tax Exemptions to Certain Residents of Tioga County, NY 65 Years of Age or Older, and Change the Previous Sliding Scale Schedule 7. Resolution to Change the Composition of the Community Services Board from Fifteen (15) to Nine (9) Members 8. Requesting Tioga County Veterans' Service Agency be Allowed to Exceed Food & Beverage Purchase Guidelines 9. Filing an Application for NYSDEC Municipal Waste Reduction and Recycling (MWRR) Program 10. Authorize the Submission of Law Enforcement Technology (LETech) Grant – Sheriff's Office 11. Authorize Acceptance of NYS 2025-2026 PSAP Operations Grant and Modify 2026 Budget – Sheriff's Office 12. Authorize 2026 Election Grant and Amend 2026 Budget – Board of Elections 13. Authorize 2026 Mail Ballot Grant and Amend 2026 Budget – Board of Elections	

14. Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program-Aid Eligible Costs of a Transportation Federal-Aid Project and Appropriating Funds Therefore
15. Approve Change Order for Driveway Installation at 70 Delphine Street
16. Award Contract to Martin Plumbing and Heating for Installation of Closet and Urinal Flushometers at the Health and Human Services Building
17. Award Contract to Martin Plumbing and Heating for Installation of a Boiler at 68 Temple Street
18. Award Contract to Baker's Garage Doors, Inc. for Installation of Overhead Door and Water-Resistant Opener at 70 Delphine Street
19. Award 2026 Commodity Bid to Advanced Drainage and JC Smith, Inc. for ADS (Bell) Polyethylene Culvert Pipe
20. Award 2026 Commodity Bid to Advanced Drainage and JC Smith, Inc. for Smooth Interior Corrugated Polyethylene Culvert Pipe
21. Award 2026 Commodity Bid to Multiple Vendors for Aggregate Processing
22. Award 2026 Commodity Bid to Multiple Vendors for Bituminous Asphalt Concrete Non-Capital Projects Paving
23. Award 2026 Commodity Bid to Ferguson Enterprises for Corrugated Steel Pipe and Aluminized Steel Pipe Arches
24. Award 2026 Commodity Bid to Multiple Vendors for Coarse Aggregate
25. Award 2026 Commodity Bid to Multiple Vendors for Crusher Run
26. Award 2026 Commodity Bid to Seneca Paving for Pavement Stripes
27. Award 2026 Commodity Bid to Multiple Vendors for Portland Cement Concrete
28. Award 2026 Commodity Bid to Scott Smith & Son for Motor Fuel

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| | <ol style="list-style-type: none"> 29. Award 2026 Commodity Bid to Multiple Vendors for Snow Sand 30. Award 2026 Commodity Bid to Multiple Vendors for Sub-Base Course 31. Award 2026 Commodity Bid to Multiple Vendors for Tires 32. Award 2026 Commodity Bid to Tri-County Tree Service (dba Anthony G. Barnhart) for Tree Removal 33. Award 2026 Commodity Bid to Multiple Vendors for Granular Fill (Bank Run Gravel) 34. Award 2026 Commodity Bid to Marcus Cole for Stone Filling 35. Approve Single-Source Purchase of Two Patterson-Kelley Boilers for the Public Safety Building and Authorize Execution of Contract 36. Contract with AFT Mechanical, LLC for Electrical Services – Prospect Tower 37. Extend Contract CBH Medical for Jail Medical and Mental Health Services – Sheriff's Office 38. Authorize 2026-2027 Contracts with SADD School Associates – STOP DWI 39. Amend Resolution No. 212-26; Authorize Contract for Consultant Services for the Assigned Counsel Program 40. Execute Lease of Property Located at 20 Court Street, Owego, NY to House Assigned Counsel Resource Center 41. Authorize Appropriation from Workers' Compensation Reserve and Amend 2026 Workers' Compensation Fund Budget 42. Authorize Appropriation from Workers' Compensation Reserve and Amend 2026 Workers' Compensation Fund Budget 43. Appropriation of Funds and Amend 2026 Budget – Social Services 44. Appropriation of Code Blue 2026-2027 Funds and Amend 2026 Budget – Social Services 45. Amend 2026 Budget Contingency Transfer Request – Mental Hygiene | |
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	46. Transfer Reserve Funds to Purchase Copier for County Clerk's Office at 16 Court Street, Owego, NY 47. Authorize Transfer of Funds from the NYS Division of Criminal Justice for County Pre-Trial Services Grant Award to Various Accounts 48. Interfund Capital from General Fund to Capital Fund to Cover Costs of Awarded Paving Bids 49. Authorize Appointment of 3rd Assistant District Attorney – District Attorney 50. Authorization to Create and Fill One, Temporary Part-Time Principal Social Welfare Examiner Position – Social Services 51. Create One (1) Full-Time AOT Coordinator Position Mental Hygiene 52. Amend Employee Handbook: Section IV. Personnel Rules; Subsection e. Disciplinary Procedures	
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REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -26 RECOGNITION OF RANI KAPUR-PADO'S
26 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Rani Kapur-Pado, D.O, was appointed as a member of the Tioga County Board of Health August 14, 2000; and

WHEREAS: Rani served graciously on the Board for 26 years, offering thoughtful leadership, professionalism, and a consistent commitment to the health and well-being of Tioga County residents; and

WHEREAS: Rani has been dedicated and loyal in the performance of her duties and responsibilities to the Board of Health and Public Health as a whole, consistently demonstrating integrity, compassion, and a strong sense of civic responsibility; and

WHEREAS: In addition to her service on the Board, Rani Kapur-Pado, D.O., also faithfully served Tioga County Public Health as a Medical Consultant from 2015 - 2023, offering her expertise, guidance, and professional support throughout this period, strengthening the department's ability to meet the public health needs of the community; and

WHEREAS: Her years of service reflect a remarkable commitment to public health, and her contributions will have a lasting positive impact on the residents of Tioga County; and

WHEREAS: Rani Kapur-Pado, D.O., concluded her tenure from the Tioga County Board of Health on August 16, 2026; 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 Rani Kapur-Pado, D.O., for her 26 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, Rani Kapur-Pado, D.O., as a lasting expression of the Legislature's respect, admiration, and gratitude for her exceptional service.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -26 RECOGNIZE DEBRA M. GOODSPEED'S
22 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY DEPARTMENT OF
SOCIAL SERVICES

WHEREAS: Debra began her career with the Tioga County Department of Social Services on July 8, 2004, as a Typist in the Income Maintenance Department. She was promoted to Social Welfare Examiner in February 2005, Social Services Employment Specialist in February 2007, and Senior Social Welfare Examiner in June 2018. In August 2023, Debra advanced to her current role as Principal Social Welfare Examiner; and

WHEREAS: Debra Goodspeed has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Debra Goodspeed has shown the highest levels of reliability, trust, loyalty, and competence in the performance of her duties; and

WHEREAS: Debra Goodspeed will retire on September 30, 2026; 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 Debra Goodspeed for her twenty-two years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated, and outstanding employee, Debra M. Goodspeed.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

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

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

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

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

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

<u>Name</u>	<u>Department</u>	<u>Years</u>
Shellianna Decker	Sheriff's Office	30
Denise Haskins	Department of Social Services	25
Kelly Kelley	Department of Social Services	25
Denise Liske	Department of Social Services	25
Elizabeth Myers	Department of Social Services	25
John Norris	Department of Social Services	25
Ellen Pratt	Economic Development & Planning	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of September 14th – 18th, 2026 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

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

Local Law Filing

New York State Department of State
41 State Street, Albany, NY 12231

County of Tioga

Local Law No. **X** of the Year 2026.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

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

SECTION 1: TITLE.

This local Law shall be known as the "Hotel/Motel Tax Law."

SECTION 2: PURPOSE.

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS.

HOTEL/MOTEL - Any facility or a portion thereof providing lodging on an over-night basis, in exchange for any consideration, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

OCCUPANCY - The use or possession, or the right to the use or possession of any room in a hotel or motel.

OCCUPANT - A person who, for a charge or any consideration uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right, license, agreement, or otherwise.

OPERATOR - Any person operating a hotel or motel in Tioga County including but not limited to the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel or motel.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

PERSON - An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

RENT – The consideration received for occupancy valued in money, whether received in money, or otherwise.

RETURN - Any return filed or requested to be filed as herein provided.

ROOM - Any room or rooms of any kind in any part or portion of a hotel or motel, which is available for rent or otherwise let out for the lodging of guests.

TREASURER – Tioga County Treasurer

SECTION 4: TAX.

A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

SECTION 5: EXEMPTION.

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 6: REGISTRATION.

Within three (3) days after commencing business or opening, every operator shall file with the Treasurer a registration application in a form prescribed by the Treasurer. Upon approval of the registration application, the Treasurer shall issue to the operator a Certificate of Authority, which shall be conspicuously displayed at the owner's place of business.

SECTION 7: ADMINISTRATION AND COLLECTION.

(A) The tax imposed by this local law shall be administered and collected by the Treasurer, or other fiscal officers of Tioga County, by such means and in such manner as other taxes which are now collected and administered by such officers or as otherwise may be provided by such local law.

(B) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement of charge made for said occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator or to the person entitled to be paid the rent or charge for the hotel or motel occupied for and on account of the County, and the operator or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax.

(C) The operator or any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this local law, and such operator or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the occupant, or in respect to non-payment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge; provided, however, that the Treasurer or other fiscal officers, employees or agents specified in this local law, shall be joined as a party in any action or proceeding brought to collect the tax by the operator or by the person entitled to be paid the rent or charge.

(D) The Treasurer may, whenever deemed necessary for the proper enforcement of this local law, provide that the occupant shall file returns and pay directly to the Treasurer, the tax herein imposed.

(E) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to subdivision (d) of this section, an occupant is required to file returns and pay directly to the

Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant.

(F) Where an occupant claims exemption from the tax under the provisions of section five of this local law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary, the operator may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under section five of this local law.

SECTION 8: RECORDS TO BE KEPT.

Every operator shall keep records of every occupancy and of all rent paid, charged and due thereon and of the tax payable thereon, in such form as the Treasurer may require. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or the Treasurer's duly authorized agents or employees, and shall be preserved for a period of not less than three (3) years, except that the Treasurer may consent in writing to their destruction within that period or may in writing require that such records be kept and maintained for a specified period in excess of three (3) years.

SECTION 9: RETURNS.

(A) The filing of returns and the payment of the tax shall be paid to the Treasurer on a quarterly basis. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as may be specified. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this local law, the Treasurer may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as may be specified.

(B) The forms of returns shall be prescribed by the Treasurer and shall contain such information as may be deemed for the proper administration of this local law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.

(C) If the return required by this local law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such return or of a corrected return.

SECTION 10: PAYMENT OF TAX.

(A) Upon the time of filing a return of occupancy and of rents, each operator shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as other monies collected by the operator acting or purporting to act under the provisions of this local law.

(B) Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may require any operator obligated to collect the tax imposed by this local law to file with the Treasurer's office a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator.

(C) In the event the Treasurer determines that an operator is to file such bond, notice shall be given by the Treasurer to such operator to that effect specifying the amount of the bond required.

(D) The operator shall file such bond within five (5) days after the issuance of such notice, unless within five (5), days the operator shall serve upon and deliver to the Treasurer a written request for a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Any determination by the Treasurer upon such hearing shall be final and shall be complied with by the operator within fifteen (15) days after the giving of notices thereof.

(E) In lieu of such bond, securities approved by the Treasurer or cash in such amount as may be prescribed, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice of the depositor apply them to any tax and interest and penalties due, and for that purpose the securities may be sold by the Treasurer at public or private sale without notice to the depositor thereof.

SECTION 11: DETERMINATION OF TAX.

If a return required by this local law is not filed, or if a return is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms,

location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving of such notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of its own motion shall re-determine the same. After such hearing, the Treasurer shall give notice of the determination made to the person against whom the tax is assessed. Any final determination of the amount of any tax payable hereunder, shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

(A) The amount of tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interests, and penalties stated in such determination plus the costs and charges which may accrue against such petitioner in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interests or penalties as a condition precedent to the application.

SECTION 12: JUDICIAL REVIEW.

(A) Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

1. The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited

and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

2. At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(B) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 13: PENALTIES AND INTEREST.

(a) There shall be a penalty for failure to file said return and pay over the tax to the Treasurer on the date due in the amount of ten (10%) percent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due, shall accrue. The Treasurer, if satisfied the delay was excusable, may remit or waive all or any part of the penalty, but not the interest owed. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

(b) Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this local law, or filing or causing to be filed, or making or causing to be made or giving or

causing to be given any return, certificate, affidavit, representation, information, testimony, or statement required or authorized by this local law, which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required pursuant to section ten (10) of this local law, failing to file a registration certificate and such data in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the certificate of authority as required by this local law or assigning or transferring such certificate of authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax or any evidence of occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any operator and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this local law, and any operator failing to keep the records required by section eight (8) of this local law, shall in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollar (\$1,000) or imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this local law, and subject to the penalty herein above imposed.

- (c) The certificate of the Treasurer to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed, or that information has not be supplied pursuant to the provisions of this local, shall be presumptive evidence thereof.

SECTION 14: LIMITATION OF TIME.

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 15: RESERVES.

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to such occupant or operator on such application for a refund, the Treasurer shall set aside sufficient monies to meet any decision adverse to the County.

SECTION 16: APPLICATION OF FUNDS.

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 17: REMEDIES EXCLUSIVE.

The remedies provided by sections eleven (11) and twelve (12) of this local law shall be the exclusive remedies available to any person for the review of the tax liability imposed by this local law; and no determination or proposed determination of tax or determination on any application for refund or credit shall be enjoined, contested or reviewed by any action or proceeding, except by a proceeding under article seventy-eight of the Civil Practice Law and Rules provided, however, that a taxpayer may proceed by declaratory judgment if suit is instituted within thirty (30) days after a deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs pursuant to section twelve (12) of this local law.

SECTION 18: PROCEEDINGS TO RECOVER TAX.

(A) Whenever any operator or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as herein provided, or whenever any occupant shall fail to pay any such tax, penalty or interest, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of Tioga County in any court of the State of New York or of any other state or of the United States.

(B) Notwithstanding any other provision of this section, if the Treasurer, in its discretion, believes that any such operator, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Treasurer may declare such tax or penalty to be immediately due and payable and may issue a warrant, as provided in this section, immediately.

(C) As an additional alternate remedy, the Treasurer may issue a warrant, directed to the Tioga County Sheriff or to the Sheriff of any other county commanding said Sheriff to levy upon and sell the real and personal property of the operator, occupant, or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to the Treasurer the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The sheriff shall, within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by in respect to executions issued against property judgments of a court of record and for services in executing the warrant the Sheriff shall be entitled to the same fees, which may be collected in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred upon by the Sheriff but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time-to-time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefore and execution thereon has been returned unsatisfied.

(D) Whenever an operator shall make a sale, transfer, or assignment in bulk of any part of the whole of a hotel, motel, or lease, or of such operator's business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the said sale, transfer or assignment, or paying therefor, notify the Treasurer by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that any tax is owed pursuant to this local law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

(E) Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by sub-section eighteen (18) (d), of this section or whenever the Treasurer shall inform the purchaser, transferee, or assignee

that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien of any such taxes theretofore or thereafter determined to be due the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this sub-section, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment determined to be due to the County from the seller, transferor or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

SECTION 19: GENERAL POWERS OF THE TREASURER.

In addition to the powers granted to the Treasurer by County Law and this local law, the Treasurer is hereby authorized and empowered:

- (A) To make, adopt and amend rules and regulations, and to issue orders, appropriate to the carrying out of this local law and the purposes thereof;
- (B) To extend for cause shown the time of filing any return for a period not exceeding thirty (30) days; and for cause shown, to remit or waive penalties but not interest; and to compromise disputed claims in connection with the taxes hereby imposed.
- (C) To request information from the tax commissioner of the State of New York or the treasury department of the United States relative to any person; and to afford information to such tax commissioner or such treasury department relative to any person, any other provision of this local law to the contrary notwithstanding
- (D) To delegate said functions hereunder to any employee or employees of the Treasurer
- (E) To prescribe methods for determining the rents for occupancy and to determine the taxable and nontaxable rents
- (F) To require any operator within the County to keep detailed records of the nature and type of hotel or motel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any

occupancy is claimed to be subject to the tax imposed by this local law, and to furnish such information upon request to the Treasurer

(G) To assess, determine, revise and readjust the taxes imposed under this local law

SECTION 20: ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY.

(A) The Treasurer, or the Treasurer's duly designated and authorized employees or agents, shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the Treasurer's powers and duties under this local law.

(B) The Treasurer shall have the power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this local law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before the Treasurer or excused from attendance.

(C) A justice of the Supreme Court, either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

(D) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one year, or both such fine and imprisonment.

(E) The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts or record, except as herein otherwise provided.

(F) The County Sheriff, the Sheriff's duly appointed deputies, and any officer or employee of the Treasurer designated to serve process under this local law, are hereby authorized and empowered to serve any summons, subpoena, order, notice, document, instrument, or other process to enforce or carry out this local law.

SECTION 21: REFERENCE TO TAX.

Wherever reference is made in placards or advertisements or in any other publications to this tax such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms"; except that in any bill, receipt, statement or other evidence of memorandum of occupancy or rent charge issued or employed by the operator, the wording "occupancy tax" will suffice.

SECTION 22: RETURNS TO BE SECRET.

(A) Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of the taxpayer contained in any return required under this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this local law or on behalf of any party to any action or proceeding under this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative or a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.

(B) Any violation of this section shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both, in the discretion of the court.

SECTION 23: EFFECTIVE DATE.

This local law shall become effective December 1, 2026 and shall remain in effect until November 30, 2029.

SECTION 24: SEVERABILITY.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. -26

SCHEDULE PUBLIC HEARING

LOCAL LAW INTRODUCTORY NO. A OF 2026

RESOLVED: That a Public Hearing shall be held on Thursday, September 24, 2026 at 10:00 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY 13827 on Local Law Introductory No. A of 2026; A Local Law providing for the Collection of a Hotel and Motel Tax in Tioga County. All persons desiring to present written or oral comments may do so at said time.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -26 ACCEPTANCE OF THE APPLICATION FOR
JOSHUA MAY TO THE TIOGA COUNTY
HAZ-MAT TEAM

WHEREAS: The Office of Emergency Services provides high quality HAZ-MAT Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Joshua May has applied for membership to the County HAZ-MAT Team; and

WHEREAS: Joshua May, currently possesses training and skills needed by the Tioga County HAZ-MAT Team to work on the Team; therefore be it

RESOLVED: That Joshua May be added to the Tioga County Haz-Mat Team roster, effective September 16, 2026.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -26 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2026 County taxes among the several Towns are hereby established as follows:

Town of Barton	55.70
Town of Berkshire	64.00
Town of Candor	57.55
Town of Newark Valley	43.00
Town of Nichols	19.00
Town of Owego	46.50
Town of Richford	68.00
Town of Spencer	72.00
Town of Tioga	4.10

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -26 MERGING COUNTY-OWNED PROPERTIES

WHEREAS: Tioga County owns parcels 128.08-7-56, 128.08-7-57, 128.08-7-59, and 128.08-7-60 in the Village of Owego; and

WHEREAS: These four parcels are all contiguous, are all titled the same, and in whole are intended to be the location of the new County Office Building; and

WHEREAS: Combining these four parcels into one parcel would facilitate property administration; and

WHEREAS: Parcel 128.08-7-60 is the largest parcel and has the most road frontage on Main Street, making it the appropriate parcel number to retain; and

WHEREAS: The Tioga County Office of Real Property Tax Services has recommended that the parcels be merged; therefore be it

RESOLVED: That County owned parcels 128.08-7-56, 128.08-7-57, 128.08-7-59, and 128.08-7-60 in the Village of Owego be merged into one parcel, retaining parcel ID 128.08-7-60.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AMEND RESOLUTION NO. 264-07;
GRANT PARTIAL TAX EXEMPTIONS TO
CERTAIN RESIDENTS OF TIOGA COUNTY, NY
65 YEARS OF AGE OR OLDER, AND CHANGE
THE PREVIOUS SLIDING SCALE SCHEDULE

WHEREAS: The Tioga County Legislature adopted Resolution No. 264-07 on November 13, 2007, which granted partial property tax exemptions to residents of Tioga County, 65 years of age or older, and changed the previous sliding scale schedule; and

WHEREAS: The Tioga County Legislature recognizes that many senior citizens face significant financial hardships due to rising property tax levies and fixed retirement incomes, and acknowledges that the granting of real property tax relief to qualifying elderly homeowners will promote housing stability, prevent displacement, and support aging in place within the County; and

WHEREAS: The State legislation establishing this exemption, Real Property Tax Law Article 4, Title 2, Section 467 (RPTL § 467), has been amended since that time, allowing for an increase in the income sliding scale, and the percentage of exemption that is allowed; therefore be it

RESOLVED: That the Tioga County Legislature hereby increases the existing sliding scale schedule and establishes and authorizes the revised schedule as follows:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$16,999.00 to \$17,998.99	50%
\$17,999.00 to \$18,998.99	45%
\$18,999.00 to \$19,998.99	40%
\$19,999.00 to \$20,998.99	35%
\$20,999.00 to \$21,898.99	30%
\$21,899.00 to \$22,798.99	25%
\$22,799.00 to \$23,698.99	20%
\$23,699.00 to \$24,598.99	15%
\$24,599.00 to \$25,498.99	10%
\$25,499.00 to \$26,398.99	5%
\$26,399.00 or more	0%

And be it further

RESOLVED: That exemption benefits be extended up to 65% as follows:

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$14,999.00 or less	65%
\$14,999.01 to \$15,998.99	60%
\$15,999.00 to \$16,998.99	55%

And be it further

RESOLVED: That property owners must apply to receive or renew this exemption with the appropriate form(s) with their respective Town Assessor by taxable status date; and be it further

RESOLVED: That property eligibility be determined per paragraphs 1. (a) and 3. (a), (b), (c) and (d) of RPTL § 467; and be it further

RESOLVED: That income calculation be determined per paragraph 3. (iv) and subparagraphs (1), (2), (4), and (5) of RPTL § 467; and be it further

RESOLVED: That this resolution take effect beginning October 1, 2026 with initial application being to the 2027 assessment roll; and be it further

RESOLVED: That Resolution Nos. 62-75, 84-75, 129-85, 183-90, 87-93, 44-95, 172-98, previously rescinded by Resolution No. 264-07, shall remain rescinded.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -26 RESOLUTION TO CHANGE THE COMPOSITION
OF THE COMMUNITY SERVICES BOARD FROM
FIFTEEN (15) TO NINE (9) MEMBERS

WHEREAS: Legislative approval is required to modify the composition of Community Services Board membership; and

WHEREAS: Resolution No. 91-10 authorized the increase in the number of Tioga County Community Services Board members from nine (9) to fifteen (15); and

WHEREAS: New York State Mental Hygiene Law, Section 41.11 (a) states: "In all local governments with a population less than one hundred thousand, community services boards, at the option of the local government, shall have either nine (9) or fifteen (15) members appointed by the local government"; and

WHEREAS: Tioga County has a vested interest in an active Community Services Board with a composition that accurately reflects the needs and realities of the community; and

WHEREAS: The Community Services Board has historically not been able to sustain a full board membership of fifteen (15) members; and

WHEREAS: The Community Services Board and the Director of Community Services recommend a reduction of board members from fifteen (15) to nine (9); therefore be it

RESOLVED: That the Tioga County Community Services Board shall have nine (9) members; and be it further

RESOLVED: That the reduction from fifteen (15) to nine (9) members on the Community Services Board will become effective upon the full execution of this resolution.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -26 REQUESTING TIOGA COUNTY
VETERANS' SERVICE AGENCY BE ALLOWED
TO EXCEED FOOD & BEVERAGE
PURCHASE GUIDELINES

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150.00 per event; and

WHEREAS: The TCVSA will be holding the following event on September 18th, 2026, with Dwyer grant funds being used. The event cost will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

September 18th – Salute to Service Tailgate at
Waverly vs. Owego Football Game (DWYER GRANT) \$1,300.00

Therefore be it

RESOLVED: That the Tioga County Legislature allows the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -26 FILING OF AN APPLICATION FOR NYSDEC
MUNICIPAL WASTE REDUCTION AND
RECYCLING (MWRR) PROGRAM

WHEREAS: The State of New York announced a grant from the NYSDEC Municipal Waste Reduction and Recycling Program to support counties and local governments with their recycling and waste reduction program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of the Sustainability Manager position and recycling and waste reduction educational and outreach program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grant; and be it further

RESOLVED: That the Tioga County Legislature hereby authorizes and directs the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon the review and approval of the County Attorney, to sign the application for said grant.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE THE SUBMISSION OF
LAW ENFORCEMENT TECHNOLOGY
(LETech) GRANT
SHERIFF'S OFFICE

WHEREAS: The NYS Division of Criminal Justice Services has announced the 2026-2027 Law Enforcement Technology (LETech) grant which would be used towards the purchase of technology for law enforcement agencies with no county share; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Sheriff's Office had to submit an application for this funding by September 2, 2026; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, after the fact, and authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon the review and approval of the County Attorney, to execute the Law Enforcement Technology (LETech) grant.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE ACCEPTANCE OF
NYS 2025-2026 PSAP OPERATIONS GRANT
AND MODIFY 2026 BUDGET
SHERIFF'S OFFICE

WHEREAS: The Sheriff's Office applied for and was awarded a Department of Homeland Security and Emergency Services PSAP Operations grant in the amount of \$244,860; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2026 and 2027; therefore be it

RESOLVED: That this funding be receipted to the following 2026 revenue account:

A3020 433310 State Aid – Enhanced Wireless 911 \$244,860

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon the review and approval of the County Attorney, to execute the NYS 2025-2026 PSAP Operations Grant for \$244,860 and be it further

RESOLVED: That appropriation be re-established for the remaining unspent balance as of year-end until the project is completed.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE 2026 ELECTION GRANT AND
AMEND 2026 BUDGET
BOARD OF ELECTIONS

WHEREAS: The 2026 NYS Budget created the 2026 Election Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$12,003.44 eligible expenses under this grant program, for the term of 04/01/2026 to 03/31/2027; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 1, 2026; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Board of Elections, contingent upon review of the County Attorney, to apply for and receive reimbursement from the 2026 Election Grant Program, for up to \$12,003.44; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	A1450 439060 GE26 State Aid-Elections	\$12,003.44
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TO:	A1450 540490 GE26 Election Expense	\$12,003.44
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And be it further

RESOLVED: That any unspent funds under this grant in FY2026 shall carry over to FY2027.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -26 AUTHORIZE 2026 MAIL BALLOT GRANT AND
AMEND 2026 BUDGET
BOARD OF ELECTIONS

WHEREAS: The 2026 NYS Budget created the 2026 Mail Ballot Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$13,017.55 eligible expenses under this grant program, for the term of 04/01/2026 to 03/31/2027; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 5, 2025; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Board of Elections, contingent upon review of the County Attorney, to apply for and receive reimbursement from the 2026 Mail Ballot Grant Program, for up to \$13,017.55; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM: A1450 439060 MBG State Aid-Elections \$13,017.55

TO: A1450 540490 MBG Election Expense \$13,017.55

And be it further

RESOLVED: That any unspent funds under this grant shall carry forward year by year until the grant expires without renewal.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS: A project for the Bridge Replacement, BIN 2218720, Harnick Road over Apalachin Creek bridge replacement, PIN 9754.90 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisition, and Construction, Construction Support, and Construction Inspection work; and

WHEREAS: New York State Department of Transportation Supplemental Agreement #4 dated July 29, 2026 replaces previously issued New York State Department of Transportation Supplemental Agreement #4 dated March 24, 2026.

NOW, THEREFORE, the Tioga County Legislature, duly convened, does hereby

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

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design, Right-of-Way Incidentals, Right-of-Way Acquisition, and Construction, Construction Support, and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$1,237.00 is hereby appropriated from H5110.540004.H2102 and made available to cover the cost of participation in the above phase of the project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County

Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Chair of the Tioga County Legislature of the County of Tioga thereof; and it is further

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

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

RESOLVED: That this Resolution shall take effect immediately.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26 APPROVE CHANGE ORDER FOR DRIVEWAY
INSTALLATION AT 70 DELPHINE STREET

WHEREAS: The award for installation of a new driveway at 70 Delphine Street was awarded to Broome Bituminous, Inc. through Resolution No. 263-26; and

WHEREAS: A change order was submitted due to additional work that was unforeseen; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds to be appropriated for this change order not to exceed \$1,576.39 to be paid out of the following account:

H1620 520994 BG001 – Truck Wash Building	\$1,576.39
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REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD CONTRACT TO MARTIN PLUMBING
AND HEATING FOR INSTALLATION OF CLOSET
AND URINAL FLUSHOMETERS AT THE HEALTH
AND HUMAN SERVICES BUILDING

WHEREAS: The Commissioner of Public Works received a proposal for installation of closet and urinal flushometers at the Tioga County Health and Human Services Building and the proposal is as follows:

Martin Plumbing and Heating

\$14,335.00

And

WHEREAS: Public Works has completed a review of the proposal and finds that Martin Plumbing and Heating meets all the qualifications of the closet and urinal flushometer installation specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the contract to Martin Plumbing and Heating for installation of closet and urinal flushometers at the Tioga County Health and Human Services Building not to exceed \$14,335.00 to be paid out of the following account:

A1621 540140 – Contracting Services

\$14,335.00

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney to execute the contract with Martin Plumbing and Heating for installation of closet and urinal flushometers not to exceed \$14,335.00.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26 AWARD CONTRACT TO
MARTIN PLUMBING AND HEATING FOR
INSTALLATION OF A BOILER AT
68 TEMPLE STREET

WHEREAS: The Commissioner of Public Works received a proposal for installation of a boiler, and the proposal is as follows:

Martin Plumbing and Heating	\$11,235.32
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And

WHEREAS: Tioga County has completed a review of the proposal and finds that Martin Plumbing and Heating meets all the qualifications of the proposal specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the contract to Martin Plumbing and Heating for installation of a boiler at 68 Temple St. not to exceed \$11,235.32 to be paid out of the following account:

A1620.540140	Contracting Services	\$11,235.32
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And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney to execute the contract with Martin Plumbing and Heating for installation of a boiler at 68 Temple St. not to exceed \$11,235.32.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD CONTRACT TO
BAKER'S GARAGE DOORS, INC. FOR
INSTALLATION OF OVERHEAD DOOR AND
WATER-RESISTANT OPENER AT 70 DELPHINE

WHEREAS: The Commissioner of Public Works received a proposal for installation of an overhead door and water-resistant opener at 70 Delphine Street and the proposal is as follows:

Baker's Garage Doors, Inc.

\$12,071.36

And

WHEREAS: Tioga County has completed the review of the proposal and finds that Baker's Garage Doors, Inc. meets all the qualifications of the installation specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the contract to Baker's Garage Doors, Inc. for installation of an overhead door and water-resistant opener not to exceed \$12,071.36 to be paid out of the following account:

H1620 520994 BG001 – Truck Wash Building

\$12,071.36

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney to execute the contract with Baker's Garage Doors, Inc. not to exceed \$12,071.36.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO ADVANCED
DRAINAGE AND JC SMITH INC. FOR ADS (BELL)
POLYETHYLENE CULVERT PIPE

WHEREAS: The Commissioner of Public Works received bids for ADS (Bell) polyethylene culvert pipe, and the bid is as follows:

PROPOSER: **Advanced Drainage**PROPOSER: **JC Smith Inc.**

DIAMETER \$ / L.F. \$ / End Sect

\$ / L.F. \$ / End Sect

12" Pipe	\$7.92	\$252.00
15" Pipe	\$10.32	\$252.00
18" Pipe	\$15.37	\$339.00
24" Pipe	\$24.19	\$435.00
30" Pipe	\$37.33	NB
36" Pipe	\$47.94	NB
42" Pipe	\$65.37	NB
48" Pipe	\$82.26	NB
60" Pipe	\$154.26	NB

\$8.00	\$243.00
\$10.35	\$243.00
\$15.40	\$315.61
\$24.25	\$420.58
\$37.38	\$1,022.64
\$47.85	\$1,022.64
\$65.25	NB
\$81.90	NB
\$155.50	NB

And

WHEREAS: Tioga County has completed the review of the bid and finds that Advanced Drainage and JC Smith Inc. meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Advanced Drainage and JC Smith Inc. not to exceed legally appropriated funds to be paid out of the following account:

D5110 540262 – Metal Pipes/Culverts

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO ADVANCED
DRAINAGE AND JC SMITH INC. FOR SMOOTH
INTERIOR CORRUGATED POLYETHYLENE
CULVERT PIPE

WHEREAS: The Commissioner of Public Works received bids for smooth interior corrugated polyethylene culvert pipe, and the bids are as follows:

PROPOSER **Advanced
Drainage**

PROPOSER
:

JC Smith Inc.

DIAMETER	\$ / L.F.	Bands	\$ / End Sect
		\$ / Each	
12" Pipe	\$7.92	\$13.05	\$252.00
15" Pipe	\$10.32	\$20.68	\$252.00
18" Pipe	\$15.37	\$31.89	\$339.00
24" Pipe	\$24.19	\$44.32	\$435.00
30" Pipe	\$37.33	\$103.4 2	NB
36" Pipe	\$47.94	\$141.3 7	NB
48" Pipe	\$82.26	\$232.1 1	NB
60" Pipe	\$154.2 6	\$363.2 6	NB

\$ / L.F.	\$/Each	\$ / End Sect
\$8.00	\$13.10	\$243.00
\$10.35	\$20.65	\$243.00
\$15.40	\$32.10	\$315.61
\$24.25	\$43.50	\$420.58
\$37.38	\$103.0 0	\$1,022.6 4
\$47.85	\$139.7 5	\$1,022.6 4
\$81.90	\$243.0 0	NB
\$155.5 0	\$311.0 0	NB

And

WHEREAS: Tioga County has completed the review of the bids and finds that Advanced Drainage and JC Smith Inc. meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Advanced Drainage and JC Smith Inc. not to exceed legally appropriated funds to be paid out of the following account:

D5110-540262 – Metal Pipes/Culverts

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR AGGREGATE
PROCESSING

WHEREAS: The Commissioner of Public Works received bids for aggregate processing, and the bid is as follows:

BIDDER: Daggett

	Bank Run	Cobbles	
Crusher w/ Operator	\$7.20	\$8.95	/C.Y.
	\$4.70	\$5.95	/Ton
Optional Loader w/ Operator	\$2.60	\$3.15	/C.Y.
	\$1.70	\$2.05	/Ton
Optional Dozer w/ Operator	\$2.60	\$3.15	/C.Y.
	\$1.70	\$2.05	/Ton
Optional Dozer/Loader w/ Oper.	\$6.25	\$6.85	/C.Y.
	\$4.00	\$4.50	/Ton

BIDDER: F.S. Lopke

	Bank Run	Cobbles	
Crusher w/ Operator	\$7.42	\$9.15	/C.Y.
	\$5.95	\$6.60	/Ton
Optional Loader w/ Operator	\$150.00	\$150.00	/HOUR
	NB	NB	/Ton
Optional Dozer w/ Operator	\$150.00	\$150.00	/HOUR
	NB	NB	/Ton
Optional Dozer/Loader w/ Oper.	NB	NB	/C.Y.
	NB	NB	/Ton

BIDDER: Tri-County

	Bank Run	Cobbles	
Crusher w/ Operator	\$7.92	\$9.50	/C.Y.
	\$6.45	\$6.50	/Ton
Optional Loader w/ Operator	\$2.75	\$3.70	/C.Y.
	\$2.00	\$2.60	/Ton
Optional Dozer w/ Operator	\$3.00	\$3.70	/C.Y.
	\$2.25	\$2.60	/Ton
Optional Dozer/ Loader w/ Oper.	\$6.00	\$7.25	/C.Y.
	\$4.50	\$5.00	/Ton

BIDDER: Villager

	Bank Run	Cobbles	
Crusher w/ Operator	\$7.25	\$9.00	/C.Y.
	\$4.75	\$6.00	/Ton
Optional Loader w/ Operator	\$2.50	\$3.50	/C.Y.
	\$1.65	\$2.25	/Ton
Optional Dozer w/ Operator	\$2.65	\$3.65	/C.Y.
	\$1.75	\$2.35	/Ton
Optional Dozer/ Loader w/ Oper.	\$5.15	\$7.15	/C.Y.
	\$3.40	\$4.60	/Ton

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR BITUMINOUS ASPHALT
CONCRETE NON-CAPITAL PROJECTS PAVING

WHEREAS: The Commissioner of Public Works received bids for bituminous asphalt concrete non-capital projects paving, and the bid is as follows:

Proposer:

ASPHALT CONCRETE
ITEM/TYPE

Broome	Broome-Tioga	Dalrymple	Tri-City
--------	--------------	-----------	----------

TYPE 1 BASE
TYPE 2 BASE
TYPE 3 BINDER
TYPE 6 F2 TOP
TYPE 6 F3 TOP
TYPE 6 TOP
TYPE 7 F2 TOP
TYPE 7 F3 TOP
TYPE 7 TOP
TRUE & LEVEL

PLANT PRICE/TON			
\$68.00	\$70.00	\$75.00	\$65.90
\$73.00	\$76.00	\$75.00	\$70.20
\$67.00	\$68.00	\$77.00	\$64.50
\$76.00	\$77.00	\$82.00	\$72.90
\$76.00	\$77.00	\$82.00	\$72.90
\$72.00	\$72.00	\$82.00	\$69.90
\$78.00	\$79.00	\$86.00	\$75.60
\$78.00	\$79.00	\$86.00	\$75.60
\$75.00	\$77.00	\$86.00	\$74.60
\$89.00	\$90.00	\$86.00	\$86.40

TYPE 1 BASE
TYPE 2 BASE
TYPE 3 BINDER
TYPE 6 F2 TOP
TYPE 6 F3 TOP
TYPE 6 TOP
TYPE 7 F2 TOP
TYPE 7 F3 TOP
TYPE 7 TOP
TRUE & LEVEL

WITH PAVER AND OPERATOR/TON			
\$81.00	\$81.00	\$107.00	\$77.90
\$85.00	\$85.00	\$107.00	\$82.20
\$70.00	\$70.00	\$107.00	\$76.50
\$88.00	\$88.00	\$114.00	\$84.90
\$88.00	\$88.00	\$114.00	\$84.90
\$73.87	\$76.00	\$114.00	\$81.90
\$94.00	\$94.00	\$118.00	\$87.60
\$94.00	\$94.00	\$118.00	\$87.60
\$86.00	\$86.00	\$118.00	\$86.60
\$104.00	\$104.00	\$118.00	\$98.40

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540241 – Highway Pavement Patching

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
FERGUSON ENTERPRISES FOR CORRUGATED
STEEL PIPE ARCHES AND ALUMINIZED STEEL
PIPE ARCHES

WHEREAS: The Commissioner of Public Works received bids for corrugated steel pipe arches and aluminized steel pipe arches, and the bid is as follows:

GALVANIZED		ALUMINIZED	
Proposer:	Ferguson Enterprises		
<u>Price/L.F.</u>	<u>Price/Band</u>	<u>Price/L.F.</u>	<u>Price/Band</u>
Corrugations: 2-2/3" x 1/2"			

\$69.50	\$104.24	\$77.18	\$115.78
\$88.87	\$133.31	\$97.81	\$146.71
\$123.97	\$185.96	\$138.19	\$207.28
\$144.30	\$216.45	\$160.27	\$240.39
\$203.81	\$305.72	\$226.36	\$339.54
\$239.34	\$359.01	\$265.79	\$398.68
\$261.09	\$391.63	\$289.95	\$434.93

Corrugations: 5" x 1"

\$365.71	\$548.56	\$398.51	\$597.76
\$386.31	\$579.47	\$421.60	\$632.39
\$407.03	\$610.55	\$444.79	\$667.19
\$427.67	\$641.51	\$467.94	\$701.90
\$457.88	\$686.82	\$503.51	\$755.27
\$484.83	\$727.24	\$533.14	\$799.70
\$511.75	\$767.63	\$562.75	\$844.13
\$538.69	\$808.04	\$592.37	\$888.54

And

WHEREAS: Tioga County has completed the review of the bid and finds that Ferguson Enterprises meets all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Ferguson Enterprises not to exceed legally appropriated funds to be paid out of the following account:

D5110 540262 – Metal Pipes/Culverts

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR COARSE AGGREGATE

WHEREAS: The Commissioner of Public Works received bids for coarse aggregate, and the bid is as follows:

BIDDER: F.S. Lopke Contracting Inc.

Plant Location: Owego or Lounsberry

STONE SIZE: #1A #1ST **#1A*** **#1ST*** #1 #2 #3

At Plant	\$24.00	\$24.00	\$24.00	\$24.00	\$21.50	\$21.50	NB
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Delivered to Town/County Garage
of:

Barton	\$32.50	\$32.50	\$32.50	\$32.50	\$30.00	\$30.00	NB
Berkshire	\$33.50	\$33.50	\$33.50	\$33.50	\$31.00	\$31.00	NB
Candor	\$32.50	\$32.50	\$32.50	\$32.50	\$30.00	\$30.00	NB
N. Valley	\$32.50	\$32.50	\$32.50	\$32.50	\$30.00	\$30.00	NB
Nichols	\$30.50	\$30.50	\$30.50	\$30.50	\$28.00	\$28.00	NB
Owego	\$30.50	\$30.50	\$30.50	\$30.50	\$28.00	\$28.00	NB
Richford	\$33.50	\$33.50	\$33.50	\$33.50	\$31.00	\$31.00	NB
Spencer	\$33.50	\$33.50	\$33.50	\$33.50	\$31.00	\$31.00	NB
Tioga	\$30.50	\$30.50	\$30.50	\$30.50	\$28.00	\$28.00	NB
Catatonk	\$31.50	\$31.50	\$31.50	\$31.50	\$29.00	\$29.00	NB

BIDDER: H.L. Robinson Sand and Gravel, Inc.

Plant Location: Candor Pit - 535 Ithaca Road, Candor, NY 13743

STONE SIZE: #1A #1ST **#1A*** **#1ST*** #1 #2 #3

At Plant	\$11.00	NB	NB	NB	\$15.50	\$14.75	\$15.00
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Delivered to Town/County Garage
of:

Barton	\$21.80	NB	NB	NB	\$26.30	\$25.55	\$25.80
Berkshire	\$21.35	NB	NB	NB	\$25.85	\$25.10	\$25.35
Candor	\$15.50	NB	NB	NB	\$20.00	\$19.25	\$19.50
N. Valley	\$19.80	NB	NB	NB	\$24.30	\$23.55	\$23.80
Nichols	\$21.80	NB	NB	NB	\$26.30	\$25.55	\$25.80
Owego	\$18.90	NB	NB	NB	\$23.40	\$22.65	\$22.90
Richford	\$22.25	NB	NB	NB	\$26.75	\$26.00	\$26.25
Spencer	\$16.20	NB	NB	NB	\$20.70	\$19.95	\$20.20
Tioga	\$18.90	NB	NB	NB	\$23.40	\$22.65	\$22.90
Catatonk	\$16.40	NB	NB	NB	\$20.90	\$20.15	\$20.40

BIDDER: H.L. Robinson Sand and Gravel, Inc.

Plant Location: Spencer Pit - 205 Lake Road, Spencer, NY 14883

STONE SIZE: #1A #1ST **#1A*** **#1ST*** #1 #2 #3

At Plant	NB	NB	NB	NB	NB	\$16.50	\$14.00
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Delivered to Town/County Garage
of:

Barton	NB	NB	NB	NB	NB	\$25.10	\$22.60
Berkshire	NB	NB	NB	NB	NB	\$28.00	\$25.50
Candor	NB	NB	NB	NB	NB	\$23.20	\$20.70
N. Valley	NB	NB	NB	NB	NB	\$27.15	\$24.65

Nichols	NB	NB	NB	NB	NB	\$25.90	\$23.40
Owego	NB	NB	NB	NB	NB	\$26.75	\$24.25
Richford	NB	NB	NB	NB	NB	\$29.25	\$26.75
Spencer	NB	NB	NB	NB	NB	\$20.70	\$18.20
Tioga	NB	NB	NB	NB	NB	\$23.80	\$21.30
Catatonk	NB	NB	NB	NB	NB	\$24.00	\$21.50

BIDDER: University Gravel Products

Plant Location: 13 Perkins Road, Brooktondale, NY 14817

STONE SIZE: #1A #1ST #1A* #1ST* #1 #2 #3

At Plant	NB	NB	\$19.25	\$26.00	\$21.75	\$18.25	\$20.75
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Delivered to Town/County Garage
of:

Barton	NB	NB	\$33.00	\$39.75	\$35.50	\$32.00	\$34.50
Berkshire	NB	NB	\$26.25	\$33.00	\$28.75	\$25.25	\$27.75
Candor	NB	NB	\$26.25	\$33.00	\$28.75	\$25.25	\$27.75
N. Valley	NB	NB	\$28.50	\$35.25	\$31.00	\$27.50	\$30.00
Nichols	NB	NB	\$33.45	\$40.20	\$35.95	\$32.45	\$34.95
Owego	NB	NB	\$30.75	\$37.50	\$33.25	\$29.75	\$32.25
Richford	NB	NB	\$25.80	\$32.55	\$28.30	\$24.80	\$27.30
Spencer	NB	NB	\$27.15	\$33.90	\$29.65	\$26.15	\$28.65
Tioga	NB	NB	\$29.85	\$36.60	\$32.35	\$28.85	\$31.35
Catatonk	NB	NB	\$27.60	\$34.35	\$30.10	\$26.60	\$29.10

BIDDER: H.L. Robinson Sand & Gravel, Inc

Plant Location: Willseyville-Andrews Pit - 285 Coddington Road, Willseyville, NY 13864

STONE SIZE: #1A #1ST **#1A*** **#1ST*** #1 #2 #3

At Plant	NB	NB	NB	NB	NB	NB	\$18.00
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Delivered to Town/County Garage
of:

Barton	NB	NB	NB	NB	NB	NB	\$28.65
Berkshire	NB	NB	NB	NB	NB	NB	\$28.45
Candor	NB	NB	NB	NB	NB	NB	\$23.25
N. Valley	NB	NB	NB	NB	NB	NB	\$27.40
Nichols	NB	NB	NB	NB	NB	NB	\$28.25
Owego	NB	NB	NB	NB	NB	NB	\$26.80
Richford	NB	NB	NB	NB	NB	NB	\$25.95
Spencer	NB	NB	NB	NB	NB	NB	\$23.85
Tioga	NB	NB	NB	NB	NB	NB	\$26.15
Catatonk	NB	NB	NB	NB	NB	NB	\$24.05

BIDDER: Edger Sand and Gravel

Plant Location: 310 Hillview Road, Spencer, NY 14883

STONE SIZE: **Washed
Crushed** **Washed
Crushed** **Washed
Crushed** **Washed
Crushed** **Not
Washed
Crushed**
 #1A #1ST **#1A*** **#1ST*** #1 #2 #3

At Plant	FOB	\$17.75	\$17.75	\$17.75	\$17.75	\$14.75	\$14.75	NB
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Delivered to Town/County Garage
of:

Barton	\$29.25	\$29.25	\$29.25	\$29.25	\$26.25	\$26.25	NB
Berkshire	\$30.75	\$30.75	\$30.75	\$30.75	\$27.75	\$27.75	NB

Candor	\$26.25	\$26.25	\$26.25	\$26.25	\$23.25	\$23.25	NB
N. Valley	\$31.75	\$31.75	\$31.75	\$31.75	\$28.75	\$28.75	NB
Nichols	\$30.25	\$30.25	\$30.25	\$30.25	\$27.25	\$27.25	NB
Owego	\$29.75	\$29.75	\$29.75	\$29.75	\$26.75	\$26.75	NB
Richford	\$30.25	\$30.25	\$30.25	\$30.25	\$27.25	\$27.25	NB
Spencer	\$23.75	\$23.75	\$23.75	\$23.75	\$20.75	\$20.75	NB
Tioga	\$27.75	\$27.75	\$27.75	\$27.75	\$24.75	\$24.75	NB
Catatonk	\$27.75	\$27.75	\$27.75	\$27.75	\$24.75	\$24.75	NB

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26 AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR CRUSHER RUN

WHEREAS: The Commissioner of Public Works received bids for crusher run, and the bid is as follows:

Bidder	Location	Price/Ton	
<u>F.S. Lopke</u>	Owego	<u>\$16.00</u>	
	Conklin or Damascus	<u>\$8.00</u>	
<u>H.L. Robinson</u>	Candor	<u>\$14.00</u>	
	Spencer	<u>\$14.25</u>	
	Willseyville	<u>\$16.00</u>	
<u>Edger Sand & Gravel</u>	Spencer	<u>\$14.25</u>	Cobbles
		<u>\$18.75</u>	Ledge Rock
<u>Austin Sand & Gravel</u>	Waverly	<u>\$11.00</u>	
	Willseyville	<u>\$12.50</u>	
<u>Seneca Stone Corporation</u>	Seneca Falls	<u>\$15.50</u>	
<u>Dalrymple</u>	Chemung	<u>\$18.00</u>	
		<u>\$8.75</u>	Crushed Conc. Subbase

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
SENECA PAVING FOR PAVEMENT STRIPES

WHEREAS: The Commissioner of Public Works received bids for pavement stripes, and the bid is as follows:

Bidder		White Paint Reflectorized Pavement Stripes, 15 mils Per LF	Yellow Paint Reflectorized Pavement Stripes, 15 mils Per LF
Seneca Marking	Pavement	<u>\$0.0775</u>	<u>\$0.0595</u>

And

WHEREAS: Tioga County has completed the review of the bid and finds that Seneca Paving meets all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Seneca Paving not to exceed legally appropriated funds to be paid out of the following account:

D5110 540242 – Highway Pavement Striping

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO MULTIPLE
VENDORS FOR PORTLAND CEMENT CONCRETE

WHEREAS: The Commissioner of Public Works received bids for portland cement concrete, and the bid is as follows:

BIDDERS:**BTC Concrete Supply**

(607) 797-3050

Plant Price

+3 C.Y.

Plant Price

-3 C.Y.

Barney & Dickenson

(607) 687-4102

Plant Price

+3 C.Y.

Plant Price

-3 C.Y.

Strength

2000 PSI

\$161.00

NB

\$167.00

NB

2500 PSI

\$163.00

NB

\$169.00

NB

3000 PSI

\$165.00

NB

\$171.00

NB

3500 PSI

\$167.00

NB

\$173.00

NB

4000 PSI

\$169.00

NB

\$175.00

NB

4500 PSI

\$171.00

NB

\$177.00

NB

5000 PSI

\$173.00

NB

\$179.00

NB

And

WHEREAS: Tioga County has completed the review of the bids and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
SCOTT SMITH & SON FOR MOTOR FUEL

WHEREAS: The Commissioner of Public Works received bids for motor fuel delivered to Tioga County Public Works Building located at 477 State Route 96 Owego, NY 13827 and the bid is as follows:

PROPOSER:**Scott
Smith**

DESCRIPTION	MIN. OCTANE		
(a) Unleaded Regular	87	\$2.1167	
(b) Unleaded Premium	89	\$2.2791	
		(Non-ethanol 90)	
(c) Unleaded Premium	91	\$2.4415	
(d) No. 2 Diesel Fuel		\$2.5134	
(e) No. 2 Diesel Fuel with at least 40% Kerosene Blend between Nov. 1 and April 1		\$2.8560	
(f) Item (d) + Item (e) divided by 2		\$2.6847	
(g) Total Item's (a) + (f)		<u>\$4.8014</u>	Low bid determination
(h) Kerosene		N/A	
(i) No. 2 Diesel Fuel delivered to Catatonk		\$2.5602	
(j) No. 2 Diesel Fuel delivered to Catatonk with at least a 40% Kerosene Blend between Nov. 1 and April 1		\$2.8538	
(k) Items (i) + (j) divided by 2		<u>\$2.7070</u>	Low bid determination

PROPOSER:**Scott
Smith**

DESCRIPTION OCTANE

(l) No. 2 Diesel to T of Barton	\$2.6352
(m) Blended Diesel to T of Barton	\$2.9288
(n) 87 Unleaded to T of Barton	\$2.1653
(o) No. 2 Diesel to T of Berkshire	\$2.6352
(p) Blended Diesel to T of Berkshire	\$2.9288
(q) 87 Unleaded to T of Berkshire	\$2.2053
(r) No. 2 Diesel to T of Candor	\$2.6352
(s) Blended Diesel to T of Candor	\$2.9288
(t) 87 Unleaded to T of Candor	\$2.2053
(u) No. 2 Diesel to T of Nichols	\$2.6352
(v) Blended Diesel to T of Nichols	\$2.9288
(w) 87 Unleaded to T of Nichols	\$2.2053
(x) No. 2 Diesel to T of Spencer	\$2.6352
(y) Blended Diesel to T of Spencer	\$2.9288
(z) 87 Unleaded to T of Spencer	\$2.1653
(aa) No. 2 Diesel to T of Tioga	N/A
(bb) Blended Diesel to T of Tioga	N/A
(cc) 87 Unleaded to T of Tioga	N/A

And

WHEREAS: Tioga County has completed the review of the bid and finds that Scott Smith & Son meets all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Scott Smith & Son not to exceed legally appropriated funds to be paid out of the following account:

A1620 540220 – Automobile Fuel

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR SNOW SAND

WHEREAS: The Commissioner of Public Works received bids for snow sand,
and the bid is as follows:

PROPOSER:	Lopke*	Edger*	Austin *	Dalrymple*	Tri-City *	H.L.*	University*
	Gravel	Sand & Gravel	Sand & Gravel	Gravel	Highway	Robinson	Gravel
\$ Per Ton Delivered to:							
Catatonk, NY	\$15.90	\$18.00	\$16.25	\$27.95	NB	\$19.70	\$19.50
Barton, NY	\$13.90	\$19.50	\$13.95	\$27.95	NB	\$24.90	\$24.70
Berkshire, NY	\$16.95	\$21.00	\$17.05	\$27.95	\$17.00	\$24.45	\$18.20
Candor, NY	\$15.25	\$16.50	\$16.25	\$27.95	NB	\$18.85	\$18.20
Newark Valley, NY	\$16.20	\$22.00	\$16.30	\$27.95	\$16.60	\$22.95	\$20.40
Nichols, NY	\$14.75	\$20.50	\$15.00	\$27.95	NB	\$24.90	\$25.15
Owego, NY	\$14.95	\$20.00	\$15.45	\$27.95	NB	\$22.10	\$22.55
Richford, NY	\$16.15	\$20.50	\$15.45	\$27.95	\$15.35	\$25.35	\$17.80
Spencer, NY	\$15.20	\$14.00	\$14.95	\$27.95	NB	\$19.50	\$19.10
Tioga, NY	\$13.90	\$18.00	\$15.20	\$27.95	\$16.60	\$22.10	\$21.70
F.O.B. Plant Site	\$9.75	\$9.00	\$10.45	\$18.00	\$6.00	\$14.50	\$11.50
Pit Location			Waverly		Brisben	Candor	

And

WHEREAS: Tioga County has completed the review of the bid and finds that
the above vendors meet all the qualifications of the bid specifications;
therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to
the above vendors not to exceed legally appropriated funds to be paid out
of the following account:

D5110 540602 – Cinders/Salt

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR SUBBASE COURSE

WHEREAS: The Commissioner of Public Works received bids for subbase course, and the bid is as follows:

<u>Bidder</u>	<u>Price per ton</u>	
Austin Sand & Gravel (Waverly, NY)	<u>\$11.50</u>	
Windham Quarry (Rome, PA)	<u>\$9.00</u>	
Willseyville Quarry (Candor, NY)	<u>\$9.25</u>	Crushed Bank run
Willseyville Quarry (Candor, NY)	<u>\$12.00</u>	Crushed Cobbles
Willseyville Quarry (Candor, NY)	<u>\$6.50</u>	Non-Crushed Item #4
F.S. Lopke Contracting Inc. (Owego Pit)	<u>\$16.50</u>	
(Conklin or Damascus Quarries)	<u>\$7.50</u>	
HL Robinson - Candor	<u>\$9.00</u>	Crushed
	<u>\$8.50</u>	Non-Crushed
HL Robinson - Spencer	<u>\$9.25</u>	Crushed
	<u>\$8.25</u>	Non-Crushed
HL Robinson - Willseyville-Andrews	<u>\$9.25</u>	Crushed
	<u>\$8.25</u>	Non-Crushed
Edger Enterprises	<u>\$9.00</u>	Crushed Item #4
	<u>\$7.00</u>	Screened Item #4
Seneca Stone	<u>\$15.50</u>	
Dalrymple Gravel (FOB Plant)	<u>\$19.00</u>	
Marcus Cole Construction	<u>\$8.00</u>	

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MULTIPLE VENDORS FOR TIRES

WHEREAS: The Commissioner of Public Works received bids for tires, and the bid is as follows:

Bidder: Tallmadge Tire

1. Price Per Mounting Automobile Tires

At Bidder's Place of Business

No Charge – Balance \$15.00

At Tioga County Garage, Catatonk, N.Y.

\$175.00 Per Hour

2. Price Per Mounting Truck Tires

At Bidder's Place of Business

\$25.00 Loose \$50.00 Each - On Vehicle

At Tioga County Garage, Catatonk, N.Y.

\$175.00 SVC Call \$25.00 Loose \$50.00

3. Price Per Mounting Heavy Equipment Tires

At Bidder's Place of Business

\$79.00 Each

At Tioga County Garage, Catatonk, N.Y.

\$225.00 Per Hour

Bidder's Delivery Price

No Charge/mile/tire**Bidder: Parmenter Inc.**

1. Price Per Mounting Automobile Tires

At Bidder's Place of Business

\$25.00 Each

At Tioga County Garage, Catatonk, N.Y.

\$39.95 Each

2. Price Per Mounting Truck Tires

At Bidder's Place of Business

\$49.95 Each

At Tioga County Garage, Catatonk, N.Y.

\$69.95 Each

3. Price Per Mounting Heavy Equipment Tires

At Bidder's Place of Business

\$150.00 Each

At Tioga County Garage, Catatonk, N.Y.

\$189.95 Each

Bidder's Delivery Price

No Charge /mile/tire**Bidder: Big E Tire**

1. Price Per Mounting Automobile Tires

At Bidder's Place of Business

\$30.00 Each

At Tioga County Garage, Catatonk, N.Y.

N/A Each

2. Price Per Mounting Truck Tires

At Bidder's Place of Business

\$35.00 Each

At Tioga County Garage, Catatonk, N.Y.

\$102.50 Each

3. Price Per Mounting Heavy Equipment Tires

At Bidder's Place of Business

\$95.00 Each

At Tioga County Garage, Catatonk, N.Y.

\$260.00 Each

Bidder's Delivery Price

No Charge /mile/tire

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

DM5130 540680 – Tires

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
TRI-COUNTY TREE SERVICE
(DBA ANTHONY G. BARNHART) FOR
TREE REMOVAL

WHEREAS: The Commissioner of Public Works received bids for tree removal, and the bid is as follows:

**Tri-County Tree Service
(dba Anthony G. Barnhart)**

\$137.50/hr. (8-hour min.)

And

WHEREAS: Tioga County has completed the review of the bid and finds that Tri-County Tree Service, dba Anthony G. Barnhart meets all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Tri-County Tree Service dba Anthony G. Barnhart not to exceed legally appropriated funds to be paid out of the following account:

D5110 540140 – Contracting Services

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
 MULTIPLE VENDORS FOR GRANULAR FILL
 (BANK RUN GRAVEL)

WHEREAS: The Commissioner of Public Works received bids for granular fill (bank run gravel), and the bid is as follows:

Bidder	Price/Ton (FOB Plant)	Location
<u>F.S. Lopke</u>	<u>\$9.00</u>	Owego or Lounsberry
	<u>\$6.45</u> 4" Minus	Conklin
<u>Edger Sand & Gravel</u>	<u>\$6.50</u>	Spencer
<u>Austin Sand & Gravel</u>	<u>\$12.50</u>	Waverly

And

WHEREAS: Tioga County has completed the review of the bid and finds that the above vendors meet all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to the above vendors not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -26

AWARD 2026 COMMODITY BID TO
MARCUS COLE FOR STONE FILLING

WHEREAS: The Commissioner of Public Works received bids for stone filling, and the bid is as follows:

Proposer	Austin	Seneca Stone	Lopke	Marcus Cole	Edger	Austin	Seneca Stone	Lopke	Marcus Cole	Edger
Zone	Fine					Light				
I	\$22.00	\$53.50	\$22.20	\$21.00	\$32.00	\$22.00	\$59.50	\$27.00	\$21.00	\$32.00
II	\$21.00	\$53.50	\$22.20	\$19.00	\$29.00	\$21.00	\$59.50	\$27.00	\$20.00	\$29.00
III	\$20.00	\$55.00	\$22.48	\$18.50	NB	\$20.00	\$61.00	\$27.00	\$18.50	NB
IV	\$18.00	\$55.00	\$22.48	\$17.00	NB	\$18.00	\$61.00	\$27.00	\$17.00	NB
	Medium					Heavy				
I	NB	\$64.50	\$36.20	\$34.00	NB	NB	\$75.50	\$39.00	\$36.00	NB
II	NB	\$64.50	\$36.20	\$34.00	NB	NB	\$75.50	\$39.00	\$36.00	NB
III	NB	\$66.00	\$35.75	\$30.00	NB	NB	\$77.00	\$39.00	\$30.00	NB
IV	NB	\$66.00	\$35.75	\$30.00	NB	NB	\$77.00	\$39.00	\$30.00	NB

And

WHEREAS: Tioga County has completed the review of the bid and finds that Marcus Cole meets all the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes awarding the bid to Marcus Cole not to exceed legally appropriated funds to be paid out of the following account:

D5110 540240 – Highway Maintenance

And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney, to execute commodity bid items.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 APPROVE SINGLE-SOURCE PURCHASE OF
TWO PATTERSON-KELLEY BOILERS FOR THE
PUBLIC SAFETY BUILDING AND
AUTHORIZE EXECUTION OF CONTRACT

WHEREAS: The Commissioner of Public Works has recommended the replacement of two (2) existing boilers located at the Public Safety Building; and

WHEREAS: The existing boiler and control infrastructure at the Public Safety Building utilizes Patterson-Kelley equipment and associated communication and control systems; and

WHEREAS: The proposed Patterson-Kelley replacement boilers are specifically designed to integrate with and communicate with the County's existing Patterson-Kelley equipment and associated system components; and

WHEREAS: Use of an alternative manufacturer's equipment would require modifications to or replacement of existing controls, utilities and associated system components, resulting in additional conversion costs, operational disruption and additional training and maintenance requirements; and

WHEREAS: The Commissioner of Public Works has determined that the purchase of Patterson-Kelley replacement boilers is in the best interest of the County and supports procurement on a single-source basis; and

WHEREAS: Patterson-Kelley, LLC has provided written confirmation that Adirondack Combustion Technologies is its sole sales representative for the territory serving Tioga County and its exclusive certified startup and warranty agent, and that Patterson-Kelley products within such territory may only be purchased through Adirondack Combustion Technologies; and

WHEREAS: Adirondack Combustion Technologies has provided Quote No. Q-11971 Rev-A, dated September 1, 2026, in the amount of \$41,565.00 for two (2) replacement boilers along with specified equipment, freight, warranties, factory-certified startup and operational instruction, with installation, piping and wiring to be performed by others; and

WHEREAS: Based on the compatibility and standardization requirements described herein and Patterson-Kelley's written confirmation that Adirondack Combustion Technologies is the exclusive sales representative serving the

County's territory, the Commissioner of Public Works has determined that competitive procurement of the required Patterson-Kelley equipment from multiple vendors is not practicable and that procurement from Adirondack Combustion Technologies on a single-source basis is justified; and

WHEREAS: Legislative approval is required for all single-source purchases; and

WHEREAS: Funds are available for said purchase in Capital Account H1620 520913 Public Safety Building Renovations; therefore be it

RESOLVED: That the Tioga County Legislature hereby approved the single-source procurement and purchase from Adirondack Combustion Technologies of two (2) Patterson-Kelley replacement boilers and associated equipment, in an amount not to exceed \$41,565.00, to be paid from the following account:

H1620 520913	Public Safety Bldg Renovations	\$41,565.00
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And be it further

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review of the County Attorney to execute the contract with Adirondack Combustion Technologies not to exceed \$41,565.00.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26

CONTRACT WITH AFT MECHANICAL, LLC FOR
ELECTRICAL SERVICES - PROSPECT TOWER

WHEREAS: The Office of Emergency Services received a quote from AFT Mechanical, LLC for the removal and installation of a meter, light fixture, overhead lights, breaker panel and electrical inspection for the Prospect Hill Road tower site at a cost not to exceed \$16,900; and

WHEREAS: Legislative approval is required for purchases over \$10,000; and

WHEREAS: There are sufficient funds in account H3021.521230.E911 to cover said purchase; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review and approval of the County Attorney, to sign the contract with AFT Mechanical, LLC for electrical services for the Prospect Hill Road tower site at a cost not to exceed \$16,900 to be paid out of the following account:

H3021 521230 E911	Radio & Equipment	\$16,900
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REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 EXTEND CONTRACT
CBH MEDICAL FOR JAIL MEDICAL
AND MENTAL HEALTH SERVICES
SHERIFF'S OFFICE

WHEREAS: Resolution No. 515-23 authorized the execution of an agreement for medical and mental health services for inmates at the Tioga County Jail with the option to renew for three additional one-year terms; and

WHEREAS: Resolution No. 321-25 authorized the execution of a one-year extension of the agreement for medical and mental health services for inmates at the Tioga County Jail which leaves the option to renew for two more additional one-year terms; and

WHEREAS: This agreement will expire December 31, 2026 and the Sheriff's Office would like to extend it an additional year at a cost not to exceed \$918,966; therefore be it

RESOLVED: That the agreement with CBH Medical to provide comprehensive medical and mental health services for the inmates at the Tioga County Jail be extended for a one-year period beginning January 1, 2027; and be it further

RESOLVED: That the Tioga County Legislature authorizes the execution of this agreement with CBH Medical to provide such services.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE 2026-2027 CONTRACTS
WITH SADD SCHOOL ASSOCIATES
STOP DWI

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

WHEREAS: It is the desire to contract with the following five SADD School Associates for the school year 2026-2027; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Cynthia Tebo to serve the Owego Apalachin School District; Kimberly Alpert to serve the Spencer Van Etten School District, and; Janice Barto to serve the Tioga Central School District; and

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

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

RESOLVED: That these contracts for SADD School Associates be authorized for the 2026-2027 school year.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AMEND RESOLUTION NO. 212-26;
AUTHORIZE CONTRACT FOR
CONSULTANT SERVICES FOR THE
ASSIGNED COUNSEL PROGRAM

WHEREAS: The Tioga County Legislature adopted Resolution No. 212-26 on May 12, 2026 authorizing a consultant services contract with recently retired Grants and Program Administrative Assistant, Janice Yuricek, in the Assigned Counsel Office to provide continuity of operations and training of the successor at a rate of \$50.00 per hour, not to exceed \$5,000 effective May 18, 2026 to be paid from the ILS grant funds; and

WHEREAS: The Assigned Counsel Administrator has identified the need to extend the consultant services contract with Janice Yuricek effective September 15, 2026 at the existing rate of \$50.00 per hour and to increase the total contract amount from \$5,000 to an amount not to exceed \$15,000; therefore be it

RESOLVED: That Resolution No. 212-26 is hereby amended to authorize the extension of the consultant services contract with Janice Yuricek, effective September 15, 2026 at a rate of \$50.00 per hour and to increase the total authorized contract amount from \$5,000 to an amount not to exceed \$15,000 to be paid from the ILS grant funds under organization number A1174 of the County budget.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 EXECUTE LEASE OF PROPERTY
LOCATED AT 20 COURT STREET, OWEGO, NY
TO HOUSE ASSIGNED COUNSEL
RESOURCE CENTER

WHEREAS: Tioga County has identified a need to lease office space to house the Tioga County Assigned Counsel Resource Center; and

WHEREAS: Office space located at the lower level of 20 Court Street, Owego, NY was deemed suitable and renovated for the intent and purposes of the Assigned Counsel Resource Center, inclusive of all utilities; and

WHEREAS: The proposed lease is for an initial period of five (5) years at the rate of \$12,000.00 per year to be paid in twelve (12) monthly installments of \$1,000.00 with an option to extend the lease for an additional two years at the same annual lease rate without further resolution; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature, County Administrator, or other authorized officer, contingent upon review and approval of the County Attorney to execute a lease with the Tioga County Assigned Counsel Office for the lease of said office space located at 20 Court Street, Owego, New York, which lease shall commence on October 1, 2026.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE APPROPRIATION FROM
WORKERS' COMPENSATION RESERVE AND
AMEND 2026 WORKERS' COMPENSATION
FUND BUDGET

WHEREAS: Tioga County maintains a self-insured Worker's Compensation program for the payment and administration of workers' compensation claims; and

WHEREAS: General Municipal Law §6-j authorizes a municipal corporation that is a workers' compensation self-insurer to establish and utilize a Workers' Compensation Reserve Fund for the payment of compensation and benefits, medical and other authorized expenses, and expenses associated with administration of the self-insurance program; and

WHEREAS: Workers' Compensation claims and related medical expenditures during 2026 have exceeded amounts originally anticipated, including several significant claims, resulting in substantially reduced available appropriations within the 2026 Workers' Compensation Fund budget; and

WHEREAS: Additional budgetary authority is necessary to provide for anticipated workers' compensation claims and related eligible expenditures throughout the remainder of the 2026 fiscal year; and

WHEREAS: Tioga County has funds available within its Workers' Compensation Reserve for this purpose; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes by resolution, pursuant to General Municipal Law §6-j, the appropriation of \$150,000 from the Workers' Compensation Reserve to fund eligible workers' compensation expenditures during the 2026 fiscal year; and be it further

RESOLVED: That the 2026 Workers' Compensation Fund budget be modified accordingly as follows:

FROM: S 375300	Contributed Reserve	\$150,000.00
TO: S1720 540101	Compensation Awards	\$150,000.00

REFERRED TO: PERSONNEL COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE APPROPRIATION FROM
WORKERS' COMPENSATION RESERVE AND
AMEND 2026 WORKERS' COMPENSATION
FUND BUDGET

WHEREAS: Tioga County maintains a self-insured Workers' Compensation program for the payment and administration of workers' compensation claims; and

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of funds from the Workers' Compensation Fund Balance to the Reserve; and

WHEREAS: Recent workers' compensation claim activity and related expenditures have resulted in increased utilization of available Workers' Compensation Fund resources; and

WHEREAS: The County desires to maintain adequate reserves to provide for future workers' compensation claims and preserve the financial stability of the County's self-insured Workers' Compensation Plan; and

WHEREAS: As of December 31, 2025, the Tioga County Self-Insurance Contributed Reserve had a balance of \$2,516,615.28; and

WHEREAS: Tioga County has sufficient unrestricted funds available within its Workers' Compensation Fund Balance to transfer \$2,100,000 to the Contributed Reserve; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes by resolution the transfer of \$2,100,000 as follows:

FROM: S 390900	Fund Balance Unrestricted	\$2,100,000.00
TO: S 375300	Contributed Reserve	\$2,100,000.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. - 26 APPROPRIATION OF FUNDS AND
AMEND 2026 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services has an approved allocation of \$165,385 for SFY 2026-2027 for Family-Centered Case Management Services; and

WHEREAS: The Family-Centered Case Management Services is to provide a range of case management services for TANF eligible families who are having difficulty stabilizing their households and transitioning toward greater financial security; and

WHEREAS: Two Employment Specialists tied to the Family-Centered Case Management Services allocation are required for said duties; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100	Federal Aid: Social Services Admin	\$ 165,385
To: A6010.510010	Full-Time Salary	\$ 89,202
To: A6010.581088	State Retirement Fringe	\$ 8,576
To: A6010.583088	Social Security Fringe	\$ 6,509
To: A6010.584088	Workers Compensation Fringe	\$ 2,404
To: A6010.585588	Disability Insurance Fringe	\$ 125
To: A6010.586088	Health Insurance Fringe	\$ 52,713
To: A6010.588988	EAP Fringe	\$ 34
To: A6010.540487	Program Expense	\$ 4,900
To: A6010.540660	Telephone	\$ 922

And be it further

RESOLVED: That available funds on 12/31/26 of the original \$165,385 will be carried forward into the New Year.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. - 26 APPROPRIATION OF CODE BLUE
2026-2027 FUNDS AND
AMEND 2026 BUDGET
SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services has received a Code Blue funding from the Office of Temporary and Disability Assistance to implement emergency measures for the homeless during inclement winter weather; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010 436100	State Aid: Social Services Admin	\$ 6,000
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To: A6010 540487	Program Expense	\$ 6,000
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And be it further

RESOLVED: That available funds on 12/31/26 of the original \$6,000 will be carried forward into the New Year.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AMEND 2026 BUDGET
CONTINGENCY TRANSFER REQUEST
MENTAL HYGIENE

WHEREAS: New York State budget law mandates that counties absorb the full cost of Office of Mental Health (OMH) restoration services for individuals ordered under Criminal Procedure Law (CPL) Article 730; and

WHEREAS: Tioga County Mental Hygiene has received notice by New York State Office of Mental Health that a Tioga County resident was assigned these services, along with the required documentation and payment amount for the month of July 2026; and

WHEREAS: Tioga County Mental Hygiene has depleted the funds within its own budget to absorb this expense; and

WHEREAS: Funds will need to be transferred from the Tioga County Contingency account in order to accommodate this expense; and

WHEREAS: Amending the 2026 Budget and appropriation of Contingency funds require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from the Contingency account as follows:

From: A1990 540715 Contingency Transfer \$ 43,284.37

To: A4390 540590 Criminal Psychiatric: Services Rendered \$ 43,284.37

REFERRED TO: ITCS COMMITTEE
ADMINISTRATIVE SERVICES COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 TRANSFER RESERVE FUNDS TO PURCHASE
COPIER FOR COUNTY CLERK'S OFFICE AT
16 COURT STREET, OWEGO NY

WHEREAS: The Tioga County Clerk's Office has determined there is a need for a new copier in their office at 16 Court Street, Owego NY due to failing hardware; and

WHEREAS: The ITCS Department conducted a review of three different vendors and determined that Higher Information Group offered the best overall value and compatibility with the County's existing security toolsets, making it the most advantageous choice for continued operational integrity; and

WHEREAS: Higher Information Group has provided a contract for the purchase of one Toshiba ESTUDIO6525AC copier with dual scan document feeder, at a total cost of \$4,652.15 to purchase the unit outright, a maintenance contract that includes a \$5.14 per month fuel and delivery charge and a per-copy monochrome cost of \$0.004 and per-copy color cost of \$0.04; and

WHEREAS: By purchasing this unit outright, the County will save \$1,070.05, compared to leasing; and

WHEREAS: This purchase is being made under a State or Local Government Negotiated Contract (Contract No. 0 72855000); and

WHEREAS: Amending the budget, appropriating Capital funds, and utilizing Capital Reserve funds require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Clerk's Office to proceed with direct procurement and implementation of the new copier and that the following funds be transferred and the 2026 budget be modified as follows:

FROM:	H 387805	Capital Hardware Reserve	\$ 4,652.15
TO:	H1410 521130	Equipment (Not Car)	\$4,652.15

And be it further

RESOLVED: That any reimbursement received on the copier purchase will be transferred back into the Capital Hardware Reserve at the end of 2026.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 AUTHORIZE TRANSFER OF FUNDS FROM THE
NYS DIVISION OF CRIMINAL JUSTICE FOR
COUNTY PRE-TRIAL SERVICES GRANT AWARD
TO VARIOUS ACCOUNTS

WHEREAS: The Probation Department received a Grant Award from the New York State Division of Criminal Justice Services for the County Pre-Trial Services in the amount of \$100,000; and

WHEREAS: The Probation Department's approved 2026 budget does not have sufficient appropriations within the necessary accounts to complete their purchases, making a budget transfer necessary; and

WHEREAS: Legislative approval is required for the transfer of funds between a 54-object code (contractual) and a 52-object code (equipment) pursuant to the County's budget procedures; therefore be it

RESOLVED: That the Probation Department be authorized to transfer funds from the following accounts:

FROM:	A3140.540487 CPS01	Program Expense - Pretrial	\$41,776.58
TO:	A3140.520215 CPS01	Personal Protective Equipment	\$ 3,645.09
	A3140.520200 CPS01	Office Equipment	\$20,725.49
	A3140.540731 CPS01	Training/State Required	\$ 9,406.00
	A3140.540140 CPS01	Contracting Services (EM)	\$ 8,000.00

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 INTERFUND CAPITAL FROM GENERAL FUND TO
CAPITAL FUND TO COVER COSTS OF
AWARDED PAVING BIDS

WHEREAS: Resolution No. 355-26, Resolution No. 356-26 and Resolution No. 380-26 awarded paving bids totaling \$4,194,522.56 to be paid from the Capital Fund; and

WHEREAS: The Treasurer may have the need to transfer funds from the General Fund to the Capital Fund when these payments are due; therefore be it

RESOLVED: That the Tioga County Budget Officer amend the 2026 Budget and appropriate funds to the following lines to accommodate for the transfer of Fund Balance:

FROM:	A1340 540310 Interfund Transfer	\$4,194,522.56
TO:	H9901 590715 Transfers	\$4,194,522.56

And be it further

RESOLVED: That the Tioga County Treasurer transfer up to \$4,194,522.56 from the Capital Fund to the General Operating Fund; and be it further

RESOLVED: That this resolution will be null and void if the anticipated interfund transfer from General Fund to Capital Fund is not needed.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -26 AUTHORIZE APPOINTMENT OF
3RD ASSISTANT DISTRICT ATTORNEY
DISTRICT ATTORNEY

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Effective August 21, 2026, the 3rd Assistant District Attorney resigned and the position is vacant; and

WHEREAS: The District Attorney has identified Nicholas Weisbrod as a satisfactory candidate, and he has passed the County mandated criminal background check; therefore be it

RESOLVED: That the District Attorney is hereby authorized to appoint Nicholas Weisbrod to the title of 3rd Assistant District Attorney, at an annual Management/Confidential salary of \$95,152 effective September 21, 2026; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Mr. Weisbrod shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Weisbrod shall be eligible for any authorized 2027 Management/Confidential salary increase effective, following a successful six-month evaluation.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -26 AUTHORIZATION TO CREATE AND FILL
ONE, TEMPORARY PART-TIME PRINCIPAL
SOCIAL WELFARE EXAMINER POSITION
SOCIAL SERVICES

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

WHEREAS: The Commissioner of Social Services has identified ongoing staffing needs within the Employment and Transitional Support Services Division due to the continuation of turnover and changes with the State takeover of the Medicaid Caseload; and

WHEREAS: A Principal Social Welfare Examiner is retiring in the month of September 2026 who has expressed interest in returning as a part-time Principal Social Welfare Examiner; and

WHEREAS: The temporary Principal Social Welfare Examiner will start working no earlier than October 5, 2026, and no later than April 9, 2027, therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and filling of one, temporary part-time Principal Social Welfare Examiner at an hourly rate of \$24.31 effective October 5, 2026.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -26 CREATE ONE (1) FULL-TIME
AOT COORDINATOR POSITION
MENTAL HYGIENE

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

WHEREAS: Tioga County Mental Hygiene has received State Aid from OMH to support an Assisted Outpatient Treatment (AOT) Program; and

WHEREAS: The AOT Program must have an AOT Coordinator; and

WHEREAS: This new position would be 100% funded from State Aid mental health funding; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create one (1) full-time AOT Coordinator (M/C \$64,729 - \$74,729) effective September 19, 2026; and be it further

RESOLVED: That the authorized full-time headcount within the Department of Mental Hygiene shall increase by one from 46 to 47; and be it further

RESOLVED: That this action does not result in an increase to the County's total 2026 operating budget; and be it further

RESOLVED: That funding would be appropriated through state aid mental health budget line A4310 434900; and be it further

RESOLVED: That the following amounts be appropriated in the 2026 budget:

From: A4310 434900	State Aid Mental Health	\$32,506.75
To: A4310 510010	Full Time Salary	\$21,497.38
A4310 581088	State Retirement Fringe	\$ 1,766.02
A4310 583088	Social Security Fringe	\$ 1,477.73
A4310 584088	Workers Compensation Fringe	\$ 366.27
A4310 585588	Disability Insurance Fringe	\$ 19.52
A4310 586088	Health Insurance Fringe	\$ 7,375.64
A4310 588988	Eap Fringe	\$ 4.19

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -26 AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES; SUBSECTION e.
DISCIPLINARY PROCEDURES

WHEREAS: The Tioga County Legislature recognizes the importance of maintaining a fair, consistent, legally compliant, and progressive system of corrective action and discipline for County employees; and

WHEREAS: The Personnel Office, in consultation with the County Administrator and County Attorney, has completed a comprehensive review and revision of the County's Disciplinary Procedures Policy to ensure compliance with applicable New York State Civil Service Law, collective bargaining agreements, current employment practices, and County operations; and

WHEREAS: Resolution No. 333-88 adopted the County's Policy Handbook in which the original disciplinary policy was included, and replaced by Resolution No. 130-17 replacing the Policy Handbook with the adoption of the Employee Handbook; and

WHEREAS: The revised policy provides clear guidance regarding progressive corrective action, supervisory responsibilities, investigations, documentation standards, due process requirements, the administration of disciplinary actions, and the respective roles of Department Heads, Supervisors, the Personnel Officer, County Administrator, and County Attorney; and

WHEREAS: The revised policy is intended to promote consistency in the administration of discipline throughout County government while ensuring employees receive the procedural protections afforded under applicable law; and

WHEREAS: The Policy Review Committee has reviewed the proposed revisions and recommends adoption by the Tioga County Legislature; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts the revised Personnel Rules – Section IV(e): Disciplinary Procedures, attached hereto and incorporated herein by reference, effective immediately upon adoption of this Resolution; and be it further

RESOLVED: That this policy shall supersede and replace all prior County disciplinary procedure policies or provisions inconsistent with this revised policy; and be it further

RESOLVED: That Department Heads and Supervisors shall administer disciplinary matters in accordance with the adopted policy, applicable collective bargaining agreements, and the New York State Civil Service Law; and be it further

RESOLVED: That the Employee Handbook is hereby amended to revise in its entirety Section IV. Personnel Rules, Subsection e. entitled Disciplinary Procedures:

**e. DISCIPLINARY PROCEDURES
(FORMERLY POLICY #8)**

DISCIPLINARY PROCEDURES

- I. PURPOSE AND SCOPE
- II. GOVERNING AUTHORITY AND ORDER OF REVIEW
- III. DEFINITIONS
- IV. GUIDING PRINCIPLES
- V. ELECTED COUNTY OFFICIALS AND THEIR DEPARTMENTS
- VI. SHERIFF AND LAW-ENFORCEMENT INVESTIGATIONS
- VII. PROGRESSIVE CORRECTIVE ACTION FRAMEWORK
- VIII. INITIAL RESPONSE AND ADMINISTRATIVE INVESTIGATION
- IX. ROLES AND RESPONSIBILITIES
- X. CIVIL SERVICE LAW SECTIONS 75 AND 76
- XI. SEPARATIONS OUTSIDE OF FORMAL DISCIPLINE
- XII. DOCUMENTATION, RECORDS, AND CONFIDENTIALITY
- XIII. ADA, EEO, PROTECTED LEAVE, AND PROTECTED ACTIVITY
- XIV. STANDARD FORMS AND CORRECTIVE ACTION TRACKING
- XV. TRAINING AND POLICY ADMINISTRATION

I. PURPOSE AND SCOPE

Tioga County is committed to a fair, consistent, legally compliant system of corrective action and discipline. This policy establishes Countywide administrative guidance for early intervention, performance improvement, investigation, documentation, due process, and accountability.

This policy applies to County employees to the extent consistent with their civil service classification, tenure, probationary or temporary status, collective bargaining agreement, employment agreement, and the lawful authority of the applicable appointing authority. Civil Service Law Sections 75 and 76 apply only to employees who meet the statutory coverage requirements. Management/Confidential status, standing alone, does not establish Section 75 coverage.

Nothing in this policy creates a contract of employment, guarantees progressive discipline, changes an employee's at-will or probationary status, expands Civil Service Law coverage, or limits rights or authority established by law or contract. If this policy conflicts with federal or state law, a collective bargaining agreement, a controlling local law, or an individual employment agreement, the controlling authority governs.

II. GOVERNING AUTHORITY AND ORDER OF REVIEW

Before corrective action, formal discipline, or involuntary separation, the appointing authority and responsible supervisor shall identify the employee's status and the procedure that governs. Review should include, as applicable:

- New York Civil Service Law Sections 75 and 76 and applicable local civil service rules;
- the applicable collective bargaining agreement, including any negotiated disciplinary or grievance procedure;
- the County Employee Handbook, adopted County policies, and applicable departmental rules;
- any appointment resolution, local law, employment agreement, or statutory provision governing the position; and
- any mandatory reporting, licensing, accreditation, funding, safety, or professional-conduct requirement.

The County Attorney shall be consulted when the governing procedure, appointing authority, employee status, legal deadline, reporting duty, or available penalty is uncertain.

III. DEFINITIONS

Appointing Authority: The officer or body legally authorized to appoint the employee and, where provided by law or contract, to remove or discipline the employee. A Department Head or Supervisor may recommend or

administer corrective action but may impose formal discipline only when legally authorized or properly delegated.

Corrective Action: Coaching, counseling, training, a Performance Improvement Plan (PIP), or another non-disciplinary measure intended to clarify expectations and improve performance or conduct.

Formal Discipline: A penalty imposed under Civil Service Law Section 75, an applicable collective bargaining agreement, or other lawful authority. Its label does not control; the substance and effect of the action determine whether it is disciplinary.

IV. GUIDING PRINCIPLES

- Address concerns promptly and at the lowest appropriate level, while preserving all required rights and reporting obligations.
- Use progressive corrective action when appropriate, but permit acceleration when justified by seriousness, safety risk, prior history, workplace impact, dishonesty, legal exposure, or other relevant circumstances.
- Apply comparable standards consistently while considering the material facts of each case.
- Provide notice and a meaningful opportunity to respond whenever required by law, contract, or County procedure.
- Make decisions based on objective facts, not assumptions, protected activity, or an employee's protected status.
- Limit information to individuals with a legitimate operational, legal, or statutory need to know; do not promise absolute confidentiality.

V. ELECTED COUNTY OFFICIALS AND THEIR DEPARTMENTS

Elected County officials are constitutional or statutory officers and are not employees subject to discipline or removal under this policy. Nothing in this policy curtails, diminishes, or transfers the powers of an elected County official, consistent with Tioga County Local Law No. 4 of 2023. The County Legislature, County Administrator, Personnel Officer, and other County officials may not impose employee discipline upon, suspend, or remove an elected County official unless expressly authorized by law.

Elected County officials remain subject to federal and state law and to Countywide workplace, ethics, anti-discrimination and harassment, workplace-violence, safety, information-security, and other administrative policies to the extent those policies are lawfully applicable and do not impair the official's independent statutory duties. A complaint concerning an elected official shall be reported promptly to the Legislative Chair and County Attorney, or to an alternate authorized official or independent counsel when either party has a conflict. Depending on the subject, referrals may also be appropriate to the Board of Ethics, District Attorney, Governor, Attorney General, State Comptroller, a licensing or oversight body, or another authority having jurisdiction.

For employees appointed by an elected County official, that elected official remains the appointing authority unless law provides otherwise. County procedures, forms, consultation requirements, Civil Service Law, and collective bargaining obligations apply to the extent legally applicable; however, the final decision remains with the lawful appointing authority. Personnel and the County Attorney provide civil service, labor-relations, documentation, and legal guidance without assuming the elected official's authority.

VI. SHERIFF AND LAW-ENFORCEMENT INVESTIGATIONS

The Sheriff is an independently elected constitutional officer and the appointing authority for employees of the Sheriff's Office, subject to Civil Service Law, County Law, applicable collective bargaining agreements, and other controlling laws. Nothing in this policy authorizes the County Legislature, County Administrator, Personnel Officer, or another Department Head to direct the Sheriff's personnel decisions or law-enforcement functions, or to obtain records to which they are not legally entitled.

An internal administrative investigation determines whether County employment standards were violated. A criminal investigation determines whether criminal law may have been violated. They are distinct proceedings with different purposes, authorities, confidentiality rules, and employee rights. The Sheriff does not automatically serve as the investigator for routine personnel matters. Suspected criminal conduct may be referred to the Sheriff or another appropriate law-enforcement agency; the receiving agency independently determines whether and how to investigate.

When a criminal investigation is pending or reasonably anticipated, the appointing authority shall consult the County Attorney before conducting compelled administrative questioning, sharing investigative materials, or taking an action that could interfere with law enforcement. Administrative deadlines, including the limitations period under Civil Service Law Section 75, must still be monitored. If an allegation involves the Sheriff, Sheriff's Office personnel, or another conflict of interest, the matter should be referred, after legal consultation, to an appropriate independent agency such as the District Attorney, New York State Police, or Attorney General.

Law-enforcement investigative records remain in the custody and control of the investigating agency and may be withheld or disclosed only as permitted or required by law. Personnel and administrative officials shall receive only information lawfully available and reasonably necessary for employment action. The absence of access to a criminal investigative file does not prevent a separate, lawful administrative investigation based on independently obtained evidence.

VII. PROGRESSIVE CORRECTIVE ACTION FRAMEWORK

Coaching and Informal Counseling (Non-Disciplinary)

Coaching and informal counseling are early-intervention tools. The supervisor should identify the concern, restate the expectation, listen to the employee's response, offer appropriate guidance or training, and identify follow-up. Routine coaching does not require an employee signature or a formal County form. A supervisor may retain brief, contemporaneous notes in accordance with the records-retention requirements of this policy.

Counseling Memorandum (Non-Disciplinary)

A Counseling Memorandum documents a supervisory discussion regarding attendance, a minor policy concern, workplace conduct, performance, or an unmet expectation. It shall state the facts, the expectations, available support, required improvement, and follow-up date. It is not a formal disciplinary penalty and shall not describe itself as a reprimand or impose a punitive consequence.

The employee shall receive a copy and be asked to acknowledge receipt. A signature acknowledges receipt only, *not* agreement. If the employee declines to sign, the issuer shall note the refusal and have a witness verify delivery. The employee may submit a written response for attachment to the memorandum.

Performance Improvement Plan (Non-Disciplinary)

A Performance Improvement Plan (PIP) may be used when performance deficiencies require structured expectations, assistance, monitoring, and review. A PIP should identify measurable objectives, available training or support, responsible persons, review dates, the duration of the plan, and the method used to evaluate progress. The employee shall receive a copy and may submit a written response.

A PIP is not a substitute for discipline when immediate discipline is warranted. Conversely, failure to satisfy a PIP does not automatically establish misconduct or incompetence; any later disciplinary charge must be supported by evidence and processed under the governing law or contract.

Written Warning and Official Reprimand

Before issuing a written warning, the Department Head or Supervisor shall consult Personnel to determine whether the proposed document is non-disciplinary corrective guidance or formal discipline under the applicable law or collective bargaining agreement. A written warning that functions as an official reprimand or other penalty shall not be imposed on an employee protected by Civil Service Law Section 75 unless the required process has been completed or knowingly waived in a written settlement.

A written warning shall identify the conduct or performance at issue, relevant facts, prior related guidance when appropriate, the policy or expectation involved, required improvement, a reasonable review period when

applicable, available support, and potential consequences of recurrence or failure to improve. The employee shall receive a copy, and acknowledgment of receipt shall not constitute agreement.

Last Chance Agreement (Disciplinary Settlement Tool)

A Last Chance Agreement may be used as a voluntary settlement of actual or contemplated disciplinary charges when legally appropriate. It requires the written agreement of the employee and, when applicable, the certified bargaining representative. Every Last Chance Agreement must be prepared or approved by the County Attorney and approved by the appointing authority after consultation with Personnel. Any waiver of statutory, contractual, grievance, or appeal rights must be knowing, voluntary, specific, and legally enforceable.

Formal Discipline

Formal discipline may include an official reprimand, fine, suspension, demotion, dismissal, or another penalty authorized by controlling law or a collective bargaining agreement. The appointing authority shall consult Personnel and the County Attorney before charges are issued, an unpaid suspension is imposed, a settlement is offered, or a final penalty is determined.

VIII. INITIAL RESPONSE AND ADMINISTRATIVE INVESTIGATION

Before deciding on formal discipline, the responsible official shall make reasonable, impartial efforts to determine the facts. The scope should be proportionate to the allegation and may include preservation and review of relevant records, witness interviews, an interview of the subject employee, credibility assessment, and a written factual summary.

At the outset, the responsible official shall assess whether immediate safety measures, evidence preservation, mandatory reporting, regulatory notice, licensure reporting, child or vulnerable-person protection, law-enforcement referral, paid administrative leave, or another interim measure is required. Interim measures are not findings of wrongdoing and must be authorized by the appointing authority.

When an employee who appears to be a potential subject of discipline is questioned, the employee shall receive the advance written representation notice required by Civil Service Law Section 75(2) or any applicable collective bargaining agreement. Other representation rights, including any right arising under the Taylor Law or a negotiated agreement, shall also be honored. The notice and any waiver or request for representation shall be documented.

Investigative documentation shall distinguish facts, witness statements, documentary evidence, credibility determinations, and conclusions. Investigators shall avoid unsupported characterizations, unnecessary medical information, promises of confidentiality, and conclusions outside their authority or expertise.

IX. ROLES AND RESPONSIBILITIES

Appointing Authority

The appointing authority determines whether to commence formal discipline, authorizes charges and interim employment action, designates a hearing officer when permitted, reviews any recommendation, and issues the final determination and penalty. These functions may not be reassigned by this policy contrary to law or contract.

Department Heads and Supervisors

Department Heads and Supervisors communicate expectations, address concerns promptly, preserve evidence, conduct or assist with authorized fact-finding, use approved forms, consult Personnel and the County Attorney as required, provide employees with copies of issued documents, complete follow-up, and transmit required records. A Supervisor, who is not the appointing authority, may recommend, but may not independently impose, formal discipline unless properly authorized.

Personnel Officer

The Personnel Officer advises on civil service status, contractual procedure, consistency, documentation, representation, and training; maintains the central records and tracking information assigned to Personnel by this policy or law; and receives the records required by Civil Service Law. The Personnel Officer's consultative or civil service role does not displace the authority of the appointing authority, hearing officer, County Attorney, elected official, or investigating law-enforcement agency.

County Administrator

Under Local Law No. 4 of 2023, the County Administrator provides day-to-day operational coordination, helps ensure compliance with County policies, evaluates non-elected Department Heads, and makes appointment or termination recommendations to the Legislature. The Administrator may issue non-disciplinary corrective action and may recommend formal action concerning a non-elected Department Head, subject to the Legislature's appointing authority and applicable law. The Administrator shall coordinate with Personnel and the County Attorney and shall not curtail, diminish, or transfer the powers of an elected or appointed County official.

A non-elected Department Head may request administrative review of non-disciplinary corrective action by the Legislative Chair and appropriate Standing Committee Chair. Such review does not stay the action, replace a contractual grievance or statutory appeal, or transfer the authority of the lawful appointing authority.

County Attorney

The County Attorney advises the County and authorized County officials regarding legal sufficiency, due process, investigations, evidence, charges, settlements, hearings, protected activity, reporting duties, conflicts, and separation. Consultation does not make legal advice or attorney work products available beyond those entitled to receive it.

X. CIVIL SERVICE LAW SECTIONS 75 AND 76**a. Suspension**

In accordance with Civil Service Law Section 75(3) an employee may be suspended by the appointing authority in conjunction with the Personnel Officer without pay for thirty (30) days pending determination of charges.

b. Written Notice of Charges

Employees must be served with written charges and specifications and provided at least eight (8) days to answer in writing. The notice must include the hearing date, time, location, representation rights, possible penalties, and suspension status, if applicable. The employee should be notified of any suspension, if applicable. The letter containing the charges and information outlined above should be delivered personally to the employee by registered or certified mail, with a return receipt.

Employees have the right to representation by a union, attorney, or other authorized representative at all stages of the Section 75 process, including investigatory interviews where discipline may result.

Charges shall be prepared by the Department Head in consultation with the Personnel Officer and County Attorney to ensure legal sufficiency.

c. Hearing Requirements

An employee subject to discipline is entitled to a hearing on the charges. A hearing must be held unless expressly waived by the employee and the waiver of the hearing should be in writing and filed with the record of proceeding.

d. Burden of Proof

The County bears the burden of proof to substantiate any charges. Compliance with the technical rules of evidence shall not be required.

e. Hearing Officer

The hearing officer must be designated in writing and may be the appointing officer, a deputy, or a designee. The hearing officer need not be an attorney. The hearing officer is empowered to conduct the hearing, make record of the hearing, and make a recommendation to the appointing officer.

The Personnel Officer, in consultation with the County Attorney, shall coordinate the designation of a qualified hearing officer to ensure impartiality and compliance with Civil Service Law.

The determination whether to accept, reject, or modify that recommendation shall be made by the appointing authority.

f. Penalties

If charges are sustained and an employee is found guilty of any of the charges and specifications, allowable penalties may include:

1. Written Reprimand;
2. A fine not to exceed \$100;
3. Suspension without pay for up to two (2) months;
4. Demotion in grade and title;
5. Dismissal from service/employment

g. Suspension Credit

Time spent on unpaid suspension prior to the hearing may be credited toward an imposed penalty.

h. Acquittal

If the employee is acquitted, they shall be restored to their position with full pay for the period of suspension, less any unemployment insurance benefits the employee may have received during such period.

i. Guilty Determination

If the employee is found guilty, a copy of the charges, their response, the hearing transcript, and the determination must be retained as part of the employer's record in the office of the department and a copy shall be filed with the Personnel/Civil Service Department. An employee must be provided with a written notice of the determination on the charges.

j. Appeal Rights

An employee may appeal the hearing decision either to the Personnel Officer or to the courts, through an Article 78 proceeding. The appeal to the Personnel Officer, under Section 76 of the Civil Service Law, must be filed in writing within twenty (20) days of receipt of the determination of the hearing officer. If the employee appeals to the Personnel Officer, the decision of the Personnel Officer is final and not subject to the court review.

XI. SEPARATIONS OUTSIDE OF FORMAL DISCIPLINE

Not every separation is disciplinary. Resignation, retirement, layoff or abolition, expiration of temporary or seasonal service, non-retention during probation, and separation of an at-will or unclassified employee may be governed by procedures other than Civil Service Law Section 75. No such separation shall be described or processed as disciplinary unless the governing authority makes it so.

Before an involuntary separation, the appointing authority shall consult Personnel and the County Attorney to confirm the employee's status; identify statutory, contractual, notice, hearing, or legislative-approval requirements; and review potential discrimination, retaliation, whistleblower, protected-leave, accommodation, workers' compensation, military-service, and other legal issues. The decision file should identify the lawful authority, effective date, required approvals and notices, legitimate non-retaliatory basis where appropriate, return of County property, access termination, and final payroll and benefit steps. This documentation requirement does not create a right to continued employment or require disclosure of privileged advice.

Unemployment Insurance

An employee who experiences separation from employment or other qualifying reduction in employment shall be provided with any unemployment insurance notice required by law. Eligibility for unemployment insurance benefits is determined by the New York State Department of Labor in accordance with applicable law. The County shall accurately report the circumstances and documented basis for an employee's separation when responding to an unemployment insurance claim. Nothing in this policy determines, guarantees, or precludes an employee's eligibility for unemployment insurance benefits.

XII. DOCUMENTATION, RECORDS, AND CONFIDENTIALITY

Documentation shall be timely, factual, objective, and complete. It should identify dates, persons involved, firsthand observations, employee responses, evidence considered, expectations communicated, action taken, and follow-up. Relevant documents shall be forwarded to Personnel within three business days when this policy or Personnel requires central filing; **immediate notice is required for formal discipline, proposed suspension, or proposed involuntary separation.**

Routine supervisory notes should be secured within the department and kept separately from records designated for the official personnel file unless and until they are used in an evaluation, corrective action, discipline, or other employment decision. Counseling Memoranda, PIPs, written warnings, settlements, charges, hearing records, determinations, and separation records shall be maintained by the department and/or Personnel according to their lawful custodial responsibilities and the applicable records-retention schedule.

Disciplinary and investigative records are not automatically exempt from disclosure. Access, confidentiality, and disclosure shall be determined under applicable law, including the Freedom of Information Law (FOIL), personal-privacy protections, collective bargaining obligations, law-enforcement exemptions, litigation holds, and attorney-client privilege. No record may be altered, concealed, or destroyed outside an authorized retention and disposition process.

Failure by a Department Head or Supervisor to provide the required notice or record shall be addressed by the official who has authority over that person, in consultation with Personnel and the County Attorney. This policy does not confer disciplinary authority on an official who otherwise lacks it.

XIII. ADA, EEO, PROTECTED LEAVE, AND PROTECTED ACTIVITY

Supervisors shall not diagnose medical conditions or seek medical details beyond what Personnel authorizes. Prompt consultation with Personnel is required when an employee raises a disability, accommodation, medical restriction, protected leave, workers' compensation matter, military obligation, discrimination or harassment concern, whistleblower activity, workplace-safety report, union activity, or other potentially protected conduct. Corrective or disciplinary action may proceed when lawful and supported, but the County must separate legitimate performance or conduct concerns from protected status or activity and must comply with accommodation, leave, anti-retaliation, and confidentiality requirements.

XIV. STANDARD FORMS AND CORRECTIVE ACTION TRACKING

Personnel shall maintain County-approved forms to support consistent documentation. The forms are administrative aids and must be adapted to the facts, employee status, applicable collective bargaining agreement, and legal requirements.

The standardized forms shall be maintained in a consistent format and structure to promote uniform documentation throughout the County. Department Heads and Supervisors shall not alter or remove the required fields, headings, or substantive components of an approved form; however, the forms may be expanded as necessary to include additional information, explanation, or supporting documentation relevant to the particular matter.

They do not replace consultation with Personnel or the County Attorney, and they are not substitutes for Section 75 charges, a negotiated notice of discipline, a settlement agreement, or a hearing determination.

The following standardized required forms accompany this policy, and are located on the **County's Intranet "Employee Handbook-EH Forms"**:

- Form A — Counseling Memorandum (Non-Disciplinary);
- Form B — Performance Improvement Plan (Non-Disciplinary);
- Form C — Written Warning and Employee Acknowledgment; and
- Form D — Corrective Action and Discipline Tracking Log.

Department Heads and Supervisors shall use the applicable approved form for a Counseling Memorandum, PIP, or written warning.

Counseling Memorandum's and Performance Improvement Plans may be considered in an employee's annual evaluation when relevant to the evaluation period and the employee's demonstrated performance or

conduct. Their consideration shall not convert a non-disciplinary corrective action into formal discipline.

Routine coaching and informal counseling do not require an employee signature or a separate form. The Tracking Log is an administrative index for authorized County users; it shall record only the minimum information necessary to identify the employee, issue date, type of action, issuer, follow-up date, status, and location of the underlying record. **It shall not contain detailed allegations, medical information, witness statements, or privileged legal advice.**

An employee signature on a Counseling Memorandum, PIP, or written warning acknowledges receipt only. Refusal to sign does not invalidate delivery; the issuer shall document the refusal with a witness. Employees shall receive a copy of documents issued to them and may submit a written response for attachment, subject to applicable law or contract.

XV. TRAINING AND POLICY ADMINISTRATION

Department Heads and Supervisors shall receive training at orientation and periodic refresher training on corrective action, documentation, investigations, representation rights, Civil Service Law, collective bargaining requirements, protected activity, and use of County forms. Additional training shall be requested whenever a supervisor is uncertain how to proceed.

The Personnel Office administers this policy in consultation with the County Administrator and County Attorney, while preserving the authority of each appointing authority and elected official. The County Legislature may amend this policy. Personnel may issue procedural guidance and update sample forms consistent with the policy, but no guidance or form may change a legal or contractual right or reassign statutory authority.