

*Sixth Regular Meeting
June 13, 2023*

The Sixth Regular Meeting of 2023 was held on June 13, 2023 and was called to order by the Chair at 12:03 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present with Legislator Weston being absent.

Chair Sauerbrey asked Legislator Brown to have a moment of prayer. "Lord, thank you for the beautiful day we had after some much needed rain. Please guide us through the decisions that are needed in today's meeting."

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

There were 27 people in attendance.

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

Legislator Flesher read and presented the following resolution to Shawn Nalepa, Captain of Operations, Sheriff's Office.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 213-23 *RESOLUTION RECOGNIZING
SHAWN NALEPA'S 26 YEARS
OF DEDICATED SERVICE TO
TIOGA COUNTY SHERIFF'S OFFICE*

WHEREAS: Shawn Nalepa was hired as a Corrections Officer on March 10, 1997; appointed to the position of Deputy Sheriff on May 23, 2000; appointed to Road Patrol Sergeant on April 4, 2008; appointed to Investigator on May 1, 2009; appointed to Road Patrol Lieutenant on January 1, 2018; appointed to Captain of Operations on June 10, 2020; and

WHEREAS: Shawn Nalepa has been dedicated and loyal in the performance of his duties and responsibilities during his 26 years of service, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Shawn Nalepa will retire from the Tioga County Sheriff's Office on June 9, 2023; 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 Shawn Nalepa for his 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 employee, Shawn Nalepa.

ROLL CALL VOTE

Unanimously Yes – Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Sheriff Howard spoke. “It is kind of hard to put 26 years into a 60 second speech, but I want to say Shawn Jonathan Nalepa. I was looking at your personnel file this morning and you probably did not know that he grew up in Broome County and graduated from Maine-Endwell High School, which we won't hold against him, but what I noticed was his driving record before he started working for the Sheriff's Office and we certainly do not have enough time to go into that. There is a good reason why we have him as a driving instructor for the Sheriff's Office. Speed is not a thing that he misses. I do not need to go into all his promotions, but I looked through his file and he has received numerous commendations and letters of thank you. He has done a tremendous job for the Sheriff's Office and for the citizens of Tioga County.

“One thing I do hold against him is that he likes Fords. He bought a Mustang and recently it disappeared from his garage. I do not know if it was sold or towed away, but it is gone now.

“We will still continue to benefit from Shawn. An opportunity knocked on his door and he came to me and asked what I thought. I said, ‘if you do not open the door, you will never know what is behind it.’ So, Shawn will be

the new Director of the Broome County Corrections Training Academy, which will also benefit Tioga County because I am sure we will be sending Corrections Officers there to be trained. So, we will continue to benefit from his expertise and gladly so.

“Other than that, Maria, we still do not understand but thank God you are his backup, and we appreciate everything you have done for him.

“On behalf of the men and women of the Sheriff’s Office, congratulations and God bless.”

Shawn Nalepa spoke. “I just want to thank God, first of all, for letting me retire uninjured, alive and well. I want to thank Maria, without you none of this would have been possible. To the Sheriff’s Office, love you guys. You have always made me look good. I have been saying that for 26 years.

“Thank you to everyone in the County; Personnel Office especially, one of my jobs at the Sheriff’s Office was personnel and you always took care of me and provided information. Thank you to the County Attorney’s Office and Treasurer’s Office. Thank you to the Legislature for recognizing me today and for all your support throughout the years. I really appreciate it. Thank you.”

Chair Sauerbrey spoke. “We wish you the very best.”

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of May 9, 2023, seconded by Legislator Brown and carried.

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

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 214-23 RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY SERVICES BOARD

WHEREAS: Christine Schweitzer has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Christine Schweitzer's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Christine Schweitzer be appointed to the Community Services Board for a full-term starting June 1st, 2023 and ending May 31st, 2027.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 215-23 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY SERVICES BOARD*

WHEREAS: Porshea Moore has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Porshea Moore's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Porshea Moore be appointed to the Community Services Board for a full-term starting June 1st, 2023 and ending May 31st, 2027.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

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

RESOLUTION NO. 216-23 *APPOINT DBE LIAISON OFFICER*

WHEREAS: The Department of Transportation (DOT) requires the establishment of a Disadvantaged Business Enterprise Program (DBE) due to Tioga County receiving financial assistance from the DOT; and

WHEREAS: As a condition of receiving this assistance Tioga County has signed assurances that it will comply with 49 CFR Part 26; and

WHEREAS: The DBE Policy requires the appointment of a DBE Liaison Officer; and

WHEREAS: The Deputy Commissioner of Public Works has agreed to implement and monitor the DBE Program in coordination with other appropriate officials; therefore be it

RESOLVED: That the Deputy Commissioner of Public Works be and hereby is appointed the DBE Liaison Officer for Tioga County.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 217-23 *RESOLUTION TO AMEND AND RESTATE THE DEFERRED COMPENSATION MODEL PLAN*

WHEREAS: The New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of Tioga County (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS: Tioga County, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of Tioga County; and

WHEREAS: Effective December 11, 2020 the Board amended the Model Plan to adopt the following optional provisions in Schedule B

- Related to the CARES Act and SECURE Act to permit penalty-free distributions for a new child and lowering the minimum age for in-service distribution from 70 ½ to 59 ½; and

WHEREAS: The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS: Upon due deliberation, Tioga County has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of Tioga County by adopting the amended Model Plan; therefore be it

RESOLVED: That Tioga County hereby amends the Deferred Compensation Plan for Employees of Tioga County by adopting the amended Model Plan including the optional provisions in Schedule B.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 218-23 *SEQR DETERMINATION FOR
911 TELECOMMUNICATIONS TOWER
110 C BABCOCK ROAD, TOWN OF NICHOLS*

WHEREAS: Tioga County is embarking on a new project to install and operate four new 911 telecommunications towers throughout the county to improve emergency telecommunications between fire departments, emergency services and highway departments; and

WHEREAS: One of these new towers is to be located at 110 C Babcock Road in the Town of Nichols; and

WHEREAS: The Tioga County Legislature needs to comply with SEQRA and evaluate any adverse environmental impacts for this Unlisted Action; and

WHEREAS: The County Planning Director has used the Short Environmental Assessment Form to evaluate environmental impacts and has found no adverse environmental impacts associated with the construction of this new tower; therefore be it

RESOLVED: That the Tioga County Legislature hereby makes a negative declaration for SEQR purposes for the new 911 telecommunications tower located at 110 C Babcock Road in the Town of Nichols.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 219-23 *SEQR DETERMINATION FOR
911 TELECOMMUNICATIONS TOWER
246 DAVIS ROAD, TOWN OF RICHFORD*

WHEREAS: Tioga County is embarking on a new project to install and operate four new 911 telecommunications towers throughout the county to improve emergency telecommunications between fire departments, emergency services and highway departments; and

WHEREAS: One of these new towers is to be located at 246 Davis Road in the Town of Richford; and

WHEREAS: The Tioga County Legislature needs to comply with SEQRA and evaluate any adverse environmental impacts for this Unlisted Action; and

WHEREAS: The County Planning Director has used the Short Environmental Assessment Form to evaluate environmental impacts and has found no adverse environmental impacts associated with the construction of this new tower; therefore be it

RESOLVED: That the Tioga County Legislature hereby makes a negative declaration for SEQR purposes for the new 911 telecommunications tower located at 246 Davis Road in the Town of Richford.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: ED&P COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 220-23 *SEQR DETERMINATION FOR
911 TELECOMMUNICATIONS TOWER
SOUTH APALACHIN ROAD, TOWN OF OWEGO*

WHEREAS: Tioga County is embarking on a new project to install and operate four new 911 telecommunications towers throughout the county to improve emergency telecommunications between fire departments, emergency services and highway departments; and

WHEREAS: One of these new towers is to be located on South Apalachin Road in the Town of Owego; and

WHEREAS: The Tioga County Legislature needs to comply with SEQRA and evaluate any adverse environmental impacts for this Unlisted Action; and

WHEREAS: The County Planning Director has used the Short Environmental Assessment Form to evaluate environmental impacts and has found no adverse environmental impacts associated with the construction of this new tower; therefore be it

RESOLVED: That the Tioga County Legislature hereby makes a negative declaration for SEQR purposes for the new 911 telecommunications tower located on South Apalachin Road in the Town of Owego.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 221-23 *SEQR DETERMINATION FOR
911 TELECOMMUNICATIONS TOWER
54 DODGE ROAD, TOWN OF SPENCER*

WHEREAS: Tioga County is embarking on a new project to install and operate four new 911 telecommunications towers throughout the county to improve emergency telecommunications between fire departments, emergency services and highway departments; and

WHEREAS: One of these new towers is to be located at 54 Dodge Road in the Town of Spencer; and

WHEREAS: The Tioga County Legislature needs to comply with SEQRA and evaluate any adverse environmental impacts for this Unlisted Action; and

WHEREAS: The County Planning Director has used the Short Environmental Assessment Form to evaluate environmental impacts and has found no adverse environmental impacts associated with the construction of this new tower; therefore be it

RESOLVED: That the Tioga County Legislature hereby makes a negative declaration for SEQR purposes for the new 911 telecommunications tower located at 54 Dodge Road in the Town of Spencer.

Legislator Standinger spoke. "Our Director of Emergency Services, Mike Simmons, has put a lot of effort into this endeavor with the radio communications and these SEQRs are all related to that."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 222-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO THE TOWN OF OWEGO*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Town of Owego was desirous of obtaining grant funds by way of Preserve New York for the purpose of conducting a cultural resources survey; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of three and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Town of Owego.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standingger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 223-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO FUDDY DUDDY'S*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: Fuddy Duddy's was desirous of obtaining grant funds by way of Empire State Development Capital Program for the purpose of expanding, equipping, and furnishing their business; and

WHEREAS: The Tioga County Economic Development staff provided technical assistance for said grant application for a period of seven and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to Fuddy Duddy's.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 224-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO
THE TIOGA COUNTY BOYS AND GIRLS CLUB FOR
THE CONSTRUCTION OF THE TEEN CENTER*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Boys and Girls Club was desirous of obtaining grant funds by way of Floyd Hooker Foundation for the purpose of the construction of a Teen Center; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application in the amount of three hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Tioga County Boys and Girls Club.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 225-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO
THE TIOGA COUNTY BOYS AND GIRLS CLUB FOR
THE PURPOSE OF FURNISHING THE TEEN CENTER*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Boys and Girls Club was desirous of obtaining grant funds by way of Floyd Hooker Foundation for the purpose of furnishing the Teen Center; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application in the amount of three hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Tioga County Boys and Girls Club.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 226-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO THE TOWN OF NICHOLS*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Town of Nichols was desirous of obtaining grant funds by way of the Community Foundation for the purpose of the purchase of cemetery signage; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of four hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Town of Nichols.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 227-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO THE VILLAGE OF WAVERLY*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Village of Waverly was desirous of obtaining grant funds by way of the Floyd Hooker Foundation for the purpose of purchasing playground equipment; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of one-half hour; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Village of Waverly.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 228-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO THE CAMPVILLE FIRE DEPARTMENT*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Campville Fire Department was desirous of obtaining grant funds by way of the Community Foundation for the purpose of purchasing fire education materials; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of three- and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Campville Fire Department.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 229-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO
THE CANDOR EMERGENCY SQUAD BY WAY OF
TIOGA COUNTY SENIOR CITIZENS FOUNDATION*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Candor Emergency Squad was desirous of obtaining grant funds by way of the Tioga County Senior Citizens Foundation for the purpose of making computer upgrades; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of two- and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Candor Emergency Squad.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 230-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO THE RURAL ECONOMIC AREA PARTNERSHIP*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Rural Economic Area Partnership was desirous of obtaining grant funds by way of the Mildred Faulkner Truman Foundation for the purpose of conducting a cemetery study; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of three- and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Rural Economic Area Partnership.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 231-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO NEWARK VALLEY UNITED CHURCH OF CHRIST*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Newark Valley United Church of Christ was desirous of obtaining grant funds by way of the Visions Federal Credit Union Foundation for the purpose of purchasing community center equipment; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of one- and one-half hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Newark Valley United Church of Christ.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 232-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO NICHOLS PRESBYTERIAN CHURCH*

WHEREAS: A resolution is required by County policy to disclose matching cash and/or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Nichols Presbyterian Church was desirous of obtaining grant funds by way of the Mildred Faulkner Truman Foundation for the purpose of making repairs to flooring; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of three hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Nichols Presbyterian Church.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 233-23 *APPROVE TECHNICAL ASSISTANCE PROVIDED TO CANDOR EMERGENCY SQUAD BY WAY OF THE MILDRED FAULKNER TRUMAN FOUNDATION*

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Candor Emergency Squad was desirous of obtaining grant funds by way of the Mildred Faulkner Truman Foundation for the purpose of purchasing equipment; and

WHEREAS: The Tioga County Community Development Specialist provided technical assistance for said grant application for a period of two hours; and

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided to the Candor Emergency Squad.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 234-23 *AUTHORIZE SUBMISSION OF STATEWIDE
INTEROPERABLE COMMUNICATIONS FORMULA
GRANT APPLICATION (SICG23)
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security and Emergency Services has issued a Statewide Interoperable Communications Formula Grant 2023. The grant will be used for the maintenance and upgrading of the radio communications in the county and no local share is associated with said grant; and

WHEREAS: County Policy requires that permission be obtained prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant 2023 application and authorizes the Chair of the Legislature to sign any and all grant related paperwork upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 235-23 *AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR DAY HOLLOW ROAD CULVERT*

WHEREAS: Tioga County was awarded funding from NYSDOT to replace a large culvert on Day Hollow Road, in the Town of Owego; and

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

WHEREAS: The proposal for this project came in at \$159,858; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Day Hollow Road Culvert Project to Delta Engineers not to exceed \$159,858 to be paid out of the Day Hollow Road Culvert account H5110 520003 H2302.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 236-23 AUTHORIZATION TO SIGN CONTRACT
SOCIAL SERVICES

WHEREAS: There is a shortage of available Non-Secure Detention Services to meet the demand throughout New York State; and

WHEREAS: This shortage places undue cost and liability on the county when no bed is available to place a Tioga County youth in detention; and

WHEREAS: The Commissioner of Social Services, Probation Director, and County Attorney have agreed that the best course of action is to secure a detention bed through a contract with Steuben County; and

WHEREAS: The Department of Social Services has detention funds available in the 2023 budget; therefore be it

RESOLVED: That the Tioga County Department of Social Services is authorized to contract with Steuben County for one detention bed for a period of July 6, 2023 to December 31, 2023 at a cost of \$117,245; and be it further

RESOLVED: That the Commissioner of Social Services is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Legislator Mullen spoke. "This was a move we made a couple of years ago to secure that bed and it has been a very good decision especially with the increase in juvenile detention. This looks like a lot of money, but the per-day, per-month carrying costs of someone in detention is astronomical. So, it was a good call even though it looks like a lot of money."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 237-23 APPROVE CONTRACT, APPROPRIATION OF FUNDS
AND AMEND 2023 BUDGET
SOCIAL SERVICES

WHEREAS: Funding for Summer Youth Employment Programs was awarded (23-LCM-08) to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance (OTDA); and

WHEREAS: The Office of Temporary and Disability Assistance has approved a plan for Broome Tioga BOCES to administer the Summer Youth Employment Program; therefore be it

RESOLVED: That the Department of Social Services be authorized to contract with Broome Tioga BOCES in an amount not to exceed \$110,623 for the period of July 5, 2023 to August 10, 2023; and be it further

RESOLVED: That upon approval of said contract funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 120,623
To: A6010.540140 Contracting Expenses	\$ 110,623
To: A6010.540487 Program Expense	\$ 10,000

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 238-23 *APPROPRIATION OF FUNDS AND
AMEND 2023 BUDGET
SOCIAL SERVICES*

WHEREAS: Tioga County Department of Social Services has received a Rental Supplement Program (RSP) allocation to provide rental supplements to individuals and families, both with and without children, who are experiencing homelessness or are facing an imminent loss of housing, regardless of immigration status; 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 \$ 124,850

To: A6010.540487 Program Expense \$ 124,850

And be it further

RESOLVED: That available funds on 12/31/23 of the original \$124,850 will be carried forward into the New Year:

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 239-23 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE
OF LAPTOPS AND DOCKING STATIONS FOR THE
ECONOMIC DEVELOPMENT & PLANNING
DEPARTMENT*

WHEREAS: The Economic Development & Planning Department has a need for laptops and docking stations; and

WHEREAS: The Economic Development & Planning Department would like to purchase two laptops and two docking stations and has received the recommended quote from the ITCS Department; and

WHEREAS: The Economic Development computer expense account, A6422-520090 does not have the funds available; and

WHEREAS: The Amending of Budget and Transfer of Funds from a contractual line to an equipment line requires Legislative approval; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the laptops and docking stations and complete the following budget transfer as follows:

From: A6422 - 540733 Training	\$ 900.00
A6422 – 540487 Program Expense-WDP	\$ 900.00
To: A6422 - 520090 Computer	\$1800.00

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 240-23 *TRANSFER OF FUNDS*
2023 BUDGET MODIFICATION FOR
PURCHASE OF EQUIPMENT
COUNTY CLERK

WHEREAS: The County Clerk's office has a need to purchase an additional recording scanner to improve efficiency; and

WHEREAS: Tioga County Fixed Asset policy requires the purchase of computer equipment to be invoiced from an equipment account; and

WHEREAS: The County Clerk has money in their budget for the purchase of this equipment and such funds need to be moved into an equipment account; therefore be it

RESOLVED: That the County Clerk be authorized to purchase the equipment at a total amount not to exceed \$369.00 and that the following sums be transferred:

From:	A1410 - 540520 Recording/Microfilm	\$369.00
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To:	A1410 – 520621 Computer Equipment	\$369.00
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ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 241-23 APPROVE SOLE SOURCE PURCHASE
OF TRAFFIC SIGN & DESIGN SYSTEM AND
AMEND 2023 BUDGET AND TRANSFER OF FUNDS

WHEREAS: The plotter for the sign department in Public Works is 25 years old and is passed its useful life; and

WHEREAS: The Commissioner of Public Works received a quote for a new Traffic Sign & Design System from URW America for the amount of \$16,295.00; and

WHEREAS: Broome County and NYSDOT have made similar purchases and determined URW America to be a sole source vendor; and

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

WHEREAS: There are insufficient funds for this purchase in account D5110.520130; and

WHEREAS: Funds are available in account D5110.540260; and

WHEREAS: Legislative approval is needed to amend 2023 Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the 2023 Budget:

From: D5110.540260	Highway Supplies/Signs	\$16,295.00
To: D5110.520130	Equipment (Not Car)	\$16,295.00

And be it further

RESOLVED: That the Tioga County Legislature approve the purchase of the Traffic Sign & Design System from URW America in the amount of \$16,295.00 to be paid out of D5110.520130.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
 PUBLIC WORKS COMMITTEE
 FINANCE COMMITTEE
 HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. 242-23 TRANSFER FUNDS AND
 PURCHASE SECURITY CAMERAS
 HHS BUILDING

WHEREAS: The County Information Technology and Communication Services Department has determined the need for security cameras at the Health and Human Services Building; and

WHEREAS: The purchase will be funded utilizing ITCS Capital Hardware Reserve funds which will be allocated into account H1621 520255; and

WHEREAS: Legislative approval is needed to amend or modify budget and appropriate funds; therefore be it

RESOLVED: That the following funds be transferred and the 2023 budget be modified as follows:

FROM:	H.387805	Capital Hardware Reserve	\$14,732.56
TO:	H1621.520255	Security Equipment	\$14,732.56

And be it further

RESOLVED: That the Tioga County Legislature authorizes the purchase of 8 Verkada CD61 Indoor Dome Cameras with 8, 10-year licenses from account H1621.520255.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 243-23 *MODIFY 2023 BUDGET AND
APPROPRIATION OF FUNDS
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Legislative approval is needed to modify the 2023 budget and appropriation of funds; and

WHEREAS: The Office of Emergency Services has a need to transfer \$20,368 from the State Homeland Security Grant (SHS21) account and \$16,526.12 from the State Homeland Security Grant (SHS20) to partially fund the purchase of a vehicle; therefore be it

RESOLVED: That the 2023 budget be modified and appropriation of funds be made as follows:

FROM:	A3360.520130.SH21 Equipment not Car	\$20,368.00
	A3360.433567.SH21 Revenue	\$20,368.00
TO:	H3360.521060.SH21 Car/Truck	\$20,368.00
	H3360.433567.SH21 Revenue	\$20,368.00

AND

FROM:	A3360.520130.SH20 Equipment not Car	\$16,526.12
	A3360.4433567.SH20 Revenue	\$16,526.12
TO:	H3360.521060.SH20 Car/Truck	\$16,526.12
	H3360.433567.SH20 Revenue	\$16,526.12

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 244-23 AMEND 2023 BUDGET AND
 APPROPRIATE FUNDS FOR
 ARPA INTERFUND TRANSFERS

WHEREAS: The Office of the New York State Comptrollers issued a bulletin in October 2021 that describes the accounting for ARPA funds; and

WHEREAS: All ARPA funds are to be accounted for in the general fund; and

WHEREAS: Interfund transfers are to be used to fund ARPA capital expenditures; and

WHEREAS: The 2023 appropriation for ARPA in the capital fund is \$5,675,094.12; and

WHEREAS: Amending of the 2023 Budget and the appropriation of funds require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appropriation of funds as follows:

FROM: A9950. 593715. M7674	Interfund Transfers-Capital	\$5,675,094.12
TO: H1340. 450310. M7674	Interfund Transfers	\$5,675,094.12

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 245-23 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has received notice of Year #3 award funding from New York State; and

WHEREAS: The award is designated for Creating Healthy Schools & Communities, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Creating Healthy Schools & Communities is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800	Public Health: Local Grants	\$ 71,400
To: A4053 540640	Public Health: Supplies	\$ 71,400

And be it further

RESOLVED: That available funds on 12/31/23 of the original \$71,400 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 246-23 *BUDGET AMENDMENT FOR APPROPRIATION AND RECEIPT OF ADDITIONAL FUNDS FROM ABSENTEE BALLOT PRE-PAID POSTAGE GRANT PROGRAM*

WHEREAS: New York State enacted a grant program in 2022 to reimburse county boards of elections for expenses related to using postage-paid return envelopes for absentee voting; and

WHEREAS: The Tioga County Board of Elections entered into a contract for said grant program in 2022 and received reimbursement in 2023, authorized by the Legislature via Resolutions 248-22 and 32-23; and

WHEREAS: The enacted 2023 NYS Budget authorized an extension and re-appropriation of funds for the Absentee Ballot Pre-Paid Postage Grant through 12/31/2023; and

WHEREAS: With remaining funds from the 2022 grant plus the re-appropriation, the Tioga County Board of Elections is now eligible for reimbursement of up to \$22,350.92 for allowable expenses under this grant; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to accept reimbursement under the Absentee Ballot Pre-Paid Postage Grant of up to \$22,350.92; and be it further

RESOLVED: That said additional funds shall be appropriated as follows:

From: A1450-439060	St. Aid-Elections	\$22,350.92
To: A1450-540490	Election Expense	\$22,350.92

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 247-23 *BUDGET AMENDMENT FOR APPROPRIATION AND RECEIPT OF ADDITIONAL FUNDS FROM TECHNOLOGY INNOVATION AND ELECTION RESOURCE GRANT PROGRAM*

WHEREAS: New York State enacted the Technology Innovation and Election Resource (TIER) Grant Program in 2021 to reimburse county boards of elections for expenses related to upgrading election technology and resources; and

WHEREAS: The Tioga County Board of Elections entered into a contract for said grant program in 2021 and received the allotted reimbursement for new voting equipment via Resolution 207-21; and

WHEREAS: The enacted 2023 NYS Budget authorized an extension and re-appropriation of funds for the TIER Grant through 01/28/2024; and

WHEREAS: The Tioga County Board of Elections is now eligible for reimbursement of an additional \$51,281.65 for allowable expenses under this grant; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to accept additional reimbursement under the TIER Grant of up to \$51,281.65; and be it further

RESOLVED: That said additional funds shall be appropriated as follows:

From: H1450-439060	State Aid-Elections	\$51,281.65
To: H1450-520490	Capital Election Expense	\$51,281.65

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 248 -23 *AUTHORIZE SALARY ABOVE CSEA BASE FOR PROBATION OFFICER 1 (BRIANA WARD) PROBATION DEPARTMENT*

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate to fill the Probation Officer 1 (CSEA SG XI, \$47,516 – 48,516) vacancy who is currently employed with Tioga County and who has over 3½ years of prior relevant work experience; therefore be it

RESOLVED: That Briana Ward is hereby provisionally appointed to the title of Probation Officer 1 at a yearly salary of \$48,516 effective retroactive to June 5, 2023, pending successful completion of civil service examination requirements.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 249-23 *AUTHORIZE OUT-OF-TITLE PAY PUBLIC HEALTH*

WHEREAS: Article 4, Section E of the current collective bargaining agreement allows for out-of-title pay if an employee performs the duties of a higher pay grade for more than 20 days; and

WHEREAS: The Senior Early Intervention Service Coordinator has been on an extended leave of absence starting on April 21, 2023; and

WHEREAS: At the request of the Public Health Director, Meagan Mertson, Early Intervention Service Coordinator (CSEA SG 10) has been carrying out the duties of Senior Early Intervention Service Coordinator as of April 21, 2023; and

WHEREAS: Legislative approval is required to authorize the payment of out-of-title salary at the applicable higher pay grade; therefore be it

RESOLVED: That the Tioga County Legislature authorizes out-of-title pay for Meagan Mertson, retroactive to April 21st, 2023 at an annual increase of \$1,943 for the duration of the assignment not to exceed August 31, 2023.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 250-23 AUTHORIZATION TO CREATE AND FILL
ONE, PART-TIME PRINCIPAL SOCIAL WELFARE
EXAMINER POSITION
SOCIAL SERVICES

WHEREAS: Legislative approval is required for the creation of new positions; 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 vacancies; and

WHEREAS: A Principal Social Welfare Examiner is retiring in the month of June 2023 who has expressed interest in returning as a part-time Principal Social Welfare Examiner; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and filling of one, part-time Principal Social Welfare Examiner at an hourly rate of \$21.72 effective July 3, 2023; and be it further

RESOLVED: That the Department of Social Services' part-time headcount will increase from 9 to 10.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 251-23 *CREATE AND FILL PERMANENT, FULL-TIME SENIOR CLINICAL SOCIAL WORKER (SCHOOL/COMMUNITY BASED) POSITION MENTAL HYGIENE*

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

WHEREAS: The Mental Hygiene Department has received a request to provide services from the Waverly Central School District starting with the 2023/2024 school year; and

WHEREAS: The Director of Community Services is able to provide the level of services requested by retaining an additional Senior Clinical Social Worker (School/Community Based); and

WHEREAS: Funding for the position includes \$50,000 annually from a contract with Waverly Central School District and the balance from increased fee-for-service revenue; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create one (1) permanent, full-time position of Senior Clinical Social Worker at an annual rate of \$64,931 (CSEA SG XVII) effective July 1, 2023 and be allowed to fill said position prior to the start of the 2023/2024 school year; and be it further

RESOLVED: That if an appropriate eligible list is not available, a provisional appointment may be made; and be it further

RESOLVED: That the Mental Hygiene Department's 2023 authorized full-time headcount shall increase from 35 to 36; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$51,600.84
To: A4310 510010	Full Time Salary	\$32,465.50
A4310 581088	State Retirement Fringe	\$ 3,069.52
A4310 583088	Social Security Fringe	\$ 2,568.44
A4310 584088	Workers Compensation Fringe	\$ 636.61
A4310 585588	Disability Insurance Fringe	\$ 33.93
A4310 586088	Health Insurance Fringe	\$12,819.56
A4310 588988	Eap Fringe	\$ 7.28

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 252-23 *CREATE AND FILL PERMANENT, FULL-TIME
SENIOR CLINICAL SOCIAL WORKER
(SCHOOL/COMMUNITY BASED) POSITION
MENTAL HYGIENE*

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

WHEREAS: The Mental Hygiene Department has received a request to provide services from the Tioga Center School District starting with the 2023/2024 school year; and

WHEREAS: The Director of Community Services can provide the level of services requested by retaining an additional Senior Clinical Social Worker (School/Community Based); and

WHEREAS: Funding for the position includes \$32,000 annually from a contract with Tioga Center School District and the balance from increased fee-for-service revenue; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create one (1) permanent, full-time position of Senior Clinical Social Worker at an annual rate of \$64,931 (CSEA SG XVII) effective July 1, 2023, and be allowed to fill said position prior to the start of the 2023/2024 school year; and be it further

RESOLVED: That if an appropriate eligible list is not available, a provisional appointment may be made; and be it further

RESOLVED: That the Mental Hygiene Department's 2023 authorized full-time headcount shall increase from 34 to 35; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$51,600.84
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To:	A4310 510010	Full Time Salary	\$32,465.50
	A4310 581088	State Retirement Fringe	\$ 3,069.52
	A4310 583088	Social Security Fringe	\$ 2,568.44
	A4310 584088	Workers Compensation Fringe	\$ 636.61
	A4310 585588	Disability Insurance Fringe	\$ 33.93
	A4310 586088	Health Insurance Fringe	\$12,819.56
	A4310 588988	Eap Fringe	\$ 7.28

Legislator Standinger spoke. "Unfortunately, our youth are sometimes confused and need mental health assistance to get through whatever their issues are and having a school-based counselor is a positive thing. I think it is money well spent."

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standinger.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 253-23 APPOINTMENT OF DEMOCRATIC DEPUTY
COMMISSIONER OF ELECTIONS

WHEREAS: Legislative approval is required for an appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The position of Deputy Commissioner of Elections (Democratic) has been vacant since April 26th, 2023; and

WHEREAS: The Democratic Election Commissioner has selected a candidate to fill said vacancy; therefore be it

RESOLVED: That Amber Duke shall be appointed as Deputy Commissioner of Elections effective June 19th, 2023, at an annual Management/Confidential salary of \$43,091.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 254-23 *AUTHORIZE APPOINTMENT OF BENEFITS MANAGER
(PERSONNEL DEPARTMENT)*

WHEREAS: Legislative approval is required for any appointment to a Management/Confidential position within Tioga County; and

WHEREAS: The Benefits Manager position will become vacant upon the retirement of the current incumbent, Amy Poff on July 1, 2023; therefore be it

RESOLVED: That the Personnel Officer is authorized to promote Alexander Freyvogel to the title of Benefits Manager, due to a successful training period, at an annual, Management/Confidential salary of \$55,000, effective July 3, 2023; and be it further

RESOLVED: That the vacant Benefits Manager Trainee position will become unfunded effective July 3, 2023.

Chair Sauerbrey spoke. “Amy Poff is retiring, and Alex is stepping into her position. Amy has done an amazing job for us all and we thank her for that.”

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 255-23 *AMEND RESOLUTION NO. 193-18 AS AMENDED BY RESOLUTION NO. 45-23; ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN*

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution No. 193-18 on August 17, 2018, and amended the Plan by way of Resolution No. 45-23 on January 10, 2023; and

WHEREAS: Tioga County has applied for recertification of the County's Title VI Plan; and

WHEREAS: The Department of Transportation is requiring minor revisions to the County's Title VI Plan as follows:

- The content page needs to be updated to reflect the addition of "Letters"
- "Title VI Reporting" page incorrectly states the Personnel Director as the Title VI Coordinator instead of Personnel Officer; and
- "The Tioga County Title VI Plan Complaint Form" and "Title VI Notice to the Public" are required to include the name and address of the Federal Transit Authority; and
- The addition of "Letter Acknowledging Receipt of Complaint", "Letter Notifying Complainant that the Complaint Is Not Substantiated", and "Letter Notifying Complainant that the Complaint Is Substantiated" is to be added to the Tioga County Title VI Plan.

Therefore be it

RESOLVED: That Resolution No. 193-18 as amended by Resolution No. 45-23, the Tioga County Title VI Plan, is hereby amended as follows:

- The content page is updated to include “Complaint Procedures, Complaint Form, Letters”
- “Title VI Reporting” is updated to Personnel Officer and the appointment of the County Attorney’s designee as a Title VI Coordinator
- That Title VI Program Specialists are the Planning Director, the Deputy Commissioner of Social Services, the Commissioner of Public Works, and the Safety Officer
- “The Tioga County Title VI Plan Complaint Form” and “Title VI Notice to the Public” is updated with the name and address for the Federal Transit Administration
- “Letter Acknowledging Receipt of Complaint”, “Letter Notifying Complainant that the Complaint Is Not Substantiated”, and “Letter Notifying Complainant that the Complaint Is Substantiated” be added to the Tioga County Title VI Plan;

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 256-23

AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES, SUBSECTION J.
MANAGEMENT/ CONFIDENTIAL VACATION AND
SECTION IV. PERSONNEL RULES, SUBSECTION K.
MANAGEMENT/CONFIDENTIAL BENEFITS

WHEREAS: The Tioga County Employee Handbook contains two subsections, j and k, covering benefits for the Management/Confidential group; and

WHEREAS: Rules governing the accrual and use of vacation time are divided between subsections j and k; and

WHEREAS: The Personnel Officer, Benefits Manager, and Benefits Manager Trainee have agreed that consolidation of the two policies is necessary to maintain continuity and conciseness of the Management/Confidential group's benefits; and

WHEREAS: There is currently no codified Bereavement Policy for the Management/Confidential group; therefore be it

RESOLVED: That the Management/Confidential Benefits Policy be amended in its entirety as follows:

j. MANAGEMENT/CONFIDENTIAL BENEFITS

(FORMERLY POLICIES #20 & #44)

TIOGA COUNTY MANAGEMENT/CONFIDENTIAL BENEFITS

- I. Wages
- II. Leave Accruals
- III. Leaves of Absence
- IV. Bereavement
- V. Retirement
- VI. Health & Dental Insurance
- VII. Disability Insurance
- VIII. Deferred Compensation
- IX. Employee Assistance Program (EAP)
- X. Tuition Reimbursement
- XI. Flexible Spending Program
- XII. Jury Duty

The following is an explanation of benefits available to Management/Confidential salaried employees. Any deviation from this policy must be authorized by the full Legislature, upon recommendation by the Personnel Office.

I. **Wages**

The expectation is that Management/Confidential employees will work the number of hours necessary to get their jobs done. During a State of Emergency, declared by either New York State or Federal government, in the discretion of the Department Head, Compensatory time or Overtime may be granted to those Management/Confidential employees who are required to work in excess of their standard work week for special projects, during weekends, or during normally scheduled paid or unpaid time off outside of regular business hours in response to the emergency. Salary ranges are reviewed annually to determine if adjustment is necessary. Individual salaries will be reviewed as needed.

Management/Confidential employees hired prior to August 1 shall have their January 1 increase based upon the evaluation done in August/September.

Management/Confidential employees hired on or after August 1 shall not receive an increase January 1 but shall have an evaluation conducted 6 months after their employment began. The increase received at that time shall be dependent upon the results of the evaluation and will not be retroactive. Justification for any rating above average on said evaluations must be submitted with the evaluation to the Personnel Office.

Exception: Salaries for employees of the Board of Elections shall be set by local resolution; said employees are not subject to performance evaluations. Further, regardless of date of hire, employees of the Board of Elections shall have their salaries adjusted effective January 1, in accordance with the aforementioned resolution.

II. **Leave Accruals**

All full-time Management/Confidential employees (except elected officials) are eligible for the following:

A. Vacation

- Accounting for vacation time shall be done by the Treasurer's Office through the County central computer on a per-pay period basis, as reported to the Treasurer's Office by the various departments.
- Vacation days are accrued on each employee's anniversary date, which is maintained by the Treasurer's Office. Anniversary dates are adjusted on a day for day basis for any

unpaid absence that has not been previously approved. No adjustment of the anniversary date shall occur if an unpaid medical leave is pre-approved and does not exceed one cumulative year (260 working days) in duration. Once pre-approved medical leave(s) exceeds one cumulative year, the anniversary date shall be adjusted on a day for day basis for all days in excess of 260. An unpaid leave of absence for non-Family/Medical Leaves reasons which is approved in advance shall result in adjustment of the employee's anniversary date as of day one.

- Vacation days cannot be used until they are actually accrued. Vacation time may be used in one-hour increments. If a half-day is used, 3 ½ hours will be charged.
- For employees hired without credit for relevant prior work experience, the following chart shall apply:

CHART 1:

<u>Years of Tioga County Service:</u>	<u>Vacation Days:</u>
Upon hire	0
6-month anniversary	5 days
1 year anniversary	10 days (minus any used between 6 months and one year)
2 year - 5-year anniversary	10 days
6 year - 12-year anniversary	15 days
13-year anniversary and over	20 days

- For those employees hired with credit for five or more years of relevant prior work experience who have not yet reached (as of December 1, 2000) the anniversaries indicated below, vacation will be accrued based upon the sum of the prior relevant work experience plus the total Tioga County experience, as follows:

CHART 2:

Prior Years Experience plus Tioga

<u>County Experience Upon Date of Hire:</u>	<u>Vacation Days:</u>
5*	10
6-12	15
13 and over	20

(*Employees with less than five years of prior relevant experience shall be considered to have no prior relevant experience, and therefore covered by Chart 1).

- Years of relevant prior experience shall be determined at the time of initial employment with Tioga County (within the Management/Confidential plan) by the Personnel Department and shall take into account all of an employee's relevant prior work experience. The judgment of the County in this matter shall be at its sole discretion and shall be final and binding on all parties concerned.
- Department Heads shall notify the Chair of the Legislature and Legislative Standing Committee Chair a minimum of ten (10) days in advance of their intent to use vacation time, per Section IV Personnel Rules, subsection a positions/leave time/vacancies Section V.B; this notification shall be in writing, for which email is acceptable.

The Department Head and second in command (as designated by the Department Head) shall not be on vacation at the same time for more than three (3) workdays without advance authorization from the Chair of the Legislature and Legislative Standing Committee Chair. It is the Department Head's responsibility to submit such requests in writing. Any vacation leaves in excess of ten (10) workdays require prior approval of the Legislative Chair.

- All Other Management/Confidential Employees must file a written request for vacation a minimum of ten (10) working days in advance of the requested leave with the Department Head for all leaves over five (5) days in length. Leave of less than five (5) days duration may be granted within 24 hours'

notice. Exceptions to this may be granted by the Department Head, however, all requests for vacation leave must be approved by the Department Head.

- In no case shall an employee accrue more than 20 days' vacation on his/her anniversary date.
- No employee shall carry more than 40 days' vacation at any time. Therefore, the amount of vacation days an employee has on the books the day before his/her anniversary plus the number of days s/he is to accrue on his/her anniversary should equal 40 or less. Any days over 40 shall be immediately lost on the employee's anniversary.
- Exception: In the event unforeseen and unanticipated circumstances may cause an employee to have more than 20 days of vacation upon the day before his/her anniversary, a request to carry-over more than 20 days may be submitted by the employee to the Personnel Officer for review prior to the employee's anniversary date. In reviewing the request, the Personnel Officer shall consider what may have caused the situation (for example: staffing, special projects, and the employee's efforts to take vacation time during the preceding 12 months). In the event such request is approved, the employee will be allowed to carry more than 20 days over but will be required to use the extra days by the date 6 months after his/her anniversary. Any extra days remaining 6 months after the anniversary date will be lost. In the event the request is denied or if an employee has more than 20 days' vacation on the day before his/her anniversary and has not submitted a request, the balance will be reduced to 20 days as indicated in Section III.2. Requests received by Personnel on or after the employee's anniversary date will be denied.
- There will be no payment in lieu of vacation while the incumbent is employed by Tioga County.
- Any unused vacation time plus a portion of the coming year's accrual shall be paid for upon separation from the County. Employees granted vacation upon hire based upon qualifying prior work experience must work a minimum of twelve (12)

months for Tioga County in order to be eligible for payment of the pro-rated portion of the coming year's vacation accrual.

- Employees are required to give at least 10 working days advance notice of their resignation or retirement, or forfeit any and all pay for earned vacation time. In determining whether this requirement is met, it will be assumed that all employees work a Monday through Friday schedule. The Personnel Officer, upon consultation with the Department Head, may make an exception.
- An employee who leaves employment and is rehired more than six (6) months after separation shall be considered a new hire and payment of accrued vacation upon initial separation will be taken into account when determining vacation allowance upon rehire.
- An employee who leaves and is rehired within six (6) months shall have his/her anniversary date adjusted to account for the time not employed by Tioga County.

B. VACATION SELLBACK

Full-time employees who have been employed full-time by Tioga County for at least 10 consecutive years may sell back Vacation days in accordance with the following parameters:

- A maximum of 5 days of Vacation may be sold back per budget year.
- A balance of at least 10 days of Vacation must exist after the sell-back occurs; if a Vacation balance of at least 10 days does not exist at the time the pay-out occurs, the sellback is nullified, and the pay-out will not occur.
- An employee must notify their Department Head (in the case of a Department Head selling back time, they notify the Chair of the Legislature) of their intent to sell-back Vacation days and how many by August 1 using the prescribed form; pay-out for the time will occur the following January in the second paycheck issued.

- An employee whose anniversary date falls between August 1 and January 1 may submit a notice in anticipation of Vacation time being received prior to the January pay-out.

C. PERSONAL TIME

- Each Management/Confidential employee shall receive three (3) Personal Days on January 1. Those employees who complete ten (10) years of service with Tioga County shall receive a fourth Personal Day on their 10th anniversary, and then four (4) Personal Days each January 1 thereafter.
- Personal days granted upon hire shall be pro-rated for the first year based upon the following chart:

<u>Date of Hire:</u>	<u>Personal Days:</u>
January 1 through April 30	3
May 1 through August 31	2
September 1 through November 30	1
December 1 or after	0

- Personal Days cannot be carried over from year to year.
- Requests to use Personal Days must be approved in advance by the Department Head and must be used in no less than quarter hour increments.
- Personal days are not compensated for at time of separation.

D. SICK TIME

- Management/Confidential employees shall earn one sick day (reported in the appropriate number of hours) per month, up to a maximum of 262 days.
- Sick time is credited on the 28th of each month and is available for use immediately. An employee hired on or before the 15th of the month shall receive a sick day for that month. An employee hired after the 15th of the month will not receive a sick day until the 28th day of the month following employment.
- An employee on a leave of absence without pay for five (5) days or more within a given month shall not receive a sick day for that month.

- Sick leave may be used in quarter-hour increments.
- Sick leave may be used for illness of an employee's immediate family member (spouse, child, sibling, parent, parent-in-law, child-in-law, grandparent, grandchild, or step relative), as well as for the employee's own illness.
- Upon retirement directly into the NYS & Local Employees Retirement System, a portion of an employee's accumulated unused sick days may be counted as additional service credit, in accordance with Section 41j of Retirement Law. If upon retirement an employee qualifies to carry Tioga County health insurance into retirement and has more sick days accrued than can be applied under Section 41j, the employee may apply the remaining sick days (whole days only) toward payment of their Tioga County retiree health insurance contributions. For each sick day over the Section 41j allowance, the employee shall receive one credit, and each credit can be used to reduce their contribution by \$100. **The credit otherwise has no cash value.** This credit will be applied toward the retiree's contributions toward health insurance premiums until it has been depleted, at which time the retiree will then become responsible for payment of said contributions in order to continue coverage. This credit can only be used toward the health insurance contributions for Tioga County sponsored retiree health care plan and shall cease upon the death of the retiree.
- Sick days are not compensated for at time of separation.
- A sick day shall not be earned for any month in which an unpaid absence of 5 or more working days occurs or any unauthorized leave (paid or unpaid) occurs.

E. HOLIDAYS

- Tioga County shall observe the following legal holidays:
 - New Year's Day
 - Martin Luther King's Day
 - President's Day
 - Memorial Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Day After Thanksgiving

Christmas Day

- Should any of these legal holidays fall on a Saturday, the holiday shall be observed on the preceding Friday. If any of these holidays fall on a Sunday, the holiday shall be observed on the following Monday.
 - In addition to the legal holidays listed above, each employee shall be entitled to two (2) floating holidays each calendar year. The floating holidays may be used in one-hour increments and cannot be carried over from year to year. If a half-day is used, 3 ½ hours will be charged.
 - For their first calendar year of employment, employees shall be credited with floating holidays in accordance with the following chart, based upon date of hire:

<u>Date of Hire:</u>	<u>Floating Holidays:</u>
January 1 – May 15	2 days
May 16 – September 30	1 day
October 1 or after	0 days

- To be qualified for the payment of the holidays included in this section, an employee must be on the payroll the workday immediately preceding **and** following the holiday.
- Any unused floating holiday(s) shall be paid for upon separation from the County.

F. OVERTIME/COMPENSATORY TIME

- For eligible employees, straight time will be applied for hours 36-40 and eligible employees that work over 40 hours per week will be compensated at the time and one-half rate or receive time and one-half compensatory time.
- Compensatory time may be accumulated to a maximum of one hundred forty (140) hours of regularly scheduled work week hours.
- For eligible employees, working Compensatory Time or Overtime must be pre-approved by the Department Head or designee. The decision to pay overtime to eligible employees or award compensatory time to eligible employees will be at the discretion of the Department Head.
- An eligible employee must submit the request to Working Additional Hours between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday to their Department Head or designee for approval purposes prior to working the hours. If the eligible employee is unable to make the request prior to working the hours, the request should be submitted the next working day during business hours. If an eligible Department Head must work additional hours, the eligible Department Head must submit the request for Working Additional Hours between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday to the Chair of the County Legislature for approval purposes prior to working the hours. If the eligible Department Head is unable to make the request prior to working the hours, the request should be submitted the next working day during business hours.
- Compensatory time may be used with the approval of the Department Head or designee. Compensatory time may be used in increments of no less than one (1) full hour, subject to approval from the eligible employee's Department Head or designee. Use of Comp time may be in conjunction with use of other leave time such as vacation, personal leave, bereavement leave, or holiday time off.
- There will be no carry-over of Compensatory time beyond 365 days. After 365 days, any unused Compensatory time shall be paid out at the appropriate rate.

- The above revisions in subsection E, titled Overtime/Compensatory Time shall be effective retroactive to September 1, 2020, with the remainder of the policy unchanged.

III. LEAVES OF ABSENCE

Management/Confidential employees' requests for a leave of absence shall be considered on an individual basis.

Requests for medical leave should be handled in accordance with Section IV Personnel Rules, subsection i: Family and Medical Leave.

Leaves for non-medical reasons and leaves which do not qualify for Family/Medical Leave shall be handled in the following way: Department heads shall submit their written requests to their Statutory Committee. All other Management/Confidential employees shall submit their written requests to their department head. The Statutory Committee/Department Head may approve leaves up to 60 working days in length. Leaves of more than 60 working days require approval of the Legislative Committee, in accordance with Section IV Personnel Rules, subsection a positions/leave time/vacancies.

Upon request, Employees shall be granted up to one year of unpaid maternity leave.

Failure to return to work upon the expiration of a leave of absence is deemed a resignation, in accordance with Tioga County Policy 1.

IV. BEREAVEMENT

Upon the death of a child, husband, wife, domestic partner, parent or sibling, the County employee involved shall be entitled to five (5) working days with pay. When working four (4) ten-hour days, Public Works employees shall be granted forty hours of bereavement leave.

For this clause, the term "child" includes the employee's natural child, stepchild or any other child who has resided with the employee and for whom the employee has been the primary care provider, both financially and emotionally for such child.

For this clause, the term "domestic partner" includes a person:

- In a committed relationship with the employee.
- Over 18 years of age.
- Not married to the employee or another person.

- Has shared combined residence for at least one year with the employee.
- Who is financially interdependent with the employee.

The employee must be able to provide documentation of their financial interdependence which is acceptable to the Personnel Officer.

- A. Upon the death of a father-in-law, mother-in-law, son-in-law, daughter-in-law, grandparent, grandchild or step-relations, any County employee shall be entitled to three (3) working days with pay. When working four (4) ten-hour days, Public Works employees shall be granted thirty hours of bereavement leave.
- B. Leaves for family deaths not covered by sub-section 1 or 2 above may be granted with Department Head approval and deducted from any accumulated benefit time, subject to all other provisions.

V. RETIREMENT

All Management/Confidential salaried employees are eligible to become members of the NYS Employee's Retirement System. Most full-time employees are required to join. Membership for part-time employees may be optional.

Retirement eligibility criteria varies by Tier, as do the benefits. Detailed information about each Tier is available from the Personnel Office.

VI. HEALTH & DENTAL INSURANCE

Eligibility: All full-time employees, Elected Officials (except Coroners), part-time Attorneys (except those in the Treasurer's Office) and part-time Dentists are eligible to participate in the Health/Dental/Vision programs.

Date of Coverage: Employees hired on the first of the month or the first workday of the month shall have their coverage effective immediately. Employees hired after the third of the month shall have coverage effective the first of the month following their employment. If an employee fails to enroll in the health insurance program within 30 calendar days of employment, then s/he must wait until an open enrollment period, which occurs annually in November for January coverage. Also, employees who wish to change from Individual to Family coverage must also wait for said open enrollment periods.

Tioga County currently provides health insurance through Excellus Blue Cross/Blue Shield of Central New York but maintains the right to change providers at will.

<u>Employee Contributions:</u>	<u>Contributions (% of Premium)</u>
Legislators	15%
Full-time	15%
4 day/week Attorneys	15%
Part-time Attorneys	20%
Part-time Dentists	25%

These payroll deductions shall be taken from pre-tax earnings unless an alternative election is made.

An employee on a leave of absence without pay due to medical reasons shall only pay his/her normal contribution toward the health insurance for the first 6 months. Thereafter, the employee is responsible for 100% of the monthly premium.

An employee on a leave of absence without pay for non-medical reasons shall be responsible for 100% of the monthly premium as of day 1.

A prescription card is included in the medical plan and requires employees to pay \$5 for generic drugs, \$35 for common brand name drugs, or \$70 for new brand name drugs. Some exceptions may be required by NYS regulations and Excellus Blue Cross/Blue Shield. Drug categorization to be determined by Excellus Blue Cross/Blue Shield. Blue Cross/Blue Shield's "Gap Pricing" shall be in effect for all prescriptions.

The Health Reimbursement Accounts shall be funded by the County at the following levels:

Individual: \$2,600

Family: \$5,200

Any eligible employee who enrolls in the Dental and/or Vision plan(s) shall be required to pay 100% of the premium(s). Said premium payments shall be processed as pre-tax deductions.

Booklets detailing the complete coverage provided by the health, dental, and/or vision programs are available from the Personnel/Civil Service Office.

VII. DISABILITY INSURANCE

Tioga County provides a Short-term Disability program. This program provides qualified employees with 60% of their gross salary, up to a maximum of \$170 per week for a maximum of 26 weeks in a calendar year. The County maintains the right to change carriers at any time. All full-time employees except elected officials are eligible for this benefit.

VIII. DEFFERRED COMPENSATION

Tioga County offers employees the opportunity to allocate pre-tax earnings to a mutual fund of the employee's choice through a tax deferred savings plan. Employees may invest a minimum of \$10 per pay period, up to a maximum established by the IRS. Enrollment in this plan can occur at any time. All Management/Confidential employees are eligible to participate in the Deferred Compensation Plan.

This deferred compensation plan is approved under Section 457 of the IRS codes. Because Tioga County is a public employer, matching contributions from the employer is prohibited.

IX. EMPLOYEE ASSISTANCE PROGRAM (EAP)

Tioga County currently offers an EAP to all employees. The program provides for up to 8 free counseling sessions for employees and/or members of their household. The counseling sessions are confidential. Issues the EAP can help with include but are not limited to family and/or marital conflict, drug and/or alcohol abuse and dependency, emotional distress, financial hardship, grief, depression, eating disorders, and legal difficulties. The phone number to call 24 hours a day is 1-800-327-2255.

X. TUITION REIMBURSEMENT

Full-time employees who have passed their probationary period are eligible for reimbursement of 50% of tuition costs of job-related courses if prior approval is received from the appointing authority and the Personnel Office and the course is successfully completed. Request forms are available from the Personnel Office. In order to receive reimbursement, a copy of the tuition receipt and the grade report for the school must be submitted. Reimbursement shall be limited to 8 credit hours per calendar year."

Upon request for tuition reimbursement/course approval, the employee shall enter into a contract with Tioga County which requires continued employment with Tioga County for at least one year following receipt of the reimbursement. The contract shall provide that in the event the employee separates employment for any reason with Tioga County within one year of receipt of the reimbursement, then Tioga County is entitled to be reimbursed for the entire amount of the tuition paid on behalf of the employee during the previous year, and that sum shall be deducted from the employee's last paycheck. No refund is due to the County if an employee is laid off within one year of receiving tuition reimbursement.

XI. FLEXIBLE SPENDING PROGRAM

All salaried Management/Confidential employees who have passed probation are eligible to participate in the Flexible Spending Program. The Flexible Spending Program allows participants to set aside pre-tax earnings to pay out of pocket medical and dependent care expenses. Enrollment in the dependent care program is possible upon hire, however enrollment in the medical program is allowed only after *passing the probationary period*. Participation in the program is voluntary. Enrollment is allowed only at the end of one's probationary period or at the end of each calendar year. Annual renewal of enrollment is required. Brochures and enrollment forms are available from Personnel.

XII. JURY DUTY

Any full-time employee called to Jury Duty will receive his/her regular salary minus any jury pay and will not be required to use leave time to cover said absence(s).

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 257-23 AMEND EMPLOYEE HANDBOOK:
SECTION VI. TRAVEL PROCEDURES,
SUBSECTION VII. MEAL ALLOWANCES,
NEW PARAGRAPH G. MEALS PURCHASED
WITH PURCHASE CARD

WHEREAS: Section VI. Travel Procedures, Subsection VII. Meal Allowance was last updated on January 1, 2023, and is in need of further revision for clarification on Using the Purchase Card; and

WHEREAS: The policy revision will clarify the intended use of a Purchase Card in place of requesting per-diem; therefore be it

RESOLVED: That Section VI. Travel Procedures, Subsection VII. Meal Allowance is hereby amended to add new Paragraph G. as follows:

G. Purchase Card can be used for meal purchases only if per-diem will **not** be requested. Meals purchased with the Purchase Card should be in accordance with Section VI. Travel Policy and Procedures, Subsection VII. Meal Allowances and follow the appropriate NYS Standard Rates or Out-of-State GSA Rates (A, B) and time of travel (C).

- If a Purchase Card is used in place of requesting per-diem, the tax-exempt form must be presented at time of purchase. If the vendor refuses to abate the tax or a credit cannot be obtained, the user is responsible to reimburse Tioga County all sales tax.
- If a Purchase Card is used in place of requesting per-diem the cardholder is not entitled to the full daily rate and must follow the Meal Reimbursement Allowance Breakdown Rates. The cardholder will be responsible for reimbursing any exceeding amounts to Tioga County. (I.e., Meal purchased at 10am for \$20 exceeds the breakfast rate of \$14 (NYS) cardholder is responsible for reimbursing \$6 to Tioga County.)

a. A personal check made payable to the Tioga County Treasurer should be included with the paperwork required for submission to the County Auditor.

And be it further

RESOLVED: That the remainder of this policy remains unchanged.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 258-23 *AMEND EMPLOYEE HANDBOOK:
SECTION VII. PURCHASING AND PAYMENT POLICY,
SUBSECTION III. PURCHASING CARDS, USING THE
PURCHASE CARD, PARAGRAPH E. MEALS
PURCHASED WITH CARD*

WHEREAS: Section VII. Purchasing and Payment Policy, Subsection III. Purchasing Cards was last updated on March 14, 2023, and is in need of further revision for clarification in Using the Purchase Card, Paragraph E. Meals Purchased with Card; and

WHEREAS: The policy revision will clarify the intended use of a Purchase Card in place of requesting per-diem; therefore be it

RESOLVED: That Section VII. Purchasing and Payment Policy, Subsection III. Purchasing Cards, Using the Purchase Card, Paragraph E. Meals Purchased with Card is hereby amended as follows:

E. Purchase Card can be used for meal purchases only if per-diem will **not** be requested. Meals purchased with the Purchase Card should be in accordance with Section VI. Travel Policy and Procedures, Subsection VII. Meal Allowances and follow the appropriate NYS Standard Rates or Out-of-State GSA Rates (A, B) and time of travel (C).

- If a Purchase Card is used in place of requesting per-diem, the tax-exempt form must be presented at time of purchase. If the vendor refuses to abate the tax or a credit cannot be obtained, the user is responsible to reimburse Tioga County all sales tax.

- If a Purchase Card is used in place of requesting per-diem the cardholder is not entitled to the full daily rate and must follow the Meal Reimbursement Allowance Breakdown Rates. The cardholder will be responsible for reimbursing any exceeding amounts to Tioga County. (I.e., Meal purchased at 10am for \$20 exceeds the breakfast rate of \$14 (NYS) cardholder is responsible for reimbursing \$6 to Tioga County.)

a. A personal check made payable to the Tioga County Treasurer should be included with the paperwork required for submission to the County Auditor.

And be it further

RESOLVED: That the remainder of this policy remains unchanged.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Flesher.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. 259-23 *AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO SECTION IX. SAFETY RULES;
SUBSECTION P. ENTITLED SUN SAFETY PLAN*

WHEREAS: The “New York State Public Employee Sun Safety Law” was enacted on August 18, 2006 as an amendment to Section 218-a of the New York State Labor Law. The law requires New York State public employers to provide sun safety information to employees who spend more than a total of 5 hours per week outdoors; and

WHEREAS: Employees who work outside in the sun are more at risk to skin exposures that may include blemishes, sun freckles and wrinkles. Continued exposure to sun over time can cause damaged skin to become cancerous; and

WHEREAS: The Safety Officer in cooperation with Tioga County Public Health has written a policy to address training and to advocate for sun safety measures for Tioga County employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the adoption of the Sun Safety Plan; and be it further

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to Section IX, Subsection p. entitled Sun Safety Plan.

p. SUN SAFETY PLAN

SUN SAFETY PLAN

CONTENTS:

- I. INTRODUCTION
- II. PURPOSE
- III. POLICY APPLICATION
- IV. ENVIRONMENTAL CONTROLS
- V. TRAINING AND COMMUNICATION
- VI. POLICY EVALUATION

I. INTRODUCTION

This Sun Safety Plan is established to promote skin cancer prevention technology, promote sun safety measures and to comply with applicable NYS Labor Law requirements.

II. PURPOSE

Occupational sun safety programs are a critical component of national efforts to prevent skin cancer, given outdoor workers' increased risk for skin cancer. Encouraging and providing examples of good sun safety behaviors in outdoor workers helps create a healthy and safe workforce.

III. POLICY APPLICATION

This policy applies to all departments where outdoor work assignments are required and there is a risk of exposure to UV radiation as a result of these activities.

WHEREAS: Tioga County Public Health (TCPH) received funding specifically for strengthening our Public Health Infrastructure and Workforce; and

WHEREAS: The funding is intended to allow for the recruitment and retention of Public Health employees following the challenging impacts on Public Health workers during the Covid-19 pandemic; and

WHEREAS: TCPH intends to use the funding in both direct and indirect incentives, to include both financial rewards for staff and upgraded technology and training opportunities; and

WHEREAS: TCPH has developed a plan for both working with the Personnel Officer and Chief Information Officer; and

WHEREAS: TCPH has worked with the Personnel Officer, the County Attorney and the Civil Service Employees Association (CSEA) toward a Memorandum of Agreement (MOA) for the financial rewards portion for TCPH staff; and

WHEREAS: Legislative Approval of MOA is required by way of this resolution prior to executing; and

WHEREAS: Amending Budget and Appropriating Funds requires Legislative approval; therefore be it

RESOLVED: That the Legislative Chair and Public Health Director are authorized to sign the County approved MOA with CSEA; and be it further

RESOLVED: That funding be appropriated as follows:

From:	A4011 444010-SPHIW	Public Health: State Aid	\$106,331
To:	A4011 510050-SPHIW	Public Health: Personal Serv. Other	\$101,251
	A4011 520090-SPHIW	Public Health: Equip./Computers	\$ 2,540
	A4011 540487-SPHIW	Public Health: Program Supplies	\$ 2,540

And be it further

RESOLVED: That available funds on 12/31/23 of the original \$106,331 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Brown, Ciotoli, Flesher, Monell, Sauerbrey, Mullen, Roberts, and Standing.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:28 P.M.