

First Special & Organizational Meeting
January 4, 2021

The First Special and Organizational Meeting of 2021 was called to order by the Legislative Clerk at 9:01 A.M.

The following County Legislators were present with Legislator Monell, District 4, being absent:

DISTRICT 1
Clifford Balliet

DISTRICT 5
Dennis M. Mullen

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Michael Roberts

DISTRICT 7
William H. Standinger, III
Ed Hollenbeck

DISTRICT 4
Loretta A. Sullivan

There were five people in attendance.

The Clerk asked Legislator Roberts to have a moment of Prayer.
"Dear God, thank you that you make all things new. Thank you for all that you have allowed into our lives this past year, the good along with the hard things, which have reminded us how much we need you and rely on your presence filling us every single day. We pray for your Spirit to lead us each step of this New Year."

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

The Clerk recognized and congratulated Republican Election Commissioner Toombs and Democratic Election Commissioner Wahls on their new terms.

County Clerk Andrea Klett swore in Republican Election Commissioner Toombs and Democratic Election Commissioner Wahls for their new terms of January 1, 2021.

The Clerk announced the first order of business for the Legislature was the election of Chair of the Legislature for 2021 for a one-year term. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Sullivan. Legislator Mullen moved to close the nominations, seconded by Legislator

Hollenbeck. On roll call vote, all members present voted Aye, the Clerk cast one ballot, and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one-year term for 2021.

County Clerk Andrea Klett swore Legislator Sauerbrey in as Chair of the Tioga County Legislature for 2021.

Chair Sauerbrey spoke. "Thank you, each and every one of you. I have to say this is the most challenging year of my entire career. Not just because of COVID-19, which certainly has a dynamic of its own, but also because of the energy created around it coming from the State of New York. It has really been a challenge. I am hopeful, however, for 2021 to be a better year that eventually with a vaccine and perhaps changes on how we look at things, things will be better and we can focus on the things that are important and goals we have set. For example, communication system for the entire county, housing in neighborhoods, and jobs. Those are the things we want to get back to and I hope we can do that this year. Again, thank you for your support. I appreciate it very much."

Legislator Mullen spoke. "I just want to say that I do not speak for anyone else, but I would hazard to guess that everyone feels the same way I do. I just want to thank Chair Sauerbrey for her efforts this past year. It took significant leadership and was a difficult decision made in March 2020 when we started the State of Emergency. I was in that meeting up at Social Services and with the proper information, Chair Sauerbrey 'took the bull by the horns' in that meeting and we did the right thing. It was extremely difficult and I just want to express to Chair Sauerbrey, from the bottom of my heart, I know what you have been through this year and I wish I could give you a huge raise because you are woefully underpaid for the work you did this past year in 2020. Every resident in Tioga County owes Chair Sauerbrey, Legislative Clerk Haskell, and the entire staff a great deal of thanks, but that leadership you showed this past year did not go unnoticed, so thank you very much."

Legislator Sullivan spoke. "I concur with everything Legislator Mullen had to say. I also want to recognize the Election Commissioners and their staff. It was a very challenging year for that Department with all the changes in the Election Law and with importance of this past year's election, I know that you and your staff put in a lot of hours into pulling it off. I am sure I speak for all of us when I say thank you so much and thank your staff on our behalf."

The Chair announced the next order of business is nominations for a First Deputy Chair for a one-year term. Legislator Sullivan nominated Legislator Hollenbeck, seconded by Legislator Mullen. Legislator Sullivan moved to close the

nominations, seconded by Legislator Balliet. On roll call vote, all members present voted Aye, the Chair cast one ballot, and Legislator Hollenbeck was appointed First Deputy Chair of the Tioga County Legislature for a one-year term for 2021.

The Chair called for nominations for a Second Deputy Chair for a one-year term. Legislator Sullivan nominated Legislator Weston, seconded by Legislator Mullen. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Sullivan. On roll call vote, all members present voted Aye, the Chair cast one ballot, and Legislator Weston was appointed Second Deputy Chair of the Tioga County Legislature for a one-year term for 2021.

County Clerk Andrea Klett swore in Legislators Hollenbeck and Weston as First and Second Deputy Chairs of the Tioga County Legislature for 2021.

Legislator Hollenbeck spoke. "I would also like to thank everyone in the County for all their hard work during this time."

Legislator Weston spoke. "I would also like to say, that the accolades that have been given to some of the people here, I think it is especially important to recognize Legislative Clerk Haskell for the amount of work she has done, above and beyond, with no assistance as far as anyone to support her, which we always had before and finally have again. Cathy, thank you very, very much."

The Chair called for nominations for Public Information Officer. Legislator Hollenbeck nominated Legislative Chairwoman Sauerbrey, seconded by Legislator Mullen. Legislator Mullen moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote, all Legislators present voted for Legislative Chairwoman Sauerbrey to serve as Public Information Officer, the Chair cast one ballot, and Chairwoman Sauerbrey was appointed Public Information Officer for a one-year term for 2021.

The Chair called for nominations for Republican Majority Leader. Legislator Sullivan nominated Legislator Roberts, seconded by Legislator Mullen. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Sullivan. On roll call vote, all Legislators present voted for Legislator Roberts as Republican Majority Leader, the Chair cast one ballot, and Legislator Roberts was appointed Republican Majority Leader for a one-year term for 2021.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Roberts stated, "I have nothing to disclose."

Legislator Standinger stated, "I have no disclosures."

Legislator Sullivan stated, "I have nothing to disclose."

Legislator Weston stated, "I have nothing to disclose."

Legislator Balliet stated, "I have no disclosures."

Legislator Hollenbeck stated, "I have no disclosures."

Legislator Mullen stated, "I have no disclosures."

Legislator Sauerbrey stated, "I have no disclosures."

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 1-21 TRIPS AUTHORIZED

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 2-21 DESIGNATION OF OFFICIAL DEPOSITORIES

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies received

by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$30,000,000
Chemung Canal Trust Company	\$30,000,000
Community Bank, N.A.	\$30,000,000
Key Bank Corporation	\$30,000,000
M&T Bank	\$30,000,000
Tioga State Bank	\$30,000,000
National Bank and Trust Company, N.A.	\$30,000,000
M&T Securities, Inc.	\$30,000,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 3-21 DESIGNATE OFFICIAL NEWSPAPERS

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws, notices and other

matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 4-21 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 5-21 *DESIGNATION OF NEWSPAPER FOR
DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 6-21 SET SALARY OF CHAIR

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$36,675.00 per year, which includes the salary received as County Legislator of \$11,341.00 and an additional \$25,334.00 to serve as Chair.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 7-21 FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE MEETINGS

RESOLVED: That the Tioga County Legislature during 2021 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building,

56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Committees which are held during the first full work week of the month.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 8-21 ANNUAL REVIEW OF PROCUREMENT POLICY

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; now therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 9-21 APPOINT DIRECTORS
SOIL & WATER CONSERVATION DISTRICT

RESOLVED: That Legislators Dale Weston and Tracy Monell are hereby appointed Directors of the Tioga County Soil and Water Conservation District for a one-year term on January 1, 2021 through December 31, 2021; and be it further

RESOLVED: That Ronald E. Dougherty be re-appointed Director at Large for a three-year term of January 1, 2021 through December 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 10-21	<i>APPOINT MEMBERS FISH & WILDLIFE MANAGEMENT BOARD</i>

WHEREAS: The Board terms for Elected Official Representative and Sportsman Member on the Fish & Wildlife Management Board have expired; and

WHEREAS: Dale Weston, Tioga County Legislator, has expressed an interest to continue serving as the Elected Official Representative on the Fish and Wildlife Management Board; and

WHEREAS: William J. Woods, Jr. has expressed an interest to continue serving as the Sportsman Member on the Fish & Wildlife Management Board; therefore be it

RESOLVED: That Dale Weston, Tioga County Legislator, be appointed as the Elected Official Representative on the Fish & Wildlife Management Board for a two-year term of January 1, 2021 through December 31, 2022 and William J. Woods, Jr. be appointed as the Sportsman Member on the Fish & Wildlife Management Board for a two-year term of January 1, 2021 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 11-21 APPOINT DEPUTY COUNTY AUDITOR
LEGISLATIVE OFFICE

WHEREAS: The County is required to appoint a County Auditor and Deputy County Auditor to process and review accounts payable transactions (purchase orders and purchasing card transactions) submitted by County Departments for payment; and

WHEREAS: The terms for these appointments coincide with Legislator Group One; and

WHEREAS: Amy Eiklor was appointed on December 15, 2020 as the Deputy Clerk to the Legislature effective January 4, 2021; therefore be it

RESOLVED: That effective January 4, 2021 the Tioga County Legislature appoints Amy Eiklor as the Deputy County Auditor to act in the absence of the County Auditor for same term as that of County Auditor, effective January 4, 2021.

Chair Sauerbrey spoke. "Amy is with us today, so we welcome you."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "Thank you again for your support."

The meeting was adjourned at 9:18 A.M.

*Public Hearing
Local Law Introductory No. A of 2021
January 7, 2021*

The Public Hearing on Local Law Introductory No. A of 2021 A Local Law establishing the staggered terms of the Tioga County Legislators was called to order by Deputy Chair Hollenbeck at 1:01 P.M. Eight Legislative members were present with Chair Sauerbrey being absent.

There were six people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no public comments, the hearing was adjourned at 1:03 P.M.

First Regular Meeting
January 12, 2021

The First Regular Meeting of 2021 was held on January 14, 2021 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present with Legislator Roberts being absent.

Chair Sauerbrey asked for a moment of prayer. "Lord God, we thank you for our freedoms. We ask that you bless this nation, heal this nation from dissension and bring us peace."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were three people in attendance.

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

The following recognition resolution for June Sisenstein, Department of Social Services, was noted. Ms. Sisenstein was not in attendance.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 12-21 *RECOGNIZE JUNE SISENSTEIN'S
24 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: June Sisenstein began her career with Tioga County as an Account Clerk Typist January 6, 1997 for the Department of Social Services in the Accounting Unit. In September 2005, she was promoted to the position of Executive Secretary. At the time of her retirement, June served as the Executive Secretary to the Director of Employment and Transitional Supports; and

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

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

WHEREAS: June Sisenstein will retire on January 30, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to June Sisenstein for her twenty-four years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

There was no privilege of the floor.

Legislator Mullen made a motion to approve the minutes of December 15 and 22, 2020, seconded by Legislator Balliet and carried.

Chair Sauerbrey made the following appointment to the Cornell Cooperative Extension Board for a one-year term for 2021:

Legislator Cliff Balliet – 1/1/21-12/31/21

Chair Sauerbrey thanked Mr. Balliet for his willingness to continue to serve.

Chair Sauerbrey announced the following Standing Committees for 2021 noting there is no change from 2020:

STANDING COMMITTEES OF THE COUNTY LEGISLATURE OF THE COUNTY OF TIOGA FOR 2021

	Chairman			
1. Administrative Services (County Clerk, Historian, Real Property, Veterans, Elections)	Balliet	Mullen	Standinginger	Sullivan
2. Economic Development/ Planning/ Tourism/ Agriculture	Weston	Hollenbeck	Mullen	Roberts
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	Balliet	Monell	Roberts
5. Legislative Worksessions/ Legislative Support	Sauerbrey	All Legislators		
6. Health & Human Services	Standinginger	Monell	Mullen	Sullivan
7. Public Safety/ Probation & DWI	Mullen	Hollenbeck	Standinginger	Weston
8. Public Works/ Capital Projects	Roberts	Balliet	Standinginger	Weston
9. Personnel/ADA	Hollenbeck	Balliet	Monell	Weston

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 Weston made a motion to have the following six resolutions, all re-appointments to the Broome-Tioga Workforce Development Board, passed as one, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 13-21 REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD

WHEREAS: Shawn Yetter's position on the Broome-Tioga Workforce Development Board representing the Public Sector is up for reappointment; and

WHEREAS: Shawn Yetter has agreed to continue to serve for a two-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Shawn Yetter to the Broome-Tioga Workforce Development Board for a two-year term effective January 1, 2021 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 14-21 *REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD*

WHEREAS: LeeAnn Tinney's position on the Broome-Tioga Workforce Development Board representing the Public Sector is up for reappointment; and

WHEREAS: LeeAnn Tinney has agreed to continue to serve for a two-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint LeeAnn Tinney to the Broome-Tioga Workforce Development Board for a two-year term effective January 1, 2021 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15-21 *REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD*

WHEREAS: Karen Shelp's position on the Broome-Tioga Workforce Development Board representing the Private Sector is up for reappointment for a term of 3 years; and

WHEREAS: Karen Shelp has agreed to continue to serve for a three-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Karen Shelp to the Broome-Tioga Workforce Development Board for a three-year term effective January 1, 2021 through December 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
RESOLUTION NO. 16-21 REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD

WHEREAS: J. Brian Scanlon's position on the Broome-Tioga Workforce Development Board representing the Private Sector is up for reappointment for a term of 3 years; and

WHEREAS: J. Brian Scanlon has agreed to continue to serve for a three-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint J. Brian Scanlon to the Broome-Tioga Workforce Development Board for a three-year term effective January 1, 2021 through December 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
RESOLUTION NO. 17-21 REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD

WHEREAS: Chris Powers' position on the Broome-Tioga Workforce Development Board representing the Private Sector is up for reappointment for a term of 3 years; and

WHEREAS: Chris Powers has agreed to continue to serve for a three-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Chris Powers to the Broome-Tioga Workforce Development Board for a three-year term effective January 1, 2021 through December 31, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 18-21 *REAPPOINT MEMBER TO THE
BROOME-TIOGA WORKFORCE
DEVELOPMENT BOARD*

WHEREAS: Maureen Abbott's position on the Broome-Tioga Workforce Development Board representing the Public Sector is up for reappointment; and

WHEREAS: Maureen Abbott has agreed to continue to serve for a four-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Maureen Abbott to the Broome-Tioga Workforce Development Board for a four-year term effective January 1, 2021 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 19-21 *RECOMMEND MEMBERS TO THE
SUSQUEHANNA HERITAGE AREA COMMISSION*

WHEREAS: Per Resolution 25-16, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and also the Advisory Board Member on the Susquehanna Heritage Area (SHA) Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Director, and Abbey Hendrickson, Community Development Specialist of Economic Development and Planning, have been serving as the two (2) SHA Commission members; and

WHEREAS: Rebecca Maffei, Tioga County Tourism Director, and Abbey Hendrickson, Community Development Specialist of Economic Development and Planning, are willing to serve as the two (2) SHA Commission members; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, the Tioga County Tourism Director, continue to serve as the Municipal Representative and Abbey Hendrickson, Community Development Specialist, continue to serve as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 20-21 *HISTORY OF TIOGA COUNTY BELL OF SESSIONS AND RETURN OF HISTORICAL ARTIFACT*

WHEREAS: In 1823, the first Tioga County Courthouse was built in Owego and in 1855 improvements were made to the building including a cupola for a bell; and

WHEREAS: The Tioga County Board of Supervisors approved the sum of \$300.00 be raised for the purpose of procuring a suitable courthouse bell to be hung in the cupola of the courthouse as documented in the November 16, 1855 journal of proceedings; and

WHEREAS: The actual cost of the bell was only \$200.00 due to the foundry granting a discount because of failure to enter a complete year date on the bell and only scribed 185 that should have been the year 1855 or 1856; and

WHEREAS: In 1868, the courthouse was declared unsuitable for legal business; and

WHEREAS: In 1871, the Village of Owego deeded a plot of land on the public square for Tioga County to build a new courthouse, which was erected in 1872-1873. After the construction of the new courthouse, the bell was removed from the former courthouse and installed in the southwest tower and used as the Bell of Sessions on November 25, 1873; and

WHEREAS: In 1931, it was determined the towers on the 1872 courthouse were in disrepair and too costly to rebuild back to their original design. Therefore, the towers were lowered and the courthouse Bell of Sessions was removed from the tower and no longer used by Tioga County; and

WHEREAS: The Village of Owego Board of Trustees requested the Bell of Sessions be loaned to the Village of Owego and placed in the Croton Hose Co. No. 3 fire station on Talcott Street to be used as the fire bell with the stipulation that it is to be returned to the County of Tioga, upon request of this Board, or at such time the Croton Hose Co. No. 3 fire station deemed the bell was no longer needed; and

WHEREAS: In December 1952, the Croton Hose Co. No. 3 fire station removed the bell and replaced it with a siren. It is at this time the bell should have been returned to Tioga County, as previously stipulated; and

WHEREAS: In 1953, Croton Hose Co. No. 3 inadvertently donated the bell to the Lounsberry Methodist Church in Nichols, NY. The Lounsberry Methodist Church was in the process of rebuilding their church due to their former church being destroyed by fire in October 1952. The church held their opening for worship of the rebuilt

church on April 3, 1955 noting the church bell donation from the Owego Fire Department in their Souvenir Booklet of the Opening for Worship of the Rebuilt Lounsberry Methodist Church; and

WHEREAS: Tioga County Historian Emma Sedore has researched and outlined the timeline of the Tioga County Bell of Sessions as documented by Tioga County Journal of Proceedings, Croton Hose Co. No. 3 Minute Book; and the Souvenir Booklet of the Opening for Worship of the Rebuilt Lounsberry Church; and

WHEREAS: The church bell in the steeple of the Lounsberry United Methodist Church located at 3586 East River Road, Nichols, NY is the original bell that was purchased by Tioga County and hung in the cupola of the first courthouse in Owego, NY; therefore be it

RESOLVED: The Bell of Sessions is a historical artifact and is legally the property of Tioga County, NY and must be returned to Tioga County, NY if the Lounsberry United Methodist Church deems it is no longer of use to them or upon request of the County for any reason; and be it further

RESOLVED: That a copy of this resolution be sent to the Lounsberry United Methodist Church.

Legislator Standinger spoke. "I just want to thank Emma Sedore for all the research she did. She really devoted a lot of time and energy in locating this bell. She took it on as a personal project and it is a treasure to have somebody like that as a historical investigator. I commend her efforts."

Chair Sauerbrey spoke. "I concur with Legislator Standinger."

Legislator Mullen spoke. "It was an amazing story. She did an incredible job."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 21-21 ADOPT LOCAL LAW NO. 1 OF 2021

WHEREAS: A public hearing was held on January 7, 2021 following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2021 A Local Law to establish the staggered terms of Tioga County Legislators as established in Local Law No. 2 of 1994 and Local Law No. 2 of 2011; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will be Local Law No. 1 of 2021; therefore be it

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

County of Tioga

Local Law No. 1 of the Year 2021.

A Local Law to establish the staggered terms of Tioga County Legislators as established in Local Law No. 2 of 1994 and Local Law No. 2 of 2011.

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

SECTION 1: TERMS OF OFFICE

Notwithstanding the provisions of any general, special or local law to the contrary, members of the Tioga County Legislature shall continue to be elected to staggered terms of three and four years over a ten-year cycle as established in Local Law No. 2 of 1994 and Local Law No. 2 of 2011.

SECTION 2: STAGGERED TERMS OF OFFICE

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

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

B. The County Legislators elected from the County Legislative Districts included in Group One shall be elected for a term of four (4) years at the general

election to be held in the year Two Thousand Twenty-One (2021) and shall be elected for a term of three (3) years at the general elections to be held Two Thousand Twenty-Five (2025) and Two Thousand Twenty-Eight (2028).

C. The County Legislators from the County Legislative Districts included in Group Two shall be elected for a term of three (3) years at the general elections to be held in the years Two Thousand Twenty-One (2021) and Two Thousand Twenty-Four (2024) and shall be elected for a term of four (4) years at the general election to be held in Two Thousand Twenty-Seven (2027).

D. Subject to reapportionment, if necessary, staggered terms shall be utilized in the general elections following succeeding federal decennial censuses.

SECTION 3: COUNTY ATTORNEY

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

SECTION 4: LEGISLATIVE CLERK

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

SECTION 5: BUDGET OFFICER

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

SECTION 6: EFFECTIVE DATE

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

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 22-21 *RESOLUTION TO CONTRACT WITH NATIONAL TEST SYSTEMS FOR INSTANT URINE TESTS AND LAB TESTING*

WHEREAS: Tioga County Probation needs to purchase instant urine testing products and lab services to provide confirmed test results for defendants and respondents court ordered to submit to substance abuse testing; and

WHEREAS: Tioga County Probation has obtained three estimates for the purchase of instant urine testing products as follows:

1. MED-TOX (NYS Contract) \$4.13 each for 5 panel test (THC/COC/OPI/AMP/PCP)* not enough drugs
 2. Premier Biotech- \$7.87 each for 9 panel test
 3. Mercedes Premier \$4.13 each for 12 panel test (AMP/BAR/BZO/COC/MET/MDMA/MTD/MOP/OXY/THC/BUP/ETG)
- National Test Systems \$3.60 each for 12 panel test plus adulterant test (COC/THC/MOP/AMP/MET/BZO/MTD/OXY/MDMA/BUP/FEN/ETG)

The cost to purchase testing supplies from National Test Systems is less expensive and more expeditious for Probation's testing program; and

WHEREAS: Tioga County Probation previously sent urine samples for confirmation testing to Thomas G. Rosano PhD. LLC DBA National Toxicology Center in Albany,

NY. This testing service has increased in price to the point that it is no longer fiscally prudent for Probation to continue using; and

WHEREAS: National Test Systems also has lab services available for urine samples confirmation with pricing as follows:

Class I Drugs: (AMP/MET/MDMA/THC/COC/BAR/MTD/PCP)	\$17.00/ drug
Class II Drugs: (OPI/OXY/6MAM/BZO/BUP/FYL/GABA/KRA/TRAM)	\$24.00/ drug
Class III Drugs: (K2/SPICE)	\$44.00/ drug

Therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with National Test Systems to purchase instant testing supplies and lab services in 2021, if the contract is approved by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 23-21 AUTHORIZE ACCEPTANCE OF 2021 NYS PTS GRANT
(PTS-2021-Tioga Co SO-00215-054)
APPROPRIATION OF FUNDS & MODIFY 2021 BUDGET
SHERIFF'S OFFICE

WHEREAS: The Sheriff's Office applied for and was awarded a NYS PTS (Police Traffic Services) grant (PTS-2021-Tioga Co-SO-00215-054) in the amount of \$14,580; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM:	A3110.433900 Sheriff-State Aid	\$14,580
TO:	A3110.510030 Sheriff Overtime	\$14,580

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 24-21 *APPLY FOR NYS ELECTIONS CYBERSECURITY
REMEDATION GRANT PROGRAM*

WHEREAS: The New York State Board of Elections authorizes a total of \$9 million from federal HAVA funds for use by county boards of elections to implement cybersecurity remediation and mitigation services; and

WHEREAS: Tioga County is authorized to receive up to \$74,661.73 reimbursement from these funds for eligible expenses related to remediation and mitigation services for elections cybersecurity, which have taken place between December 21, 2019 and December 31, 2021; and

WHEREAS: To be eligible for this grant program, the Tioga County Chief Information Officer and Election Commissioners developed a cybersecurity remediation plan

during July and August of 2020, which was approved by the NYS Board of Elections in September of 2020; and

WHEREAS: All claims for payment must be submitted to NYS Board of Elections no later than December 31, 2021; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to apply for the NYS Elections Cybersecurity Grant Program as soon as practicable; and be it further

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM:	H1450-440890	CYBER Federal Aid- HAVA	\$74,661.73
TO:	H1450-520620	CYBER Software Expense	\$74,661.73

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 25-21 *AUTHORIZE BOARD OF ELECTIONS TO PURCHASE NEW DOMINION VOTING MACHINES AND AMEND BUDGET*

WHEREAS: The Tioga County IT capital plan included replacing the aging optical scan voting machines in 2020; and

WHEREAS: The Election Commissioners opted to postpone the replacement of voting machines to 2021, considering that 2020 would be (and was) a very busy Presidential Election year and the introduction of additional new technology on top of the changes implemented in 2019, such as ePollbooks, could be too much all at once for BOE staff and election inspectors; and

WHEREAS: Dominion Voting Systems provided the Board of Elections with a quote for 26 ImageCast Evolution (ICE) voting machines (state contract number PC66393), and staff training, for \$284,154.00, which would replace the current Ballot Marking Device (BMD) voting machines, and the BOE would retain eight ImageCast Precinct (ICP) scanners for continued use; and

WHEREAS: Only one other voting system vendor is authorized for use in New York State, and a switch to the other vendor would be more costly because it would require purchase of significantly more machines (to also replace the Dominion ICPs, and the competitor's machines cannot accommodate as many voters as a Dominion machine) as well as a whole new election software program to interface with their machines; and

WHEREAS: For the past three years, a dedicated amount has been budgeted and not used in anticipation of funding the Hardware Reserve for the purchase of the new voting machines, \$110,000 in 2018, \$120,000 in 2019, and \$120,000 in 2020, a total of \$350,000; and

WHEREAS: Legislative approval is needed to transfer funds to a Hardware Reserve; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to enter into a purchase agreement with Dominion Voting Systems for 26 ICE machines at a capital expense of \$284,154.00, and that the Board of Elections 2021 capital fund for voting machines H1450 520300 shall include \$284,154.00; and

RESOLVED: That the following funds be transferred from the Unrestricted Fund Balance to the Hardware Reserve for the purchase of the Dominion Voting Machines, but also to earmark for future voting machine upgrades:

FROM:	H 390900 Fund Balance - Unrestricted	\$350,000.00
TO:	H 387805 Capital Hardware Reserve Fund	\$350,000.00

Legislator Standinger spoke. "I am going to vote a qualified yes under the assurance that our Board of Elections employees are going to continue to monitor the Dominion Voting System and the objections that were raised over the Dominion Voting System and the recent Presidential election. They have made their case that

we need to go with new machines for various reasons and I understand that, but I still have some concern about whether or not fraud could take place. I think my concerns are satisfied at this point, but I want to make sure that they continue to monitor the situation with Dominion Voting Systems.”

Legislator Balliet spoke. “One of the requests I am going to make with the Board of Elections employees is that they do periodic communications with the NYS Board of Elections and to make sure they get the latest updates. I will be working with them to do that for the Administrative Services Committee meetings.”

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 26-21 *AWARD DESIGN SERVICES TO DELTA ENGINEERS
FOR TALCOTT STREET BRIDGE REPAIR*

WHEREAS: The Commissioner of Public Works budgeted for the repair of Talcott Street Bridge; and

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

WHEREAS: The proposal for this bridge came in at \$24,868; therefore be it

RESOLVED: That the Tioga County Legislature award the design services contract for Talcott Street Bridge to Delta Engineers, Endwell NY not to exceed \$24,868 to be paid out of the following account:

H5110.540004.H2101 – Talcott Street Bridge

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 27-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase (FFY 2021), PIN 9754.31 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

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

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

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

RESOLVED: That the sum of \$10,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 28-21 *AMEND RESOLUTION NO. 267-20;
TIOGA COUNTY LEGISLATIVE SUPPORT OF
TERMINATION OF CENTRAL NEW YORK OIL AND
GAS COMPANY LLC PAYMENT IN LIEU OF TAX
AGREEMENT AND ESTABLISHMENT OF
STAGECOACH GAS SERVICES LLC
PAYMENT IN LIEU OF TAX AGREEMENT*

WHEREAS: The Tioga County Legislature approved the support request for the termination of Central New York Oil and Gas Company LLC Payment in Lieu of Tax (PILOT) agreement and for the establishment of Stagecoach Gas Services LLC Payment in Lieu of Tax (PILOT) Agreement by way of Resolution #267-20 adopted December 15, 2020; and

WHEREAS: An error was discovered in the ninth WHEREAS statement in Resolution #267-20 with an erroneous date of 200; and

WHEREAS: The remainder of Resolution #267-20 remains intact; therefore be it

RESOLVED: That Resolution #267-20 be amended as follows to reflect the change of the erroneous date of 200 to 2022 in ninth WHEREAS statement:

The newly established Payment in Lieu of Tax Agreement should call for the payment of one hundred percent (100%) of real property taxes to be paid on the assessed value of the identified tax map 161.00-1-25.1 for the tax year 2022 and ninety percent (90%) of the real property taxes to be paid on the assessed value of the identified tax map 107.00-1-8.12 for the tax year 2022 to be increased to one hundred percent (100%) for each subsequent years by Stagecoach Gas Services LLC to be collected from the commencement of the Agreement.

and be it further

RESOLVED: That the remainder of Resolution #267-20 is unchanged.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 29-21 *RE-ESTABLISH PRIOR YEAR 2020 CAPITAL PROJECTS AND BRIDGE PREVENTIVE MAINTENANCE FOR 2021 BUDGET*

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

Non Bond Bridge Projects Reso177-18;178-18 BIN 3335360

H5110 540004 H1903 West River Drive	\$	67,618.57
H5110 445020 H1903 West River Drive	\$	310,558.72
H5110 540004 H1904 West Creek Road	\$	1,784,867.98
H5110 445020 H1904 West Creek Road	\$	1,780,669.38

Capital Building Projects

H1620 520911 Renovations 56 Main Street	\$	48,000.00
H1620 521988 Court House Renovations	\$	19,141.68
H1620 520994 Building Construction	\$	55,000.00

Capital Equipment

H1620 520923 Standby Generator	\$	32,400.00
H1621 520929 Boiler HHS	\$	20,000.00
H5130 521060 Car/Truck	\$	30,000.00
H1680 521090 SSG19 Computer	\$	21,206.46
H1680 430970 SSG19 State Aid Local Efficiency Grant	\$	21,206.46
H1325 520620 Software Expense	\$	70,340.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2021 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 30-21 *RE-ESTABLISH PRIOR YEAR 2020 GRANTS FOR 2021 BUDGET*

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; and

WHEREAS: Some amounts are subject to change based on year-end encumbrances and general billing adjustments; therefore be it

RESOLVED: That the following accounts and estimated amounts are re-established and the 2021 budget is amended:

<u>ILS - Reso 88-19 : 25-19 /Indigent Legal Services</u>	<u>Amount to Re-Establish</u>
A1173 540040 Books	\$ 2,596.02
A1173 540280 Investigations	\$ 7,899.00
A1173 540320 Leased Services	\$ 3.66
A1173 540420 Office Supplies	\$ 493.00
A1173 540620 Software	\$ 7,888.68
A1173 540700 Transcripts	\$ 1,500.00
A1173 540733 Training	\$ 1,975.46
A1173 430260 State Aid Indigent Legal Service	\$ 22,355.82

ILS - Reso 87-19 : 25-19 /Hurrell & Haring

A1174 520090 Computer	\$	36.76
A1174 520200 Office Equipment	\$	2,141.00
A1174 540320 Leased/ Service Equipment	\$	182.47
A1174 540420 Office Supplies	\$	1,290.64
A1174 540480 Postage	\$	50.00
A1174 540550 Rent	\$	1,250.00
A1174 540620 Software	\$	16,219.21
A1174 540660 Telephone	\$	200.00
A1174 540733 Training	\$	6,765.61
A1174 430260 State Aid Indigent Legal Service	\$	28,126.69

Sherriff – PTS Reso 276-19

A3115 445890 Federal Aid-Other Transp NPSP	\$	17,000.00 Est.
A3115 540590 Services Rendered-STOP DWI	\$	17,000.00 Est.

Fire – SEN10 Reso 278-19 Senator's Grant Training Room Update

A3410 521130 SEN10 Equipment (Not Car)	\$	15,000.00
A3410 433060 SEN10 State Aid Fire	\$	15,000.00

Fire – IO18F Reso 44-19 Interoperable Grant

A3415 520230 IO18F Radio Equipment	\$	16,938.09
A3415 540140 IO18F Radio Equipment	\$	393,382.60
A3415 433063 IO18F State Aid -Interoperable Grant	\$	410,320.69 Est.

Fire – IO19F Reso 55-20 Interoperable Grant

A3415 520230 IO19F Radio Equipment	\$	20,000.00
A3415 540140 IO19F Radio Equipment	\$	364,607.00
A3415 540180 IO19F Radio Equipment	\$	30.01
A3415 433063 IO19F State Aid -Interoperable Grant	\$	384,637.01

EMO – SHS18 Reso 226-18

A3360 540140 SHS18 Contracted Services	\$	1,672.46
A3360 433567 SHS18 State Aid SHSP 18	\$	1,672.46
H3360 520060 SHS18 Car/Truck	\$	1,848.81
H3360 433567 SHS18 State Aid SHSP 18	\$	1,848.81
A3361 520215 SHS18 Personal Protective Gear	\$	406.00
A3361 433567 SHS18 State Aid SHSP 18	\$	406.00

EMO – SHS19 Reso 279-19

A3360 520130 SHS19 Equipment (Not Car)	\$	16,303.98
A3360 540140 SHS19 Contracting Services	\$	3,465.79
A3360 540140 SHS19 CS Encumbered	\$	13,861.01
A3360 433567 SHS19 State Aid SHS19	\$	33,630.78
A3361 520130 SHS19 Equipment (Not Car)	\$	17,495.00
A3361 433567 SHS19 State Aid SHS19	\$	17,495.00

EMO – SHS19 Reso 279-19

A3360 520130 SHS19 Equipment (Not Car)	\$	16,303.98
A3360 540140 SHS19 Contracting Services	\$	3,465.79
A3360 433567 SHS19 State Aid SHS19	\$	19,769.77
A3361 520130 SHS19 Equipment (Not Car)	\$	17,495.00
A3361 433567 SHS19 State Aid SHS19	\$	17,495.00

EMO – SHS20 Reso 259-20

A3360 520130 SHS20 Equipment (Not Car)	\$	30,777.00
A3360 540140 SHS20 Contracting Services	\$	11,000.00
A3360 520620 SHS20 Software Expense	\$	30,777.00
A3360 433567 SHS20 State Aid SHS20	\$	50,118.00
A3361 520130 SHS19 Equipment (Not Car)	\$	16,706.00
A3361 433567 SHS19 State Aid SHS19	\$	16,706.00

EMO – HME19 Reso 277-19 Hazardous Material

A3360 540140 HME19 Contracted Services	\$	6,465.00
A3360 433567 HME19 State Aid	\$	5,172.00

Information Technology – Reso 193-19

A1680 540640- SSG19 Supplies Local Efficiency Grant	\$	2,421.90 Est.
A1680 540140- SSG19 Supplies Local Efficiency Grant	\$	4,262.00 Est.
A1680 430891- SSG19 Supplies Local Efficiency Grant	\$	6,683.90 Est.

Elections – Reso 214-20 Center for tech and Civic Life's (CTCL)

A1450 422800 CTCL Grants-Non State or Federal	\$	19,262.50
A1450 540490 CTCL Elections Expense	\$	19,262.50

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2021 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 31-21 RE-ESTABLISH PRIOR YEAR 2020 GRANTS FOR HHS FOR 2021 BUDGET

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; and

WHEREAS: Some amounts are subject to change based on year-end encumbrances and general billing adjustments; therefore be it

RESOLVED: That the following HHS accounts and estimated amounts be re-established and the 2021 budget be amended:

PUBLIC HEALTH – Reso 98-20 COVID 2019-NYSDOH

A4011 540487 COV19	Program Expense	\$	60,281.00
A4011 434011 COV19	State Aid-Preventive & Primary	\$	60,281.00

PUBLIC HEALTH – Reso 160-20 COVID 2019-NYSDOH

A4011 540487 COV19	Program Expense	\$	255,487.00
A4011 434011 COV19	State Aid-Preventive & Primary	\$	255,487.00

PUBLIC HEALTH – Reso 148-20 COVID 2019-NYSDOH

A4011 540487 COV19	Program Expense	\$	5,607.68
A4011 520130 COV19	Equipment	\$	1,881.32
A4011 434010 COV19	State Aid-Public Health	\$	7,489.00

PUBLIC HEALTH – Reso 111-20 Healthy Neighborhoods

A4090 540595 Services Rendered	\$	30,153.00
A4090 434640 State Aid-Environmental Health	\$	30,153.00

PUBLIC HEALTH – Reso 189-20 NYSACHO

A4090 540595 Services Rendered	\$	1,523.11
Received Revenue in 2020		

TRANSPORTATION – Reso 159-18 Federal 5311 Funds

A5630 540140 Transportation-Contracting Services	\$	87,993.24
A5630 440900 Federal Aid – Transportation	\$	78,363.61
A5630 430900 State Aid –Transportation	\$	9,795.29

DSS ADMIN – Reso 220-19-Family First Transition

A6010 540487 Program Expense	\$	12,902.35
A6010 436100 State Aid-Social Service Admin	\$	12,902.35

DSS ADMIN – Reso 231-20-Emergency Services Grant

A6010 540487 Program Expense	\$	205,213.00
A6010 436100 State Aid-Social Service Admin	\$	205,213.00

DSS ADMIN – Reso 82-20-Safe Harbor Funds

A6010 540487 Program Expense	\$	11,643.29
A6010 436100 State Aid-Social Service Admin	\$	11,643.29

TRANSPORTATION – Reso 143-20 CARES

A5630 540140 CARES Contracting Services	\$	318,053.00
A5630 440900 CARES Federal Aid – Transportation	\$	318,053.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2021 modified budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 32-21 *RE-ESTABLISH FUNDS PRIOR YEAR 2020 AND
AMEND 2021 BUDGET FOR COVID STOCKPILE
EMERGENCY SERVICES*

WHEREAS: Resolution No. 95-20 and 149-20 approved the transfer of contingency funds to the Emergency Services budget to order a stockpile of COVID supplies; and

WHEREAS: Due to the widespread impact of the Coronavirus, emergency supplies have been in high demand and difficult to obtain; therefore be it

RESOLVED: That the following contingency fund be re-established and the 2021 Emergency Services budget be amended as follows:

A3640.540640.COVID19 Supplies (not office)	\$71,427.50
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 33– 21 *AUTHORIZATION FOR A 2021 BUDGET
MODIFICATION AND BUDGET ADDITION
AS NEEDED*

WHEREAS: The Tioga County Legislature by way of Resolution #15-20 accepted the 2019 New York Main Street Program grant for \$250,000.00 to be administered by the Tioga County Economic Development and Planning Office; and

WHEREAS: By the same 2020 Resolution, the grant award warranted a 2020 budget modification in the amount of \$231,250.00 in Account #ORG CE8510, OBJ 4399001, PROJ CE003; and

WHEREAS: By the same 2020 Resolution, an additional budget amendment was made adding \$18,750.00 for 7.5% administrative fee to be received in the Economic Development Revenue Account A6422 OBJ 437170; and

WHEREAS: The 2019 New York Main Street Program will not commence until 2021; and

WHEREAS: The 2021 budget must be modified to reflect the additional funds; therefore be it

RESOLVED: That the 2021 Budget be Amended and Modified as follows:

2021 Budget Modification:

Revenue Account #ORG CE8510 OBJ 4399001 CE003	\$231,250.00
Expense Account #ORG CE8510 OBJ 540487 CE003	\$231,250.00
Name: North Avenue Main Street Grant	

2021 Budget Addition:

Revenue Account #ORG A6422 OBJ 437170	\$ 18,750.00
Name: State Aid ED Administrative Fee	

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
 RESOLUTION NO. 34-21 TRANSFER OF FUNDS
 BUDGET MODIFICATION
 DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office was in need of a Webcam and Wall Mount, to conduct virtual court and have virtual meetings in their conference room in 2020; and

WHEREAS: The IT Department purchased the Webcam and Mount in August 2020 and sent the invoice to the District Attorney's office on January 4, 2021;

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

RESOLVED: That the District Attorney's budget be modified and the following sums be transferred from within the District Attorney's budget to cover the costs of said equipment.

From: A1165 540280	Investigations	\$515.94
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To: A1165 520020	Audio Visual Equipment	\$515.94
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 35-21 APPOINTMENT OF ADMINISTRATIVE CORONER

and be it further:

RESOLVED: That the Department of Social Services authorized 2021 full-time headcount is reduced from 87 to 86.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 37-21 ABOLISH/CREATE POSITION
PROBATION DEPARTMENT

WHEREAS: As a result of the series of internal promotions, a Probation Officer position (CSEA Salary Grade XI; \$44,572) will become vacant on February 1, 2021; and

WHEREAS: It has been determined that a part-time (up to 17 hours per week) Probation Supervisor 1 position will better meet the needs of the agency; therefore be it

RESOLVED: That one vacant full-time position of Probation Officer shall be abolished and one part-time Probation Supervisor 1 position shall be created and filled effective February 2, 2021; and be it further

RESOLVED: That the hourly rate for the part-time Probation Supervisor 1 shall be \$32.28; and be it further

RESOLVED: That the headcount for the Probation Department shall include 17 full-time and 1 part-time positions.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 38-21 *AUTHORIZE APPOINTMENT:
PROBATION DIRECTOR (GROUP A)*

WHEREAS: The position of Probation Director (Group A) will become vacant as of January 31, 2021 due to retirement; and

WHEREAS: In anticipation of this vacancy the department has been succession planning and training a replacement; and

WHEREAS: All civil service requirements for permanent appointment have been met, therefore be it

RESOLVED: That Brian Cain is hereby promoted to the Probation Director (Group A) position on a permanent probationary basis effective February 1, 2021 at an annual salary of \$73,923.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 39-21 *AUTHORIZE POSITION RECLASSIFICATION*

*SECTION I – RULES OF THE LEGISLATURE;
SUBSECTION (1) ORGANIZATIONAL MEETING*

WHEREAS: Tioga County Employee Handbook Section I – Rules of the Legislature; Subsection (1) Organizational Meeting reflects Local Law No. 2 of 2011 for Legislator staggered terms and appointments of Legislative Clerk, County Attorney, and Budget Officer; and

WHEREAS: The Legislature adopted Local Law No. 1 of 2021 for Legislator staggered terms of office; and

WHEREAS: The appointments of Legislative Clerk, County Attorney, and Budget Officer hold the same term of those Legislators in Group One; therefore be it

RESOLVED: That the Employee Handbook Section I – Rules of the Legislature; Subsection (1) Organizational Meeting be amended to reflect newly adopted Local Law No. 1 of 2021 for Legislator staggered terms and the appointments of Legislative Clerk, County Attorney, and Budget Officer that hold the same term of those Legislators in Group One.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 41-21 *AUTHORIZE APPOINTMENT OF
SAFETY OFFICER (PT)*

WHEREAS: Since September 27, 2020, the position of Safety Officer (PT) has been vacant due to resignation; and

WHEREAS: The County Attorney has recruited and has identified a qualified candidate whom he would like to hire for said position; therefore be it:

RESOLVED: That the County Attorney is hereby authorized to appoint Dawn Thorpe to the title of Safety Officer (PT) effective February 1, 2021, at an annual non-union salary of \$29,180.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:13 P.M.

Second Special Meeting
February 4, 2021

The Second Special Meeting of 2021 was held on February 4, 2021 and was called to order by the Chair at 1:01 p.m. with all Legislative members present.

Chair Sauerbrey asked for a moment of prayer. "I pray to God today to guide us and direct us in the way we should go, to make good decisions for the people we represent, and I pray for our nation that we would come to a point of peace."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were nine people in attendance.

Legislator Roberts introduced Local Law Introductory No. B of 2021.

County of Tioga

Local Law No. XX of the Year 2021.

A Local Law establishing the salary for the Office of County Treasurer for the four-year term of office commencing January 1, 2022 and continuing through and including December 31, 2025.

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

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2022 and continuing through and including December 31, 2025.

SECTION 2: ANNUAL SALARY

- A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2022 and continuing through and including December 31, 2025 is hereby established as follows:

1. County Treasurer	\$73,087
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SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2022.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 42-21 *SCHEDULE PUBLIC HEARING*
LOCAL LAW INTRODUCTORY NO. B OF 2021

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2021 A Local Law establishing the salary for the Office of County Treasurer for the four-year term of office commencing January 1, 2022 and continuing through and including December 31, 2025 in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Tuesday, February 9, 2021 at 12:00 P.M. All persons desiring to present written or oral comment may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:03 P.M.

*Public Hearing
Local Law Introductory No. B of 2021
February 9, 2021*

The Public Hearing on Local Law Introductory No. B of 2021 A Local Law establishing the salary for the Office of County Treasurer for the four-year term commencing January 1, 2022 and continuing through and including December 31, 2025 was called to order by Chair Sauerbrey at 12:02 P.M. Eight Legislative members were present with Legislator Weston being absent.

There were 31 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no public comments, the hearing was adjourned at 12:03 P.M.

Second Regular Meeting
February 9, 2021

The Second Regular Meeting of 2021 was held on February 9, 2021 and was called to order by the Chair at 12:03 P.M. Eight Legislative members were present with Legislator Weston being absent.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father, I ask that you bless us and protect us from harm. Watch over us and help us in the decision-making, as we lead the citizens of this community."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 31 people in attendance.

Chair Sauerbrey spoke. "I would like to welcome Mr. Shriver, Joy Bennett's father. It is very nice to have you with us today."

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

Legislator Mullen read and presented the following resolution to Donna Joy Bennett, Probation Director.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 43-21 *RESOLUTION RECOGNIZING
DONNA JOY BENNETT'S 39 YEARS
OF DEDICATED SERVICE TO TIOGA
COUNTY*

WHEREAS: Joy Bennett began her employment with Tioga County on March 23, 1981 as a Caseworker at Tioga County Department of Social Services. On October 27, 1986, Joy accepted the position of Probation Officer with the Tioga County Probation Department. She was promoted to Senior Probation Officer on January 13, 1992. She was promoted to Probation Supervisor on June 30, 1992; and promoted to Probation Director on January 15, 2003 which is the position she will retire from; and

WHEREAS: Joy Bennett has been a dedicated and loyal employee in the performance of her duties and responsibilities during the past 39 years. During those 39 years, she was a staunch advocate for the citizens of Tioga County at the State and National level through her representation and leadership as the President of the NYS Council of Probation Administrators (COPA) and participation in the American Probation and Parole Association (APPA). In addition, Joy was at the forefront of the statewide Probation Reform efforts becoming an authority and resource regarding Leandra's Law legislation, and a valuable voice during the roll out of Raise the Age legislation, bail reform, and implementation of the Caseload Explorer data system; and

WHEREAS: Joy Bennett will retire on January 31, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Joy Bennett for her thirty-nine years of dedicated and loyal service to Tioga County and it is most vulnerable citizens; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I have known Joy for many years, but I really got to know Joy as the Chair of the Public Safety Committee and we have been extremely blessed to have Joy the last few years. With the changes with Raise the Age, Bail Reform, Indigent Legal Services, and all these huge changes in not only Public Safety, but also Probation, Joy's voice and leadership in that was beyond measure. She has always been a very calming influence and I have seen her roll with the punches when most people are getting knocked out. She is extremely innovative; when we needed pizza, Joy found a lot of pizza and that program is for the youth. I can tell you that Joy is very dedicated to the youth aspect of Probation. You get them on the right path young and they stay on the right path the rest of their lives. Everybody in this room knows somebody in their life that Joy's career has had an impact on. Being a retired police officer spending 17 ½ years

in Tioga County, I can tell you Tioga County Probation was one of the shining departments in the County in my time as a State Trooper. I could always get ahold of Probation and they always had sound advice on how to handle a Probation situation.

"Thank you. I am personally going to miss you. I am very glad who is stepping in your position and I am also very glad that you will not be gone forever with the new position you are going to be taking."

Joy Bennett spoke. "I just want to say that I have had a lot of experiences that I can thank Tioga County for; some of them great, some of them in the middle, and some of them the stuff of nightmares. But, I have been privileged to work for Tioga County and because of the support of the system here also be able to do some things with COPA and APPA and be exposed to not only County leadership, but also State and National leadership. That was because of the open-mindedness here about people being participants outside of the County, so I really appreciate that. I have a great staff. I have spent the last year working very hard on preparing everybody for my leaving. They are all ready to do that and the next round of leadership is there ready to take charge and will be fantastic. Thank you all."

Legislator Mullen read and presented the following recognition resolution to Frank Lavore, Jr., Sergeant, Road Patrol, of the 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. 44-21 *RESOLUTION RECOGNIZING
FRANK LAVORE'S 24 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Frank Lavore was appointed as a Corrections Officer on March 8, 1997; promoted to Corrections Sergeant on April 13, 2000; promoted to Deputy Sheriff on December 30, 2000; and promoted to his present position of Sergeant, Road Patrol on August 24, 2013; and

WHEREAS: Frank Lavore has been dedicated and loyal in the performance of his duties and responsibilities during the past 24 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Frank Lavore retired from the Tioga County Sheriff's Office on January 29, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Frank Lavore for his 24 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, Frank Lavore.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "This is one of the good things about being Chair of Public Safety. This is one of the guys I rolled around in the mud, blood, and the beer for many, many years out there, where he seemed to enjoy the west end more than the populated east end of the County. Frank was a Spencer boy, I am a Lockwood/Barton boy, and we policed those townships for 17 years together. There were many times when you get a call in this job and this type of policing when the radio cracks and that car is sent to a domestic at 141 East Spencer Road, 280 Dean Creek Road, or 197 Route 17c (Town of Barton). The officers here today know these addresses. Sometimes, you are the only guy, but I can tell you there were many times when I was headed to one of these type of calls and I hear the radio crack and it was Frank saying he was on his way. Frank was always there. I remember the Dandy Mini Mart case when bath salts were really going crazy in this county. It was a Monday morning and dispatch sent me to the Dandy Mini Mart in Nichols, NY for an out of control patron. I got there and there was a young man and a young woman who there was no doubt who the problem was. If it was not for Frank and a spare set of handcuffs that I still have, because there were several people handcuffed laying on the floor in the Dandy Mini Mart that day. I know there are a few times in your life that you get to say thank you to someone because they made a difference in your life. This man made a big difference in my life and I love you. Frank is a good man."

Frank Lavore, Jr. spoke. "It was an honor to work for Tioga County. I do not miss the job so much, as I do the people. I want to thank them for making my job easier and the things they deal with every day. Thank you."

Sheriff Howard spoke. "Everyone remembers the 18" of snow, worst-case scenario that was expected a few weeks ago, and we woke up to 4' of snow. On

that morning, we were receiving many calls from people in the county regarding having no heat and asking what they can do. Frank Lavore went home to get some ladders and he, Deputy Longo, and Deputy Bunce got in his 4x4 truck and was driving around, climbing up on roofs, cleaning off roofs, and getting furnaces started because the exhaust was blocked. That is what they did all day long. You do not get dedication like that. Frank and I had a great experience that morning with a woman who did not have any heat and had a wood burner that she could not get to, so Frank and I went there and waded through waist deep snow to get to the house, went through a window with both of us falling out into the snow. We had a great time doing it. It was a great experience. We were able to load up her woodstove and got her heat. That is the dedication these people have."

Chair Sauerbrey reported this resolution will just be noted for the minutes, as Ms. Kipling, Investigator, Sheriff's Office is not in attendance.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 45-21 *RESOLUTION RECOGNIZING
JULIE KIPLING'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Julie Kipling was appointed as a Corrections Officer on January 27, 1999; appointed as a part-time Deputy Sheriff on April 27, 1999; appointed as full-time Deputy Sheriff on January 26, 2002; promoted to Sergeant, Road Patrol on December 24, 2016; and promoted to her present position of Investigator on January 1, 2018; and

WHEREAS: Julie Kipling has been dedicated and loyal in the performance of her duties and responsibilities during the past 22 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Julie Kipling will retire from the Tioga County Sheriff's Office on February 27, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Julie Kipling for her 22 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Julie Kipling.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. “I wish to send the very best in her retirement and I reached out to Julie personally.”

Sheriff Howard spoke. “Julie Kipling is retiring. She was the first female investigator with the Sheriff’s Office, a big milestone. Everybody looked to her to take care of any animal complaint because she is a big advocate for the animals. She did a fantastic job. There are some people out there that did not like to see her come, especially if you owned animals and you were not taking care of them.”

Legislator Mullen read and presented the following recognition resolution to Sean Shollenberger, Corrections Officer of the 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. 46-21 *RESOLUTION RECOGNIZING
SEAN SHOLLENBERGER’S 20 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Sean Shollenberger was appointed as a Corrections Officer on September 20, 1995; promoted to Corrections Sergeant on September 26, 1998; transferred to Tompkins County and then transferred back to Tioga County as a Corrections Officer on October 15, 2006; and

WHEREAS: Sean Shollenberger has been dedicated and loyal in the performance of his duties and responsibilities during his 20 years of employment with Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Sean Shollenberger retired from the Tioga County Sheriff’s Office on February 1, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sean Shollenberger for his 20 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, Sean Shollenberger.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I wish to send the very best in his retirement and I will reach out to Sean personally. These are four very dedicated servants retiring from the County."

Sheriff Howard spoke. "I wish Sean Shollenberger could be here today. He is a great guy working in the Jail. He left for a time and then said his home is Tioga County and came back and finished out with us.

"We are talking about 70 years' worth of experience down the road and it seems like I have been here every other month during the last year or so. But, the job is getting harder and harder, so when these people have their time in they are saying it is time to go. I do not necessarily blame them. I am losing a lot of experience, but they trained a lot of people to follow them and did a nice job with that. They will all be surely missed by, not just me, because as a Department Head you do not want to see these people leave because when I go home at night I know they will take care of it. Congratulations to all."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of January 4, 7, and 12, 2021, seconded by Legislator Monell and carried.

Chair Sauerbrey stated, due to the snowstorm, only a couple of the Legislative Committees met this month, however, the minutes and reports are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 47-21 *APPOINT MEMBER TO BOARD OF ETHICS*

WHEREAS: Tioga County Ethics Policy, Section II, Subsection VI (B) – Ethics Board Membership states members who have served two full three-year terms may not be reappointed for at least one year after the expiration of their last term; and

WHEREAS: Stuart Yetter, Jr. will conclude his two full three-year terms as of March 31, 2021; and

WHEREAS: Charles E. Davis, a resident of Richford, NY has agreed to serve on the Board of Ethics to fill the vacancy of Stuart Yetter, Jr.; therefore be it

RESOLVED: That Charles E. Davis be and hereby is appointed to the Board of Ethics for a three-year term effective April 1, 2021 through March 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 48-21 *SET PUBLIC HEARING FOR 2021 ANNUAL AGRICULTURAL DISTRICT INCLUSIONS*

WHEREAS: The Tioga County Legislature, as per Resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2021 on February 18, 2021 at 10:05 A.M. in the Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 49-21 *HOME RULE REQUEST IN SUPPORT OF S2031/A4044: AMEND COUNTY LAW AND TAX LAW, IN RELATION TO AUTHORIZING THE COUNTY OF TIOGA TO IMPOSE AN ADDITIONAL SURCHARGE TO PAY FOR COSTS ASSOCIATED WITH UPDATING THE TELECOMMUNICATION EQUIPMENT AND TELEPHONE SERVICES NEEDED TO PROVIDE AN ENHANCED 911 EMERGENCY TELEPHONE SYSTEM TO SERVE SUCH COUNTY AND PROVIDING FOR THE REPEAL OF SUCH PROVISIONS UPON EXPIRATION THEREOF*

WHEREAS: The current County of Tioga Enhanced 911 Emergency Telephone System is in need of updating; and

WHEREAS: State Legislative authority is needed to amend the current County Law by adding section 337 authorizing and empowering Tioga County Legislature to

adopt, amend or repeal local laws to impose an additional surcharge per access line for the costs associated with obtaining, operating and maintaining an enhanced 911 system; and

WHEREAS: State Legislative authority is needed to amend Section 186-g of the Tax Law, paragraphs (b) and (c) of subdivision 2, as separately amended by chapters 120 and 711 of the laws of 2019, to impose a surcharge on each wireless communications device; and

WHEREAS: The additional imposed surcharges will pay for costs associated with obtaining, operating, and maintaining the telecommunication equipment and telephone services needed to provide an enhanced 911 (E911) emergency telephone system to serve Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate Bill number S2031 and Assembly Bill number A4044 entitled "An Act to amend the County Law and the Tax Law, in relation to authorizing the County of Tioga to impose an additional surcharge to pay for the costs associated with updating the telecommunication equipment and telephone services needed to provide an enhanced 911 emergency telephone system to serve such county; and providing for the repeal of such provisions upon expiration thereof.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 50-21

RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon LLC since 2008; and

WHEREAS: AutoMon LLC has changed their contract status with New York State, the Tioga County Legislature is approving that the Probation Department can contract with AutoMon LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which mandates NYS Probation Departments to use a software program that automatically sends Presentence Investigation completed in the software program to the DCJS PSI Repository in Albany, NY. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$4,577.04 plus a fee of \$248.80 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2021 is \$8,806.64; and

WHEREAS: AutoMon, LLC has agreed to credit Tioga County Probation \$419.25 towards this invoice for a "2020 COVID discount"; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2021 for Caseload Explorer and Ce Assessments in the amount of \$8,387.39.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 51-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND OR STATE AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS: A project for the rehabilitation of BIN 3335200 – West Creek Road over West Branch Owego Creek, PIN 9754.80, (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal Funds and 5% non-Federal Funds; and

WHEREAS: The County of Tioga will design, let and construct the “project”; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the work of the Project or portions thereof;

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

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

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the cost of the Preliminary Engineering / Design and Construction, Construction Support and Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, State-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$1,339,000 is hereby appropriated from West Creek Road Bridge account H5110.540004.H1904 and made available to cover the costs of participation in the Construction, Construction Support and Construction Inspection phase of the Project; and it is further

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

RESOLVED: That in the event the Project costs not covered by Federal-aid, State-aid, or NY Bridge funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the construction phase of the Project shall be completed within thirty (30) months; and it is further

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

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

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 52-21 AWARD CONSTRUCTION
WEST CREEK ROAD BRIDGE BIN: 3335200

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for the construction of the project; and

WHEREAS: The Commissioner of Public Works received sealed bids on January 29, 2021 and the bids results were as follows:

Silverline Construction	\$ 937,529.00
Procon Contracting LLC	\$1,066,000.00
R. DeVincentis Construction, Inc.	\$1,080,000.00
Economy Paving	\$1,075,757.00

Bothar Construction	\$1,256,769.40
Vector Construction	\$1,019,186.43
ING Civil Inc.	\$1,062,400.00
Slate Hill Constructors	\$1,182,030.28

WHEREAS: Delta Engineers have completed the review of the bids and finds the low bidder Silverline Construction meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Silverline Construction not to exceed \$937,529.00 to be paid out of the following account:

H5110.540004.H1904 – West Creek Road Bridge – BIN 3335200

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 53-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from New York State Department of Health (NYSDOH); and

WHEREAS: The funding is specifically designated for Public Health efforts toward Influenza Vaccination capacity in Tioga County; and

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

RESOLVED: That funding be appropriated as follows:

From: A4011 434010	Public Health: State Aid	\$13,565.95
To: A4011 540595	Public Health: Services Rendered	\$13,565.95

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 54-21 APPROVE FUNDING 2020 YOUTH BUREAU PROGRAM FUNDING INCREASE

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Bureau's 2020 program funding was initially approved by Resolution 232-20; and

WHEREAS: New York State Office of Children and Family Services has now increased funding for County sponsored Youth Bureau programs by \$4,550; and

WHEREAS: The Tioga County Youth Board, in consultation with the Department of Social Services, has recommended the following program have the previously approved allocation increased by the amount below to utilize this increased allocation:

Kali's Klub House 7 Keys to Success Program	\$4,550
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Therefore be it;

RESOLVED: That the above program, as recommended by the Tioga County Youth Board, be approved by the Tioga County Legislature for this increased funding in the amount indicated above.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 55-21 RE-ESTABLISH PRIOR YEAR 2020
UNSPENT FUNDS FOR 2021 BUDGET
SOCIAL SERVICES

WHEREAS: NYS has not billed the Department of Social Services for the local share of Secure Detention Services for 2015 through 2020; and

WHEREAS: The Department of Social Services has estimated the amount of unbilled services to be \$191,228; and

WHEREAS: Re-establishment of prior year funds requires Legislative approval; therefore be it

RESOLVED: That the following account and amount are re-established and the 2021 budget is amended.

A6010.540487 JD Program Expense	\$191,228.00
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ROLL CALL VOTE

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

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. 56-21 RE-ESTABLISH PRIOR YEAR 2020
UNSPENT FUNDS FOR 2021 BUDGET
SOCIAL SERVICES

WHEREAS: Pending final approval of the 2020 Raise the Age Plan, the Department of Social Services has not been billed for related Maintenance and Aftercare Services; and

WHEREAS: The Department of Social Services has estimated the amount of unbilled services to be \$325,872.28; and

WHEREAS: Budget Officer shall be authorized to make necessary budget transfers based on final year-end numbers; and

WHEREAS: Re-establishment of prior year funds requires Legislative approval; therefore be it

RESOLVED: That the following DSS accounts and amounts are re-established and the 2021 budget be amended as follows:

DSS PROGRAM – Raise the Age

A6123 540487 RTA	JD Program Expense	\$	307,672.28
A6123 436230 RTA	State Aid-Juvenile Delinquent	\$	307,672.28
A6070 540487 RTA	JD Program Expense	\$	18,200.00
A6070 436700 RTA	State Aid-Services for Recipients	\$	18,200.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY
PERSONNEL COMMITTEE

RESOLUTION NO. 57-21 *AUTHORIZE APPOINTMENT:
NETWORK ADMINISTRATOR*

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

WHEREAS: The position of Network Administrator (\$52,824-\$62,824, Non-union) has been vacant since August 29, 2020, due to resignation; and

WHEREAS: The Chief Information Officer has recruited for said vacancy and has identified a qualified candidate; therefore be it

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Cuyler Kochin to the title of Network Administrator at an annual salary of \$55,000.00 effective February 16, 2021, pending successful completion of all civil service examination requirements.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 58-21 *APPOINTMENT OF DEMOCRATIC
DEPUTY COMMISSIONER OF ELECTIONS BOARD*

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

WHEREAS: The position of Deputy Commissioner of Elections Board (Democratic) has been vacant since December 31, 2020, due to removal; and

WHEREAS: The Democratic Election Commissioner received verbal authorization at the December 22, 2020, Legislative Worksession to fill said position prior to the 90-day delay implemented by Resolution 195-20; and

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

RESOLVED: That Sandra Cooper shall be appointed as Deputy Commissioner of Elections effective February 17, 2021, annual non-union salary of \$36,235.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 59-21 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: The Department of Social Services has several vacancies and new hires in its Children's Services division; and

WHEREAS: Megan Weed, Caseworker, resigned on December 3, 2020 and has expressed an interest in being reinstated to the position of Caseworker; and

WHEREAS: The backfill date for Ms. Weed's vacancy with the 90-day delay is March 3, 2021; therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Caseworker vacancy with the reinstatement of Megan Weed effective February 16, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following two late-file resolutions considered, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 60-21 *ERRONEOUS ASSESSMENT*
TOWN OF BERKSHIRE

WHEREAS: An application for Corrected Tax Roll for the year 2020 indicates that parcel #23.19-1-16.1 Account #359 in the Town of Berkshire assessed to Mitchell T Arnold on the 2020 tax roll of the Town of Berkshire is erroneous in that the exemptions were removed when a new deed was filed; and

WHEREAS: The deed gives the previous owner, Betty Pitcher, life use of the parcel therefore allowing her exemptions to remain; therefore be it

RESOLVED: That a new 2021 tax bill be issued to Mitchell T Arnold as follows:

	Original Bill #	Corrected Bill #
County	139.77	69.89
Townwide	89.53	49.24
Return School	342.50	0.00
Fire	31.21	31.21
Total	603.01	150.34

And be it further

RESOLVED: That the erroneous county tax of \$69.88 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$40.29 be charged back to the Town of Berkshire; and be it further

RESOLVED: That the erroneous School tax of \$320.09 be charged back to the Newark Valley Central School District; and be it further

RESOLVED: That the erroneous penalty on the return school tax of \$22.41 be charged back to the correct accounts in the Office of the Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO: 61-21 *AMEND RESOLUTION NO. 109-08 AND ABOLISH POSITION IN ITCS DEPARTMENT AND CREATE POSITION IN COUNTY CLERK'S OFFICE; TRANSFER FUNDS FROM ITCS BUDGET TO COUNTY CLERK BUDGET AND MODIFY BUDGETS*

WHEREAS: By Resolution No. 109-08 the position of Director of Records Management and Fixed Assets was abolished and the records management and fixed assets programs placed under the Information Technology and Communications Department (ITCS) and established the position of Records Management Officer; and

WHEREAS: The Tioga County Legislature is desirous of moving the records management and fixed asset programs from ITCS to the County Clerk's Office; and

WHEREAS: The Tioga County Legislature is also desirous of moving the duties being performed by the title of Records Management Officer, as created by Resolution No. 109-08, from ITCS to the Tioga County Clerk's Office and establish the position of Director of Assets and Records Management within the Clerk's Office; and

WHEREAS: The New York State Local Government Records Law requires that the Legislature identify the local public officer who will be responsible for the County records program and it appears appropriate to name the Tioga County Clerk as the official Records Management Officer; and

WHEREAS: It is necessary for budget modifications and a transfer of funds to be made from ITCS to the County Clerk for the new position of Director of Assets and Records Management; therefore be it

RESOLVED: That the records management and fixed asset programs be and hereby are moved from ITCS to the County Clerk's Office; and be it further

RESOLVED: That the position of Records Management Officer (Non-Union \$31,869-41,869) in the ITCS department be abolished effective February 15, 2021 which decreases the full time head count to nine (9); and be it further

RESOLVED That the position of Director of Assets and Records Management (Non-Union \$31,869-41,869) be created in the Tioga County Clerk's Office effective February 15, 2021 which increases the full time head count to thirteen (13); and be it further

RESOLVED: That the following budget modification and transfer of funds be made:

FROM:	A1680.510010 – ITCS full time payroll	\$ 37,463.00
	A1680.581088 – Retirement	\$ 7,587.00
	A1680.583088 – Social Security	\$ 2,865.92
	A1680.584088 – Workers' Comp	\$ 1,225.00
	A1680.585588 – Disability	\$ 68.00
	A1680.586088 – Health Ins/HRA	\$ 12,596.00
	A1680.588988 – EAP	\$ 15.00

TO:	A1410.510010 – Cty. Clk. full time payroll	\$ 37,463.00
	A 1410.581088 – Retirement	\$ 7,587.00
	A1410.583088 – Social Security	\$ 2,865.92
	A1410.584088 – Workers’ Comp	\$ 1,225.00
	A1410.585588 – Disability	\$ 68.00
	A1410.586088 – Health Ins/HRA	\$ 12,596.00
	A1410.588988 – EAP	\$ 15.00

And be it further

RESOLVED: That the County Clerk shall be identified to the New York State Commissioner of Education as the local official responsible for the records management program and is hereby appointed as the Tioga County Records Management Officer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:28 P.M.

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2022 and continuing through and including December 31, 2025.

SECTION 2: ANNUAL SALARY

- A) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2022 and continuing through and including December 31, 2025 is hereby established as follows:

1. County Treasurer	\$73,087
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SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2022.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislators Monell, Mullen, and Standingger.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 63-21 *ADOPT TIOGA COUNTY POLICE REFORM & REINVENTION COLLABORATIVE PLAN*

WHEREAS: The Police Reform & Reinvention Collaborative was directed by Governor Cuomo's Executive Order of June 12, 2020; and

WHEREAS: All municipalities in New York State that have police forces are required to participate and submit a written plan by April 1, 2021; and

WHEREAS: If communities fail to submit a written plan, their funding will be withheld by the NYS Department of Budget; and

WHEREAS: This process was structured, according to the guidelines provided in the New York State Police Reform and Reinvention Collaborative, requiring community input and participation, along with an assessment of policing policies; and

WHEREAS: Tioga County understands that maintaining public safety is extremely important and is one of the essential roles of government. In order to achieve that goal, there must be mutual trust and respect between police and the communities they serve; and

WHEREAS: Tioga County has followed the guidelines of the Police Reform & Reinvention Collaborative in the following ways:

- Reviewed the needs of the community served by the Tioga County Sheriff's Office and evaluated the Department's current policies and practices.
- Established and evaluated policies that allow police to safely perform their duties.

- Involved the entire community in the discussion by way of a public survey distributed on November 23, 2020 and hosted a community-wide conversation on January 27, 2021.
- Comments and recommendations were received from the public.

And

WHEREAS: The Tioga County Legislature has read, reviewed, and agreed with the information presented in the Plan; therefore be it

RESOLVED: That the Tioga County Legislature accepts and adopts the Tioga County Sheriff Police Reform & Reinvention Collaborative Plan; and be it further

RESOLVED: That the Tioga County Legislature, upon adoption of this resolution, will send the Tioga County Sheriff Police Reform & Reinvention Collaborative Plan to the New York State Department of Budget by the established deadline for full compliance.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislators Monell, Mullen, and Standinger.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 64-21 *ESTABLISH AND FUND E911 RESERVE FROM
LOCAL LAW NO. 3 OF 2017 AND
LOCAL LAW NO. 1 OF 1991*

WHEREAS: Tioga County adopted Local Law No. 1 of 1991 which imposed a monthly local surcharge per access line for an enhanced emergency telephone system; and

WHEREAS: Tioga County adopted Local Law No. 3 of 2017 which imposed a monthly wireless communication surcharge per wireless device in service; and

WHEREAS: Local Law No. 1 of 1991 and Local Law No. 3 of 2017 restrict the use of such funds as required by Article 6 of the County Law and section 186-g of the Tax Law and further requires Legislative approval to expend these funds collected from line and wireless surcharges; and

WHEREAS: The County desires to place future wired and wireless surcharge funds into a E911 Reserve account and presently fund this account with the balance of unexpended surcharge funds from 2012 to present; therefore be it

RESOLVED: The E911 Reserve is hereby established and funded through a transfer of unexpended funds as follows:

FROM:	A 390900 Fund Balance Unrestricted	\$1,475,160.30
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TO:	A 388903 Reserve for E911	\$1,475,160.30
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ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislators Monell, Mullen, and Standinger.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:09 A.M.

Public Hearing
Annual Agricultural District Inclusion
February 18, 2021

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2021 was called to order by the Chair at 10:09 A.M. Six Legislative members were present with Legislators Monell, Mullen, and Standingier being absent.

There were nine people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Megan Griffiths, Agricultural Development Specialist of the Economic Development & Planning Department spoke. "This year for the agricultural district inclusions, people could request their land be included from January 2nd – January 31st, 2021. This year, we had four requests for addition; three of these were new parcels with new land being added and one is a newly formed parcel. For the newly formed parcel, this land was already included in the agricultural district, but after checking with NYS Ag and Markets, they would like us to put the new pin on the list of agricultural district inclusions. As a result, there will be just over 146 acres of viable agricultural land added to the agricultural districts. These parcels are located in the Towns of Barton, Candor, and Newark Valley and will result in the addition of land in the Spencer Agricultural District #1 and North-Tioga Agricultural District #3."

There being no further comments, the hearing was adjourned at 10:11 A.M.

WHEREAS: In the early 1980's, Mr. Lopke began rock and aggregate crushing with his first plant located in Lounsberry, NY and with the acquisition of several locations in Broome and Tioga Counties there are currently fourteen plants locally; and

WHEREAS: Lopke Quarries, Inc. was later formed and specializes in contract crushing up and down the east coast doing business in 10 states; and

WHEREAS: In the late 1990's, Mr. Lopke acquired a plant in Las Vegas, Nevada, which became Lopke Granite Products. This acquisition was instrumental in the business growth he sought; and

WHEREAS: Through Mr. Lopke's keen business sense and leadership, F. S. Lopke Contracting, Inc. has over 200 valued employees and is one of the top sand and gravel producing companies in the United States; and

WHEREAS: Throughout the years, Mr. Lopke belonged to numerous organizations pertaining to the construction industry and remained involved in the daily business activities until 10 days before his passing leaving behind a company that only he could have built and one where his influence will be long-lasting and spirit will forever be the foundation of the Lopke Companies; and

WHEREAS: Mr. Lopke is survived by his wife of 62 years, Barbara, four children, and nine grandchildren; therefore be it

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Mr. Lopke's daughter, Ann Trivisonno spoke. "Thank you so much. This would have meant so much to my dad."

Chair Sauerbrey reported we have one Proclamation on Rabies Prevention & Awareness Month that will be noted in the minutes.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Rabies is a contagious and fatal virus that is spread among dogs, cats, bats, raccoons, foxes and other mammals, including humans; and if left untreated has a 100% fatality rate for humans; and

WHEREAS: It is vital to notify Tioga County Public Health of all animal bites and wild animal exposures, including bats, due to the potential risk of rabies; and

WHEREAS: In 2020, Tioga County Public Health tested a total of 43 animals for rabies and 2 tested positive including: 1 raccoon and 1 fox. Additionally, over 20 residents received preventative rabies treatment.

WHEREAS: With animal vaccination, rabies is preventable; and

WHEREAS: New York State law requires all dogs, cats, and ferrets get their first rabies vaccination no later than four months of age and their second rabies shot within one year. Thereafter, a booster shot is required every three years; and

WHEREAS: In 2020, Tioga County Public Health vaccinated over 500 animals at rabies vaccination clinics throughout the county; and

WHEREAS: Tioga County Public Health will be hosting their next rabies vaccination clinic on March 14, 2021 at the Stray Haven Humane Society; therefore

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

RABIES PREVENTION & AWARENESS MONTH

and urges all the citizens of Tioga County to vaccinate their pets against rabies.

Chair Sauerbrey spoke. "We have lots of things on the agenda today and one of them is the recognition of our graduates for the Institute for Advancement. This program was started in the County in 2018. This program is to help our employees develop better skills so they can be promoted within their Departments. I like to think of it as a leadership program to build and encourage our employees, to motivate them, to help them connect with other kinds of people across the County, to understand better how the County government works, and how they can contribute to a better County government."

Steven Palinosky spoke. "Good Afternoon Ladies and Gentlemen. On behalf of the committee for the Tioga County Institute for Advancement, welcome to today's event where we are recognizing the graduates of the Institute for Advancement Class #2. My name is Steven Palinosky and I will be your MC for today's program.

"Before we move on to today's program, we would first like to express our appreciation to the County Legislature and to Department Heads for their continuing support of this program. We would also like to thank the members of the Institute for Advancement Committee: Martha Sauerbrey, Bethany O'Rourke, Joy Bennett, Ellen Pratt, Sarah Begeal, and Steven Palinosky. We would like to give a special thanks to the person who is the glue that holds the Committee together and keeps us on track, our secretary Linda Sampson. Thanks, Linda.

"To get to this point, obviously we had to start with Class #1. Class #1 began with 19 students in 2018. During that year, the Class attended several training sessions including: Tioga County Government 101, Management, Hiring, Performance Evaluations, & Supervision, Civil Service, Conflict Management, Budget Preparation & Fiscal Skills, and Real Colors where we learned about recognizing and working with different personality types. We liked Real Colors so much that we now have our own Real Colors trainer for the County, our Personnel Officer Bethany O'Rourke. During 2019, graduates from Class #1 were offered the opportunity to attend follow-on training, including additional budget and Munis training and Ethics in the Workplace.

"Class #2 began in 2020 with high hopes to continue to develop the program. We trained Real Colors in February, but then COVID-19 arrived. We were able to pivot and embrace the technology of Zoom and were able to train Strength-based Communications, Tioga County Government 101, and Ethics in the Workplace.

"It is our high hope that this program will continue to improve and evolve, as we work to develop the future leaders of Tioga County.

"Now, it is time to recognize the graduates from Class #2.

"First, we will recognize those individuals who are not able to be with us today, but please congratulate them wherever and whenever you may see them.

"Abby Hendrickson – Economic Development and Planning

"Kevin Humes – Law Department

"Kelly Johnson and Janis Nelson – County Clerk's Office

"Heather Vroman – Public Health

"Next, we will recognize those individuals who are here with us. Please stand when your name is read and remain standing. Please hold your applause until all names are read.

"Katie Chandler – Treasurer's Office

"Joyce Constantini – Department of Motor Vehicles

"Cole Ford – Public Works

"Bryan Goodrich – Information Technology and Communication Services

"Megan Griffiths – Economic Development and Planning

"Catherine Healy – Mental Hygiene

"Amy Poff – Personnel Office

"Chad Post – Probation Department

"Anita Teed – Department of Social Services

"James Wahls – Board of Elections

"Julie Whipple – Department of Social Services

"Ladies and Gentlemen, the Class #2 graduates of the Tioga County Institute for Advancement.

"We would like to thank Katie Chandler and Bryan Goodrich who have joined the Committee. We are looking forward to working with them in the future.

"That concludes our program; we thank you all for coming. At this time, we will turn the floor back over to Legislative Chairwoman Martha Sauerbrey for the State of the County Address. Following that, we ask the graduates to meet by the mural in the hallway for pictures."

Chair Sauerbrey presented the State of the County Address for 2020 as follows:

“The way a team plays as a whole determines its success. You may have the greatest bunch of individual stars in the world, but if they do not play together, the club will not be worth a dime. Babe Ruth, baseball legend.

“Our team brought us through 2020. The Year 2020 began on a high note. Expectations were high and we finally secured a contract to upgrade our badly needed Emergency Communications System, an important project that took years in the making. A working Emergency Communications System is critical to the safety and well-being of all residents in Tioga County and we were very optimistic that we could hit the ground running, secure grant funding, and start moving forward.

“Our world stood still when the COVID-19 Virus struck New York City. The Governor declared a State of Emergency to contain the spread of the Coronavirus and we followed suit on March 14th closing all Tioga County schools. We spent the next days, weeks, and months following the Governor’s Executive Orders. There were daily meetings with Albany giving us directions on how safely to go about our daily life at work and at home. There were orders, guidance, and rules calling out a new way to behave and it stopped us right in our tracks. Fifty percent (50%) of our workforce was sent home and some of our employees were able to work remotely thanks to the quick thinking and response of our IT Department. Quick thinking Department Heads split shifts in order to reduce the number of workers on site at one time, still getting the work done. Our Department of Motor Vehicles (DMV) closed and the phone began to ring. There were so many questions and the answers were not ours to choose.

“We needed masks, PPE, and hand sanitizer and so did the rest of the community. Emergency Management stepped up, came through, scrounging for needed items making deliveries any time of the day or night providing items to insure our safety.

“It was clear that this community wanted to know what was going on and we did our best to communicate with daily press releases, press conferences, and radio spots. Then, there was the fear and concern in the community even though our numbers were small we had to prepare the community for significant behavioral changes.

“The changes came and businesses were closing, restaurants switched to take out only, no sports, no community activities, and no gatherings. Our Legislative meetings quickly turned to Zoom meetings and we managed to do the work of the county government virtually.

“Without the support of the County Attorney, Legislative Clerk, and our Personnel Director, I am not sure how I would have survived. There was daily communication coming out of the State and Federal Government and most of it contradicted each other.

“We developed plans for closing and then we developed plans for re-opening. As our numbers increased, it became more important to send a message to the community that they needed to be careful.

“Then the deaths came. How do you report the loss of a loved one in a press release to the community? How do you say you are sorry and that you wish you could fix this, defeat the virus, and win the battle? To date, we have lost 70 individuals to the COVID-19 Virus. We lost friends, family, and community members. Anger and fear rose up. Who would be next?

“The increase in fear, anxiety and then abuse meant that more Mental Health services were needed and our Mental Health Department stepped up offering Telehealth sessions with individuals, helping people deal with the fear and depression that COVID-19 brought.

“The disturbing upward trend of opiate use in Tioga County continued through 2020. This was manifested in addiction to prescription opiate medications, as well as illicit opiates. In 2020, Tioga County Probation saw a marked increase in the use of methamphetamines by people on probation. Despite the reduction in services due to the pandemic, Probation continued to work closely with agencies such as Addiction Center of Broome County (ACBC) to attempt to provide those struggling with addiction with necessary services and support.

“Spring and summer brought added anger and unrest across the country due to the death of George Floyd. In May, the Governor created a mandate that all municipalities with a police force must participate in the Police Reform and Reinvention Collaborative in order to restore the relationship between the police and community. It was a lengthy process; one that involved all the community and I am pleased to say that we have completed and submitted our Plan.

“The Governor also mandated that counties create their own Pandemic Operations Plan in case there was another pandemic. Thankfully, the Planning Department stepped up and did an amazing job managing the project, which we will pass today in our Legislative meeting.

“Good News. Amidst the pandemic, the Board of Elections pulled off a flawless series of elections, which included the Presidential Election and now they are right back at it again.

“Despite the pandemic, bridges and roads had to be repaired, snow had to be plowed and our buildings had to be maintained. Our Public Works Department took care of many needs as we re-arranged spaces to accommodate space restrictions and the traffic flow within buildings.

“Social Services stood like a fortress ready to provide support and services for citizens during the pandemic. The Tioga County Career helped with unemployment benefits and helped provide jobs and clarification to those in need.

“Economic Development stepped up to help businesses through the closing and re-opening phases, helping to communicate the many rules and regulations that came down from the State on how to do things properly and safely. They also created an Economic Development Recovery Advisory Board to help businesses recover from the economic downturn. In response to the COVID-19 pandemic, TEAM Tioga worked with the Tioga County Foundations Coalition to establish the Tioga County Foundations Coalition Emergency Fund, a fund collaborative that provided support for organizations working with individuals and families most negatively affected by COVID-19. Quickly and efficiently, \$73,000 was distributed to 11 essential non-profit organizations in Tioga County.

“Tioga County Tourism pivoted from their original 2020 marketing plan in response to the COVID-19 pandemic with the shift from promoting visitors to promoting Shopping Local. Tourism stepped up with a Tioga to Go Campaign to promote take out to keep our restaurants up and running.

“As the pandemic wore on, more items were thrown in the mix for counties to juggle. The biggest challenge was creating a county budget for 2021 without knowing how long the pandemic would last, how big State Aid cuts would be, and if there would ever be any Federal bailout. The only thing that gave us hope was the years of prudent budgeting that allowed us to save for a rainy day. While County Public Health planned and prepared emergency health protocols, the Legislature planned and prepared for a fiscal storm. Early on in the pandemic, our sales tax income was at a shocking level of minus 41%. We made cuts during the year, starting with a 10% budget cut across the board for every department and again at budget time. We put a 90-day hiring freeze in place to slow down expenses. The biggest challenge? We never knew what was coming next. As a result, we were able to produce a budget for 2021 and stay under the property tax cap. At the end of the year, we ended with only a loss of 3%, which was considerably better than expected.

“I appreciate all the Departments that stepped up and did their best to save taxpayer dollars. Thank you.

“When the year started, we knew our recycling contract would expire at the end of the year and we had plans in place to work on a new contract. However, a major fire destroyed the Material Recycling Facility and we knew we had to act quickly. We understood the value of commodities had decreased and we fully expected an increase in costs, but not double the cost for half the service. The lowest bid was simply not affordable. We looked at options, researched recycling districts, but in the end after considerable thought, we decided that private business was the answer. To date, private businesses have stepped up and recycling continues.

“The Tioga County Property Development Corporation (Land Bank) started conversations with the Ithaca Neighborhood Housing Services and Tioga Opportunities, Inc. on a proposal to construct 40 new residential units and six townhomes in the Village of Owego. Property has been purchased and 13 properties were identified for the Temple/Liberty Street Redevelopment Project, which addresses affordable housing. Nine other projects in the Village of Waverly were completed, which improved neighborhoods and restored property value.

The Tioga County Industrial Development Agency (IDA) has been busy and work has begun on Owego Gardens 2, which is a sign of hope for the future. Manufacturing companies are looking at Tioga County for opportunity.

“We are moving forward on our Emergency Communication System for the County. We will accomplish this must needed communication system for the safety of all Tioga County residents. We will also look for ways to strengthen emergency medical services in the County, especially in rural areas.

“Things are getting better. Kids are going back to school and playing sports, restrictions are being lifted, and the vaccine has arrived.

“What we have learned from this community is that we are resilient. We knew that because of the floods and the fires in the past, but this was something entirely different. We learned that we can work and attend school from home, but we need to expand broadband coverage, so you do not have to do your homework in the school parking lot to get a signal. We learned that we could carry on the basics of county government working at 50%, but only for a very limited amount of time. We learned that we can do with less, but we also learned that community and relationships are critically important. We need to operate as a unit focused and communicating to make good solid decisions and make sure everyone is heard. Finally, we learned we could meet a challenge, hunker down, and do the hard things. It is not pretty; it is difficult. But, we also learned that we could not do it alone. We need each other; supporting, helping, and encouraging one another.

“I would like to stop here and take a moment to thank all of the Tioga County employees for being great team members. Thank you for the long hours, for your patience on the confusion of the changing rules, and mostly for your commitment to the County.

“I need to say a special thanks to our Public Health Department. A hero is every public health professional in our communities across America working to protect us from COVID-19 and other health threats. There are many heroes in Tioga County and ours is the Public Health Department. The Public Health Director, nurses, contact tracers, educators, administrators, volunteers, and jack-of-all-trades have been giving us what we need to protect our families and communities. Working seven days a week in the beginning of the pandemic, advising our schools, businesses, and communities and protecting those at greatest risk. We see you. We appreciate you. And, we thank you.

“We have been doing the hard things and now we are moving past. We stared fear in the face and we did the things we thought we could not do. Thank you.”

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of February 4, 9, and 18, 2021, seconded by Legislator Monell 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 Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 66-21 APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/21-3/31/22
Crime Victim	4/1/21-3/31/22
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/21-3/31/22

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 67-21 *APPOINT MEMBER TO THE BROOME-TIOGA
WORKFORCE DEVELOPMENT BOARD*

WHEREAS: The Broome-Tioga Workforce Development Board is desirous of including an additional Tioga County Representative on the Board; and

WHEREAS: The Broome-Tioga Workforce Development Board is requesting the new appointee represent the Private Sector, specifically the manufacturing field; and
WHEREAS: Robert Messler, Senior Vice President and General Manager for Voigt and Schweitzer Galvanizing LLC, has agreed to serve for a four-year term on the Broome-Tioga Workforce Development Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Robert Messler to the Broome-Tioga Workforce Development Board for a four-year term effective March 10, 2021 through December 31, 2024.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 68-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Beth Johnson expires as of March 31, 2021; and

WHEREAS: Beth Johnson has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Beth Johnson for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 69-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Christine Di Stefano expires as of March 31, 2021; and

WHEREAS: Christine Di Stefano has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Christine Di Stefano for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 70-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member Dave Astorina expires as of March 31, 2021; and

WHEREAS: Dave Astorina has expressed a desire to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Dave Astorina for another three-year term effective 4/1/21 through 3/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the resolution withdrawn, seconded by Legislator Mullen and carried.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -21 SET PUBLIC HEARING FOR GRANT APPLICATION TO NYS HCR OCR CDBG FOR 2020 PROGRAM YEAR

WHEREAS: The Community Development Block Grant (CDBG) program is administered by the New York State Office of Community Renewal (OCR), and will make available to eligible local governments approximately \$10,000,000 for the 2020 program year for Housing Activities, with the principal purpose of benefitting low/moderate income persons; and

WHEREAS: Tioga County is considering submitting an application under the CDBG Housing Activities program for the 2020 program year for housing activities that include housing rehabilitation within the Village of Owego; and

WHEREAS: Tioga County, as a non-entitlement unit of local government, is an eligible entity to apply for and receive NYS HCR OCR CDBG funding on behalf of the Village of Owego as a non-entitlement unit of local government; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing before a quorum of the full legislative body in compliance with NYS Citizen Participation requirements, prior to submitting an application for funding; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing allowing for citizen feedback on the community and economic development needs of Tioga County and NYS HCR OCR CDBG application for the 2020 program year on March 18, 2021 at 10:00 AM in the Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard by the Tioga County Legislature at this hearing.

ROLL CALL VOTE TO WITHDRAW

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

No – None.

Absent – Legislator Weston.

RESOLUTION WITHDRAWN.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 71-21 *AUTHORIZE 2021 REQUESTS FOR INCLUSION OF LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts located within the Spencer Agricultural District #1 and the North Tioga Agricultural District #3 totaling 146.11 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have "little likelihood of significant adverse environmental impact..." via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2021 requests for inclusion of land listed in said report into the Spencer Agricultural District #1 and the North Tioga Agricultural District #3; and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer Agricultural District #1 and the North Tioga Agricultural District #3 effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 72-21 *ADOPT TIOGA COUNTY
PANDEMIC OPERATIONS PLAN*

WHEREAS: In June 2020 the NYS Legislature amended the NYS Labor Law by adding §27-c which mandates that all municipalities develop and adopt a Pandemic Operations Plan to be complete by April 1, 2021; and

WHEREAS: The County Legislature has developed its County Operations Plan with input from every Department and incorporated comments received from its Unions; and

WHEREAS: Said Plan contains all required components and, upon adoption, will be posted to the Legislature page on the County's website, tiogacountyny.gov; therefore be it

RESOLVED: That the Tioga County Legislature hereby adopts Tioga County's Pandemic Operations Plan.

Chair Sauerbrey spoke. "This was a Plan that the Governor required we create. I was in the middle of the Police Reform Plan, we were in the middle of COVID-19, and we were finishing the 2021 budget process, therefore, I reached out to LeeAnn Tinney, Director of Economic Development and Planning. Elaine Jardine, Planning Director, stepped up and basically did the entire Plan. We appreciate Ms. Jardine's help in every way. Thank you, Elaine."

WHEREAS: The NYSDOT fiber right-of-way fee is acting as a significant financial deterrent to broadband buildout in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually; and

WHEREAS: Legislation has been introduced in the Legislature to repeal these counterproductive sections of law that prevent the expansion of affordable broadband services in unserved and underserved communities across New York; therefore be it

RESOLVED: That the Tioga County Legislature formally opposes the enactment of the NYSDOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately, so that the Governor's pledge can be fulfilled and the expansion of the fiber network in Tioga County may continue in order to serve unserved and underserved areas; and be it further

RESOLVED: That the Tioga County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, and all others deemed necessary and proper.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 74-21 *AUTHORIZE THE SUBMISSION OF THE
2020-2021 PSAP OPERATIONS GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2020-2021 PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: County Policy Section 9 (e) (former policy #47) requires that a resolution be approved before any such grant application is submitted. However, due to the

short notification period, the Tioga County Sheriff's Office had to submit an application for this funding by February 24, 2021; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, after the fact, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 75-21 *AUTHORIZE INCREASE IN ADMINISTERING
MORTGAGE TAX BY THE TIOGA COUNTY CLERK
AS APPROVED BY NEW YORK STATE
DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$145,260.05 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$145,260.05 for the period of April 1, 2021 – March 31, 2022; therefore be it

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$12,105.00 at a total annum amount of \$145,260.00.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 76-21 *ERRONEOUS ASSESSMENT
TOWN OF TIOGA*

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

RESOLVED: That a new tax bill be issued to Cindy Agnellino as follows:

	Original Bill #	Corrected Bill #
County	\$2596.24	\$2596.24
Town Wide	\$950.69	\$950.69
School	\$3064.98	\$0.00
Fire	\$313.23	\$313.23
Total	\$6925.14	\$3860.16

RESOLVED: That the erroneous school tax of \$2864.47 be charged back to the Tioga Central School District; and be it further

RESOLVED: That the Tioga County Treasurer’s penalty of \$200.51 be charged to the proper account in the records of the County Treasurer’s Office.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 77-21

*ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the year 2021 indicates that parcel #58.00-1-53.22 Account #1720 in the Town of Spencer assessed to State of New York Mortgage on the 2020 assessment roll is erroneous in that the exemption 12100 was not applied; and

WHEREAS: State of New York Mortgage is wholly exempt; and

WHEREAS: A 2021 Town and County bill was erroneously generated for this parcel; therefore be it

RESOLVED: That Bill #1601 in the amount of \$5,597.54, produced for State of New York Mortgage, in the Town of Spencer be rendered null and void; and be it further

RESOLVED: That the erroneous county tax of \$1,398.86 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$1,040.62 be charged back to the Town of Spencer; and be it further

RESOLVED: That the erroneous Fire tax of \$85.02 be charged back to the Spencer Fire Department; and be it further

RESOLVED: That the erroneous returned school tax of \$2,872.00 be charged back to the Spencer-Van Effen School District; and it be further

RESOLVED: That the erroneous County Penalty of \$201.04 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 78-21 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the years 2019 & 2020 indicates that parcel #155.00-1-2.111 Account #11346 in the Town of Barton, assessed to John & James Vanderhoof, was created erroneously due to a mapping error; and

WHEREAS: Town and County tax bills for 2019 and 2020 were generated and remain unpaid; and

WHEREAS: It was discovered that this parcel should not have been created and was deleted from the 2020 assessment roll to stop future erroneous tax bills from being generated; therefore be it

RESOLVED: That the 2019 Bill #3902 in the amount of \$966.51 and the 2020 Bill #3630 in the amount of \$196.60, produced for John & James Vanderhoof, in the Town of Barton, be rendered null and void; and be it further

RESOLVED: That the erroneous county tax of \$126.99 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$26.29 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous Fire tax of \$11.42 be charged back to the Barton Fire Department; and be it further

ROLL CALL VOTE

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

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. 80-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

WHEREAS: Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; 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: Administration	\$ 25,000
To: A6010.540487 Program Expense	\$ 10,000
To: A6010.540140 Contracting Expenses	\$ 15,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 81-21 *RESOLUTION APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Amounts received in general fund of County restricted for Law enforcement purposes should be used for Law enforcement purpose by the District Attorney in the year received. If not used, the unexpended balance shall be transferred to Criminal Proceed Forfeiture Reserve Fund (Account A-388901). The amounts in this account must be used in the next succeeding fiscal year for Law enforcement purposes by the District Attorney; and

WHEREAS: Tioga County has a remaining budget of crime forfeiture proceeds in 2020 that will need to be carry forward into 2021. The Sheriff's remaining budget is \$2,436.22 and the District Attorney's remaining budget is \$4,112.90; and

WHEREAS: There are two Crime Proceeds reserves accounts that have balances that need to be allocated into the District Attorney's budget. Crime Proceeds Restricted (388901) \$7,096.90 and Crime Proceeds Unrestricted (388905) \$16,299.11; and

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

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250	Forfeiture of Crime Proceeds	\$ 18,584.06
	A1165-426260	Forfeiture of Crime Proceeds Restricted	\$ 8,924.86
TO:	A1165-540335	Asset Forfeiture Expense	\$ 27,508.92
FROM:	A3110-426250	Forfeiture of Crime Proceeds	\$ 297.10
	A3110-426260	Forfeiture of Crime Proceeds Restricted	\$ 2,139.12
TO:	A3110-540335	Asset Forfeiture Expense	\$ 2,436.22

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 82-21 RE-ESTABLISH PRIOR YEAR 2020 CAPITAL
FOR 2021 BUDGET FOR FIRE/EMO

WHEREAS: Personal Protective Equipment order was placed in 2020 for the Fire/EMO department but will not be received prior to the closing of 2020; and

WHEREAS: Prior year Capital Equipment requests need to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore it be

RESOLVED: That the following accounts and amounts be re-established:

Capital Equipment

A3410 520215	Personal Protective Equipment	\$	6,000.00
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 83-21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
SHERIFF'S OFFICE

WHEREAS: Police vehicles were ordered in 2020 for the Sheriff's Office utilizing 2020 budgeted monies. Due to COVID production delays, the vehicles will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$64,040.62 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H3110 521060 be re-established with 2020 money in the amount of \$64,040.62 and the 2021 budget be increased accordingly.

H3110 521060 Capital Equipment Cars \$64,040.62

ROLL CALL VOTE

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

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. 84-21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) ordered a vehicle in 2020 for TCPH utilizing 2020 budgeted monies. Due to COVID production delays, the vehicle will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$18,000.61 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H4011 520060 be re-established with 2020 money in the amount of \$18,000.61 and the 2021 budget be increased accordingly.

H4011 520060 Capital Equipment Cars	\$18,000.61
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	PUBLIC WORKS COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 85-21	<i>RE-ESTABLISH PRIOR YEAR 2020 BUCKET LOADER BUDGET</i>
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WHEREAS: Prior Year Projects Fund needs to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore be it

RESOLVED: That the following account and amounts are re-established and the 2021 budget is amended:

<u>Capital Equipment</u>	<u>Amount to Re-Establish</u>
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H5130 521920 Bucket Loader	\$ 7,046.05
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 86-21 *APPROVE SUPPLEMENTAL AGREEMENT FOR
WEST CREEK ROAD BRIDGE – CONSTRUCTION
SUPPORT AND INSPECTION SERVICES*

WHEREAS: Tioga County was awarded funding through NYSDOT 2018 Bridge NY program for a bridge project, West Creek Road over West Branch Owego Creek, BIN 3335200; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 27-19; and

WHEREAS: There is a need for Construction Support and Inspection Services to provide Engineering Services for the project; and

WHEREAS: Delta Engineers, Endwell, NY has submitted a supplemental agreement proposal of \$162,172.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support and Inspection Services not to exceed an extra \$162,172.00, for a new total of \$396,191.00 to be paid out of the following account:

H5110.540004.H1904 – West Creek Road Bridge – BIN 3335200

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 87-21 *AUTHORIZE AND FUND MICROSOFT SQL SERVER DATABASE LICENSES WITH APPROPRIATION FROM CAPITAL SOFTWARE RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: The County utilizes Microsoft SQL software for critical daily operations; and

WHEREAS: The ITCS Director has evaluated the current Microsoft licensing needs; and

WHEREAS: A need to purchase new versions of Microsoft SQL database software for use on servers for the County’s core financial application, County Clerk records system, Board of Elections software and GIS server have been identified due to recent system upgrades; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$12,379.04 to Dell, the holder of the Microsoft NYS OGS contract for software purchases from the Capital Software Reserve Fund for the purchase of Microsoft Windows SQL Server licenses; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund	\$12,379.04
TO: H1680-520620 Information Technology Capital Software	\$12,379.04

2. Section III – Financial Rules – Subsection c – Fixed Assets:

Amend all references to the IT Department to read County Clerk's Office.

And be it further

RESOLVED: That the remainder of the Employee Handbook is in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 89-21 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2021; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2021 until March 31, 2023.

Legislator Mullen spoke. "She has done an incredible job in this position. If you get an opportunity, read up on her story of finding the courthouse Bell of Sessions that has been missing the better part of 100 years. She found it. She does a great job for us and I wanted to express my gratitude publicly for the job she has done.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 90-21

*AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-
BOARD OF ELECTIONS*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: The Board of Elections has had a part-time Voting Machine Technician position vacant since December 31, 2020, due to a resignation; and

WHEREAS: The Democratic Election Commissioner received verbal authorization at the December 22, 2020 Legislative Worksession to fill said position prior to the 90-day delay implemented by Resolution 195-20; and

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

RESOLVED: That the Democratic Election Commissioner is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the part-time Voting Machine Technician vacancy with the appointment of Aicha Hatch effective March 10, 2021, at the established rate of \$20.00 per hour.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 91-21 *AUTHORIZE WAIVER OF 90-DAY HIRING
DELAY-DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: Effective January 19, 2021 and January 22, 2021, two Caseworker positions became vacant due to incumbent's resignations; and

WHEREAS: Said vacancies impact the CPS/Preventive unit in the Children's Services Division, therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill two Caseworker vacancies effective on or after March 10, 2021 from the appropriate civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 92-21 *AUTHORIZE WAIVER 90-DAY HIRING DELAY
AND APPROVE SALARY ABOVE
HIRING BASE DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE*

WHEREAS: Resolution 195-20 implemented the 90-day hiring delay for vacancies; and

WHEREAS: Effective February 13, 2021, a full-time Deputy Sheriff position became vacant due to a promotion; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: Michaela Marsh, a transfer candidate with over 10 years of law enforcement experience, has applied and has been found both eligible and willing to accept a transfer from the Ithaca Police Department to the Deputy Sheriff vacancy in Tioga County; and

WHEREAS: Resolution 211-99 requires legislative approval for any appointments made above an established base salary amount. The Sheriff has received approval from the Tioga County Law Enforcement Union to hire a new Deputy Sheriff, who has over 10 years of law enforcement experience, at an annual salary rate reflecting three years of experience per the current union contract, or \$61,290; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position with Michaela Marsh at an annual salary of \$61,290 effective March 13, 2021.

Legislator Mullen spoke. "We are getting a very experienced officer from Ithaca Police Department and it is an example of what happens when a municipality overreacts or, for political reasons, makes decisions about public safety. There are going to be quite a few Ithaca police officers looking for employment elsewhere because of what is going on up there with the police department. It is to our benefit, but certainly not to the benefit of the citizens of Ithaca, NY."

Legislator Standinger spoke. "Their loss is our gain."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

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

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 93-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
PERSONNEL

WHEREAS: The Personnel Department is in need of replacing a desk chair; and

WHEREAS: The Chair line item in Personnel's 2021 Budget is unfunded; and

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

RESOLVED: That the Personnel Department budget be modified and the following sums be transferred from within the Personnel budget to cover the costs of said purchase:

From: A1430 540733	Training Other	\$110.00
To: A1430 520070	Chair	\$110.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:40 P.M.

Fourth Regular Meeting
April 13, 2021

The Fourth Regular Meeting of 2021 was held on April 13, 2021 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present with Legislator Roberts being absent.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we ask for your blessings to continue doing the work on behalf of our County's residents. Please bless them and help them as they struggle through the COVID-19 situation and the aftermath."

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

There were 12 people in attendance.

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

Legislator Balliet read and presented the following resolution to Linda M. Bogart, Recording Clerk, County Clerk's Office.

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

REFERRED TO ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 94-21 *RECOGNITION OF LINDA M. BOGART'S
35 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY*

WHEREAS: On May 13, 1980, Linda M. Bogart began her career with Tioga County as a part-time Clerk-Typist at the Department of Social Services. Within two months, Linda was appointed to a full-time Clerk-Typist position in the County Clerk's Office and by October 4, 1982, Linda was promoted to Account Clerk-Typist. In 1989, Linda took some time off from work to stay at home with her newborn baby daughter, Jenny. On September 28, 1992, Linda went back to work for the Department of Social Services as a part-time Account Clerk-Typist. After three years with DSS, Linda returned to the County Clerk's Office as a full-time Account Clerk-Typist. As of January 1, 2012, the title of her position was reclassified to Recording Clerk, which is the position from which she is retiring after 35 years of exemplary service; and

WHEREAS: Linda has been extremely dedicated, loyal, and professional in the performance of her duties and responsibilities during her 35 years with Tioga County; and

WHEREAS: Linda is always ready and willing to assist any of her peers and the general public with genuine kindness and experience and has thus earned the respect of the County Clerk, Deputy County Clerk, colleagues, and peers throughout Tioga County; and

WHEREAS: Linda M. Bogart will retire on April 30, 2021; now 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 Linda M. Bogart for her 35 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, Linda M. Bogart.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standingier.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Linda Bogart spoke. "I have really enjoyed my time with the County. I work with a great bunch of people. Thank you for this honor."

County Clerk Klett spoke. "I just want to say to Linda that whenever we find someone to take the Recording Clerk position they will not replace you, that's for sure. They are going to have some big shoes to fill. We are going to miss you. Have a long, healthy, and happy retirement."

Chair Sauerbrey spoke. "Good luck to you Linda on your new life as a retiree."

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

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 95-21 *RECOGNIZING CHARLES THAYER'S
20 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY*

WHEREAS: Charles Thayer started his employment with Tioga County as Laborer of Public Works November 6, 2000; and was promoted to MEO I on February 17, 2001; and was promoted to MEO II on June 16, 2001; and was promoted to MEO III on November 25, 2002; and was promoted to HEO I on February 22, 2010; and

WHEREAS: Charles Thayer has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 20 years to the Public Works Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Thayer is retiring on April 29, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Charles Thayer for his 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this dedicated and outstanding employee, Charles Thayer.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standingier.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have three Proclamations. Two proclamations; Public Health Week and Child Abuse Prevention Month will be noted in the minutes. Legislator Standinger will read and present the proclamation for Immunization Awareness Week in Tioga County to Public Health Educator, Laura Bennett.

Chair Sauerbrey spoke. "Public Health Week was April 5 – 11, 2021. Again, as I said in my comments to the community in my State of the County Address, our Public Health Department has done an exemplary job getting us through the COVID-19 experience and now leading us out of the COVID-19 experience. I would like to thank the Public Health Department and Public Health Director McCafferty for her leadership".

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Throughout the COVID-19 pandemic public health has worked diligently to minimize the burden of disease through community outreach, collaboration with community partners, contact tracing, and COVID-19 vaccination clinics; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga County without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by following basic public health recommendations, abstaining from tobacco use, prioritizing sleep, making time for regular physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, providing services for children with developmental disabilities, ensuring safe living conditions, enforcing environmental health regulations, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 5 – 11, 2021 as

PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

**County of Tioga
EXECUTIVE PROCLAMATION**

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,050 reports of alleged abuse/neglect involving 2,285 children in 2020; and

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

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

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

WHEREAS: Programs like The Child Advocacy Center, Cornell Cooperative Extension, Lourdes PACT, Catholic Charities, Hillside's Regional Permanency Center, CASA-Trinity, and AspireHope NY offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

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

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2021 as

CHILD ABUSE PREVENTION MONTH

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

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: The week of April 24th-30th is designated as *World Immunization Awareness Week*; and

WHEREAS: Vaccination against preventable diseases is acknowledged as one of the most effective public health missions that saves millions of lives each year; and

WHEREAS: Routine vaccinations have been negatively impacted by the COVID-19 pandemic, with immunization rates significantly declining in the adolescent and adult populations; and

WHEREAS: Following the Center for Disease Control and Prevention's Recommended Immunization Schedule for Children protects children from 14 potentially serious diseases before their second birthday; and

WHEREAS: The release of vaccinations for COVID-19 has reiterated the importance of educating the public on the benefits of vaccination to reduce rates of severe illness and/or death from the novel coronavirus; and

WHEREAS: As of March 25, 2021, approximately 20.8% of Tioga County residents have received at least one dose of the COVID-19 vaccine; and

WHEREAS: Awareness, coupled with education and outreach, on the efficacy and safety of vaccines can be utilized to improve Tioga County's routine and COVID-19 immunization rates, now therefore

The TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of April 24th – 30th as:

IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY

And urges residents to stay on schedule for routine immunizations and consider getting vaccinated against COVID-19 when eligible.

Legislator Standinger spoke. "As Chair of the Health & Human Services Committee, I would like to say a little about the Public Health Department. They have been very diligent with their clinics. In fact, I participate generally in the flu clinic every year without any ill effects and I have received both of my shots for COVID-19. They are very well organized and thorough in the administration of their vaccines. I appreciate the fact that we have employees that are able to step up and take care of business under Public Health Director McCafferty's directorship. I would also like to say that smallpox and polio are two that have been pretty prevalent until the vaccines came about."

Public Health Educator Laura Bennett spoke. "Hi, my name is Laura and I am a health educator at the Public Health Department. I think we can all agree that immunization is a hot topic right now, so we wanted to take this opportunity to promote routine immunizations, as well as the COVID-19 vaccine. We encourage everyone to check in with their primary care providers to see if they are up-to-date on routine immunizations and discuss receiving a COVID-19 vaccine, if you have not done so already."

"When this proclamation was written at the end of March, we were at approximately 20.8% of the County having received at least one dose of the COVID-19 vaccine and, as of today, that is up to approximately 28% so we were happy to see that."

"Thank you all for allowing us to declare April 24-30, 2021 as World Immunization Awareness Week and thank you for your support."

Legislator Weston spoke. "When Public Health receives the information on the percentage of dosages administered is that all collated within the State or does this include Tioga County residents who go to another state or county for their COVID-19 vaccinations?"

Public Health Director Lisa McCafferty spoke. "This particular data point is drawn from the New York State Immunization Information System (NYSIIS), so if you are in this system data is being recorded. However, if you go out of state to receive a COVID-19 vaccination, you are not part of NYSIIS; therefore, you are not counted in this data. The number Ms. Bennett provided today of approximately 28%, I am projecting is closer to 35% because the percentage is predicated on the total population of the county, which includes people under the age of 16 and up until last week this age group was not eligible."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of March 9, 2021, seconded by Legislator Mullen and carried.

Chair Sauerbrey made the following appointments to the **56 Main Street Building Committee:**

56 Main Street Building Committee:

Chair/Legislator Sauerbrey
 Legislator Roberts, Public Works Chair
 Public Works Commissioner Hammond
 County Attorney DeWind
 Safety Officer Thorpe
 Legislative Clerk Haskell

Chair Sauerbrey reported this committee will begin meeting in May 2021 and decide on the future of 56 Main Street and how we will function as we open from the COVID-19 Virus.

Chair Sauerbrey stated all Legislative Committees, with the exception of the Public Works Committee that did not have a quorum, met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 96-21 SUPREME COURT ORDER
 TOWN OF OWEGO

WHEREAS: The Supreme Court of the State of New York has rendered an Order in the matter of Southern Tier Hotel, LLC v. Town of Owego, New York and its Assessor, and Board of Assessment Review and issued Stipulation of Settlement and Order, indicating a reduction of assessment as decided by the parties involved, and filed on March 17, 2021; and

WHEREAS: The Court Stipulation of Settlement and order reduces the assessment of Southern Tier Hotel's parcel 129.11-1-15 for the tax year of 2020/2021; and

WHEREAS: The 2020/2021 taxes remain unpaid at the Town of Owego, and the order stipulates a new tax bill shall be generated according to the reduced assessment; therefore be it

RESOLVED: That new bill for the unpaid 2020/2021 tax year for 129.11-1-15 be issued by the Tioga County Treasurer's Office as stipulated by the order and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That the parcel 129.11-1-15 and 129.11-1-14.1 (not challenged through judicial review) be combined for the 2021, 2022, and 2023 final assessment roll, and be it further

RESOLVED: That the combined assessment of the subject properties shall not exceed \$1,088,000 for the tax years 2021/22, 2022/23, and 2023/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 97-21 *AMEND RESOLUTIONS #174-20 AND #203-20 TO CORRECT ERROR IN DATA CALCULATIONS FOR 2020 NEW YORK STATE 8-YEAR AGRICULTURAL DISTRICT REVIEWS*

WHEREAS: Pursuant to the New York State Agriculture and Markets Law Article 25AA and upon 300-day notice by the Department of Agriculture and Markets, the Tioga County Legislature completed a review of the existing Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1 to determine if it should be modified or terminated in 2020; and

WHEREAS: The Tioga County Legislature passed Resolutions #174-20 and #203-20 to approve the modifications to the Owego-Nichols Agricultural District #2 and the Spencer Agricultural District #1; and

WHEREAS: A clerical error was made in the data calculations when determining new parcels that were to be added to Agricultural Districts #1 and #2; and

WHEREAS: The clerical error resulted in the erroneous placement of two parcels in Agricultural District #1 instead of Agricultural District #2; and

WHEREAS: The clerical error also indicated that three parcels were listed as new additions to Agricultural District #1, however, they were already enrolled in Agricultural District #1 or #2; and

WHEREAS: These errors resulted in the incorrect amount of total acreage and farms in Agricultural Districts #1 and #2 listed in Resolutions #174-20 and #203-20; and

WHEREAS: As required by AML 303, the Tioga County Legislature must complete the correction of errors process by correcting any applicable resolutions and file the revised Tax Map Parcel Number List for Tioga County Agricultural District #1 and #2 with the County Clerk, the County Director of Real Property Tax Services and the Commissioner of New York State Agriculture and Markets; and

WHEREAS: The correction of these errors results in the total acreage of land in Owego-Nichols Agricultural District #2 as 27,627 total acres, 26,651 acres in farms, and 8 total new farms, and Spencer Agricultural District #1 as 49,232 total acres, with 32,184 acres in farms, and 18 total new farms; therefore be it

RESOLVED: That the Tioga County Legislature does hereby approve said proposed plan to correct the modifications to Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1; and be it further

RESOLVED: That it is intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these corrections to the Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1 modifications effective immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and be it further

RESOLVED: That the Budget Officer is authorized to make estimated budget increases at year end from discretionary savings as needed to reflect the budgeted amounts in the ITCS cooperative agreements with DSS, PH, and MH as follows:

Account:	Amount (Increase):
Social Services A6010.530100	\$ 23,301.68
Mental Hygiene A4309.530100	\$ 19,064.71
Public Health A4011.530100	\$ 13,910.28

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 99-21 EXECUTE LEASE WITH BARTERRA PROPERTIES, LTD.
FOR MENTAL HYGIENE SATELLITE OFFICE

WHEREAS: The County's current lease with Barterra Properties, Ltd. for the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly, NY will expire August 31, 2021; and

WHEREAS: It appears it is in the best interest of the County to continue the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly, NY; and

WHEREAS: A new lease for a portion of the building (Suite 2) at 80 William Donnelly Parkway has been negotiated for a two-year term at an annual rental \$22,960.00 plus prorated utilities; therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed to sign said lease with Barterra Properties, Ltd. for a portion of the building, (Suite 2) located at 80 William Donnelly Parkway, Waverly, NY for a two-year lease term ending August 30, 2023 at the annual rental of \$22,960.00 plus prorated utilities.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 100-21 *RENEW SOFTWARE MAINTENANCE AND
EXTENDED WARRANTIES WITH DOMINION VOTING
FOR THREE YEARS*

WHEREAS: The Tioga County Board of Elections utilizes Election Management Software (EMS) and ImageCast Precinct (ICP) voting machines from Dominion Voting to run Tioga County elections; and

WHEREAS: The Board of Elections will continue to use EMS and eight ICP scanning units for the foreseeable future; and

WHEREAS: The previous three-year agreement for EMS software maintenance, ICP firmware maintenance, and ICP extended hardware warranty is up for renewal in 2021; and

WHEREAS: Budgetary quotes obtained from Dominion Voting show that compared with annual installments, paying the up-front cost of \$30,090.00 for

three years of EMS Software Maintenance plus Firmware Maintenance and Extended Hardware Warranty for eight ICP units, would save the County a total of \$1,770.00; and

WHEREAS: The Board of Elections has budgeted for annual installments to cover this expense, rather than an up-front payment; therefore be it

RESOLVED: The Board of Elections is authorized to prepay the EMS Software Maintenance, ICP Firmware Maintenance, and Extended Hardware Warranties for eight ICP units, for the term 01/01/2021 to 12/31/2023 for \$30,090.00; and be it further

RESOLVED: That \$10,030.00 for the above contract is paid from the budget line A1450 540620 yearly for three years.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 101-21 *MODIFY 2021 BUDGET AND TRANSFER FUNDS
STATEWIDE INTEROPERABLE COMMUNICATIONS
FORMULA GRANT 2018
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution #44-19 awarded the Office of Emergency Services a 2018 Statewide Interoperable Communications Formula Grant in the amount of \$450,221; and

WHEREAS: The grant budget has been amended; therefore be it

RESOLVED: That the 2021 budget be modified and transfer of funds be made as below:

FROM:

A3415.520230 IO18F Radio & Equipment \$150,000

TO:

A3415.540140 IO18F Contracted Services \$150,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 102-21 *TRANSFER OF FUNDS*
BUDGET MODIFICATION
MENTAL HYGIENE

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

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

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

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

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

From: A4310 510010 Full Time \$18,125.05
 To: A4390 540590 Criminal Psychiatric: Services Rendered \$18,125.05

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 103-21 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A PRINTER FOR THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: The Economic Development & Planning Department has a printer that is in need of replacement; and

WHEREAS: The Information Technology Department has recommended replacement; and

WHEREAS: The Economic Development and Planning printer expense account #A6422-520220 has no funds available at this time; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the printer for the Economic Development and Planning Department and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$357.01
 To: ED&P Account A6422 - 520220 \$357.01

ROLL CALL VOTE

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

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 105-21 AMEND EMPLOYEE HANDBOOK:
AMEND SECTION I. RULES OF THE LEGISLATURE;
SUBSECTION 2 – COMMITTEES AND
SUBSECTION 4 - APPOINTMENTS

WHEREAS: Section I. Rules of the Legislature, Subsection 2 – COMMITTEES and Subsection 4 – APPOINTMENTS do not reflect current titles of employees, departments, and committees due to the various changes that have occurred since policy was adopted; and

WHEREAS: Section 1. Rules of the Legislature, Subsections 2 and 4 of the Employee Handbook need to be amended to reflect these changes; and

WHEREAS: The Legislature is desirous of amending the Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook shall be amended as follows:

1. Section I – Rules of the Legislature – Subsection 2 – COMMITTEES (11):

Administrative Services – The following Department titles are listed incorrectly and need to be amended accordingly:

- (3) Real Property Office should be reflected as Real Property Tax Service Department.
- (4) Veterans Office should be reflected as Veterans Service Agency.
- (5) Elections Office should be reflected as Board of Elections.

Finance/Legal & Safety – The current statement needs to be amended to read as follows:

- (3) All matters pertaining to Safety and Right to Know regulations including building accommodations.

Information Technology & Communication Services – The current statement needs to be amended to read as follows:

- (2) The Chief Information Officer is the responsible person for overseeing the administrative details of Tioga County's purchasing program.

Health & Human Services - Tioga Employment Center needs to be amended to reflect their current name of Tioga Career Center and the following statement should fall under the heading of (1) Social Services:

- (5) All matters pertaining to the operation of the Tioga Career Center.

Public Safety/Probation, STOP DWI, & Coroner – The current statements need to be amended to read as follows:

- (1) Public Safety – Sheriff's Department should be reflected as Sheriff's Office.
- (2) Emergency Management Office should be reflected as Department of Emergency Services.
- (5) All matters pertaining to County Fire Safety.
- (6) STOP DWI Program – STOP DWI Office should be reflected as STOP DWI Program.

Personnel Services/Americans with Disabilities Act (ADA) & Right to Know (AKA Personnel) – The current statements need to be amended to read as follows:

- (3) Workers Compensation – All matters pertaining to Workers Compensation.
- (3) ADA and Right to Know – All employment matters pertaining to ADA.

Section I – Rules of the Legislature – Subsection 4 – APPOINTMENTS:

- (2) The following County positions need to be amended or deleted to reflect current titles.
 - (e) County Fire Coordinator who shall serve at the pleasure of the Legislature needs to be deleted in its entirety, as this position no longer exists.
 - (l) Director of Information Technology and Communication Systems title needs to be amended to reflect the correct title of Chief Information Officer.
 - (o) Manager of Employment & Training who shall serve according to Civil Service Law needs to be deleted in its entirety, as this position no longer exists.
 - (q) Director of Emergency Preparedness title needs to be amended to reflect the correct title of Director of Emergency Services.
- (3) The following committees, boards or positions need to be amended, deleted, or added to reflect accurate information.
 - ADA Coordinator should read ADA Coordinator (2) to reflect the two positions.
 - Tioga County Property Development Corporation (Land Bank) needs to be added.

Tioga County buildings. The purpose of the identification badge is to help alleviate possible safety concerns for employees and provide a cost efficient layer of security within all County buildings, as well as aid the public in recognizing employees while in County buildings.

ISSUANCE & COMPLIANCE:

1. All Tioga County employees and non-County agency employees whose offices are housed within Tioga County buildings will be issued an Identification Badge, which will contain the employee's full name, photo, Department and title of employee, and date of issuance.
2. All Tioga County employees and non-County agency employees whose offices are housed within Tioga County buildings are required to conspicuously display their identification badge at all times during their respective working hours. The County will furnish, at no cost to the employees, the initial badge and any replacement badges damaged due to normal wear and tear, name changes, and department/title changes. For all other replacements, employees may be charged a nominal fee.
3. Under no circumstances should employees loan their identification badges to other employees, visitors, or vendors for the purpose of accessing secure areas or exterior doors.
4. Employees are required to safeguard badges to the best of their ability. Employees are required to immediately report to his or her immediate supervisor the loss or theft of his or her identification badge.
5. Employees on extended leaves of thirty (30) days or more are required to turn in his or her badge to their supervisor. Upon return to work, badge will be re-activated and re-issued.
6. Badges are the property of the County and are to be returned upon separation or retirement from the County.
7. Enforcement of this policy will be the responsibility of the Department Heads. Department Heads are responsible for providing employees with a copy of this policy.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 107-21 CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2021; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective April 26, 2021 through October 8, 2021 at an hourly rate of \$12.50 (minimum wage), however no more than 800 hours may be worked April 26, 2021 – October 8, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 108-21 *AUTHORIZE CREATION OF A FULL-TIME
CLINICAL SOCIAL WORKER POSITION
MENTAL HYGIENE*

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

WHEREAS: Due to increased caseload resulting from the COVID-19 pandemic, the Director of Community Services has a demonstrated need of creating an additional full-time Clinical Social Worker position; and

WHEREAS: Funding for this position is Fee-For-Service billable revenue; therefore be it

RESOLVED: That one full-time Clinical Social Worker (CSEA SG \$58,257) position is created effective April 14, 2021, in order for the Director of Community Services to fill said position as of April 26, 2021; and be it further

RESOLVED: The Mental Hygiene Department's headcount shall increase from 32 to 33; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$60,744.24
To: A4310 510010	Full Time Salary	\$41,657.75
A4310 581088	State Retirement Fringe	\$ 3,183.61
A4310 583088	Social Security Fringe	\$ 2,716.99
A4310 584088	Workers Compensation Fringe	\$ 860.22
A4310 585588	Disability Insurance Fringe	\$ 61.69
A4310 586088	Health Insurance Fringe	\$12,255.10
A4310 588988	Eap Fringe	\$ 8.88

Legislator Standinger spoke. "As a result of the COVID-19 situation, the Mental Hygiene Department has received a lot more requests for assistance and this position will assist them in handling the problems of the citizens of this county. So, in my opinion, it is certainly justified."

Chair Sauerbrey spoke. "I agree with Legislator Standinger and I know the state of everybody's minds is really important and there is a lot of stress on not only the public, but our County employees as well. These kinds of positions and help for the community is badly needed."

RESOLVED: That without increase to the ITCS departmental 2021 authorized headcount, said vacancy shall be reclassified to the title of Office Specialist II (CSEA SG IV, \$28,352) effective April 14, 2021; and be it further

RESOLVED: The CIO is authorized to fill this vacancy from the appropriate eligible list effective April 26, 2021; and be it further

RESOLVED: The Budget Director is authorized to utilize unexpended funds from the ITCS departmental salary line and unutilized funds from the Records Management position to fund the position for the 2021 budget year; and be it further

RESOLVED: That the following budget modification and transfer of funds be made:

FROM:	A1410.510010 – Cty. Clk. full time payroll	\$ 9,365.75
	A 1410.581088 – Retirement	\$ 1,896.00
	A1410.583088 – Social Security	\$ 716.48
	A1410.584088 – Workers' Comp	\$ 306.25
	A1410.585588 – Disability	\$ 17.00
	A1410.586088 – Health Ins/HRA	\$ 3,149.00
	A1410.588988 – EAP	\$ 3.75
TO:	A1680.510010 – ITCS full time payroll	\$ 9,365.75
	A1680.581088 – Retirement	\$ 1,896.00
	A1680.583088 – Social Security	\$ 716.48
	A1680.584088 – Workers' Comp	\$ 306.25
	A1680.585588 – Disability	\$ 17.00
	A1680.586088 – Health Ins/HRA	\$ 3,149.00
	A1680.588988 – EAP	\$ 3.75

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 110-21 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY
MENTAL HYGIENE*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: Effective April 2, 2021, an Accounting Associate II (CSEA SG V, \$29,918) position became vacant due to an incumbent's resignation; and

WHEREAS: Said vacancy impacts the Mental Hygiene Department's financial accounts process; therefore be it

RESOLVED: That the Director of Community Services is hereby granted a waiver from the 90-day hiring delay and is authorized to provisionally fill the vacant Accounting Associate II effective April 26, 2021, pending successful appointment from a civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 111-21 *AUTHORIZE WAIVER 90-DAY HIRING DELAY
PART-TIME PUBLIC SAFETY DISPATCHER
SHERIFF'S OFFICE*

WHEREAS: Resolution 195-20 implemented the 90-day hiring delay for vacancies; and

WHEREAS: Effective March 30, 2021, a part-time Public Safety Dispatcher position became vacant due to a resignation; and

WHEREAS: In order to maintain adequate staffing levels for the Communications Division, the Sheriff has an immediate need to backfill said position; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, part-time Public Safety Dispatcher position effective April 24, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 112-21 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Resolution 195-20 created a 90-day hiring delay effective October 1, 2020; and

WHEREAS: Effective March 1, 2021, an Office Specialist I position became vacant due to incumbent's promotion; and

WHEREAS: Said vacancy impacts the coverage of the HHS Employment Center reception window, therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Office Specialist I vacancy effective on or after April 26, 2021 from the appropriate civil service eligible list.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

*Fifth Regular Meeting
May 11, 2021*

The Fifth Regular Meeting of 2021 was held on May 11, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislative members were present.

Chair Sauerbrey asked for a Moment of Silence in memory of our colleague, former Legislator Richard (Dick) Huttleston, who passed away on April 22, 2021.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "I am going to do this extemporaneously, which is about the way I do most everything. This prayer is going to be a debate on right or wrong, which is usually what you hear when you go to church. Your own brain is going to be the moderator of this little excursion. It will be the mediator of what comes up in your head. This is between one side of your head and the other. On the right side of your head there is a person sitting there that has a long beard and bunch of commandments sitting beside him. On the other side of your head, there is a little person who has horns, a trident, and wears a red suit. You ask these questions every time you get involved in some sort of a deal or sometimes determining what is right and what is wrong. If things turn out right, you probably have listened to your right ear. If things get you into trouble, you probably have listened to your left ear. In essence, I pray that you listen to your right ear and not your left ear and if you do this the world will be a much better place to live."

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

There were 22 people in attendance.

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

Legislator Mullen read and presented the following resolution to Greg Hall, Corrections Officer, 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. 114-21 *RESOLUTION RECOGNIZING
GREG HALL'S 32 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Greg Hall was hired as a Guard on January 19, 1989 and appointed to his current position as a Corrections Officer on March 28, 1989; and

WHEREAS: Greg Hall has been dedicated and loyal in the performance of his duties and responsibilities during the past 32 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Greg Hall will retire from the Tioga County Sheriff's Office on May 27, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Greg Hall for his 32 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, Greg Hall.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "Greg is one of the few guys left that actually worked downtown before the new jail was built. To put the number of years in place, you have to remember the old jail. That is where he started and his career is longer than even the new building. Congratulations."

Greg Hall spoke. "Thank you."

Legislator Mullen read and presented the following resolution to Jeff Tiffany, Cook Manager, 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. 115-21 *RESOLUTION RECOGNIZING
JEFF TIFFANY'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Jeff Tiffany was hired as a part-time Cook on June 25, 1998 and appointed to his current position as a Cook Manager on May 22, 1999; and

WHEREAS: Jeff Tiffany has been dedicated and loyal in the performance of his duties and responsibilities during the past 22 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Jeff Tiffany will retire from the Tioga County Sheriff's Office on May 28, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jeff Tiffany for his 22 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Jeff Tiffany.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Jeff Tiffany spoke. "Thank you."

Sheriff Howard spoke. "It seems like I am here every other month wishing some retirees good luck in their futures. We are losing 54 years of service at the Sheriff's Office, Greg Hall with 32 years and Jeff Tiffany with 22 years. These are the last two people, as Legislator Mullen said, that worked in the old building. So, everyone else is new people, as we call it. Congratulations on the retirements. You will be missed. I cannot say anything bad about either employee. I will say that I was looking through Greg's file this morning and I did his background investigation. I wrote a memo to Lieutenant Burrell, at the time, and said I cannot find any reason not to hire this guy, he seems to be okay. He was hired as a guard to begin with and not a corrections officer.

"I have known Jeff for years and the experience he brought to our office with being a manager for the VFW, American Legion, and the Elks Club, as well as all the banquets. I have even asked him to help me with fundraisers in the past cooking chicken and preparing meals, so he is going to be missed.

“They will still be around, so if I need them I can always reach out. I want to thank both of these employees for their time, service, and commitment to the Sheriff’s Office. Thank you.”

Chair Sauerbrey spoke. “Congratulations gentlemen.”

Chair Sauerbrey reported we have three Proclamations recognizing *American Stroke Month in Tioga County*, *Mental Health Awareness Month* and *Children’s Mental Health Awareness Week*, and *Elder Abuse Prevention Month*.

Legislator Standinger spoke. “I know this kind of violates our protocol about reading a proclamation that is a repeat, but I have a special place in my heart for this proclamation. It was one of the few things that I came into this job to make sure that people were aware of and the reason being is that 12 years ago, on May 6, 2009, I got to learn firsthand about strokes after I was sideswiped by a truck in Albany, NY when I was working for the State Police. But, I can tell you up front it is not something you want to go through. Very seldom do people make out as well as I did, so I thank the big guy upstairs for that. “

Legislator Standinger read and presented the American Stroke Month in Tioga County proclamation to Public Health Director Lisa McCafferty.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 150,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Three out of every four strokes in the United States occur as new or first-time strokes; and

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

WHEREAS: Ninety-three percent of Americans recognized that sudden numbness on one side is a symptom of stroke, but only 38% were aware of all major symptoms and knew to call 9-1-1 when someone was having a stroke; and

WHEREAS: Patients who arrive at the emergency room within 3 hours of their first symptoms often have less disability 3 months after a stroke than those who received delayed care; and

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

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2021 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

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

Legislator Standinger spoke. "There is an acronym (BE FAST) that Public Health Director McCafferty will tell you about I am sure."

Public Health Director McCafferty spoke. "I just want to emphasize what Legislator Standinger said. Strokes are insidious, they are out there, they impact a lot of people and their loved ones, and it is unfortunate because it is called a silent killer and there is a reason for that. Strokes are not readily apparent when a person is having a stroke and the acronym Legislator Standinger spoke about is BE FAST.

B = Balance: are you looking at someone who is having a hard time standing up?

E = Eyes: are they having trouble focusing, double vision, or having eyesight issues?

F = Face: the classic symptom. Can the person smile?

A = Arm: do they look like they are having issues raising their arms?

S = Speech: is the person's speech slurred?

T = Time: the sooner you can call 911 and get the person help, the faster they can get to a hospital and recover more or less well from the event.

Thank you very much and we appreciate your support."

Chair Sauerbrey reported the following proclamations on *Mental Health Awareness Month & Children's Mental Health Awareness Week* and *Elder Abuse Prevention Month* will be noted in the minutes.

County of Tioga
EXECUTIVE PROCLAMATION

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

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

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

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

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2021 as *Mental Health Awareness Month* and May 2nd – 8th, 2021 as *Children's Mental Health Awareness Week* in Tioga County.

County of Tioga
EXECUTIVE PROCLAMATION

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

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

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

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2021 to be

Elder Abuse Prevention Month

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

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of April 13, 2021, seconded by Legislator Sullivan 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 Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 116-21 *APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION*

WHEREAS: Chris Curry resigned from the Local Development Corporation Board effective 10/18/2019; and

WHEREAS: Joan Case has expressed her desire to serve on the Local Development Corporation Board to fill Chris Curry's term that expired 3/31/20; and

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Joan Case willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Joan Case to fill Chris Curry's expired term 5/12/21 – 3/31/23.

Legislator Mullen spoke. "I would like to thank Joan. She is actually my neighbor and widow of former Legislator Ray Case. Joan is extremely involved in the Waverly community. She is going to do a great job and I just want to publicly thank her for her service on this Board."

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standingier, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 117-21 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2020 to March 31, 2021 be and it hereby is accepted; and be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 37,523.97
Berkshire (Town)	9,293.99
Candor (Town)	28,346.28
Candor (Village)	3,802.91
Newark Valley (Town)	12,017.77
Newark Valley (Village)	4,759.08
Nichols (Town)	27,047.42
Nichols (Village)	4,186.89
Owego (Town)	179,828.47
Owego (Village)	17,252.27
Richford (Town)	5,828.44
Spencer (Town)	17,718.81
Spencer (Village)	3,199.65
Tioga (Town)	28,249.51
Waverly (Village)	<u>18,052.64</u>
	\$397,108.10

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts introduced Local Law Introductory No. C of 2021.

County of Tioga

Local Law No. XX of the Year 2021.

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

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

SECTION 1: LEGISLATIVE INTENT

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

SECTION 2: PILOT PROGRAM AUTHORIZATION

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

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

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

- A. Twelve (12) and thirteen (13) year-old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year-old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and
- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year-old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and

- E. All licensed twelve (12) and thirteen (13) year-old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year-olds with a firearm or crossbow.

SECTION 4: LOCAL LAW FILING REQUIREMENTS

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

SECTION 5: SEVERABILITY

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

SECTION 6: EFFECTIVE DATE

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 118-21 *SCHEDULE PUBLIC HEARING*
LOCAL LAW INTRODUCTORY NO. C OF 2021

RESOLVED: That a public hearing shall be held on Thursday, May 20, 2021 at 10:00 A.M. in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Local Law Introductory No. C of 2021 A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter. All persons desiring to present written or oral comment may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 119-21 *MEDICARE ADVANTAGE REQUEST FOR PROPOSAL
THROUGH BROOME COUNTY PURCHASING
ALLIANCE*

WHEREAS: Broome County will be issuing a Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for its retirees; and

WHEREAS: Broome County has proposed issuing a joint Request for Proposal with other interested municipalities pursuant to General Municipal Law § 119-o; and

WHEREAS: Upon selection of the vendor each participating municipality will enter into its own contract with the vendor; and

WHEREAS: Tioga County wishes to participate in this joint request for proposals; therefore be it

RESOLVED: That Tioga County agrees to participate with Broome County and other participating municipalities in a joint request for proposal for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees; and be it further

RESOLVED: That Tioga County understands that upon selection of a vendor the county may enter into its own contract with the vendor; and be it further

RESOLVED: That participation in this joint request for proposal does not obligate Tioga County to enter into a contract with the selected vendor; and be it further

RESOLVED: That Tioga County agrees to provide Broome County with any information required to develop the Request for Proposal including, but not limited to, census information of Medicare primary retirees (including date of birth, gender

and zip code) and a copy of current Summary Plan Description and Benefit Summary along with this resolution; and be it further

RESOLVED: That once the RFP process is complete, Tioga County agrees to provide post RFP resolution and elect to opt in or out of participation in the selected vendors' MA or MAPD program; and be it further

RESOLVED: That Tioga County is authorized to execute any agreements, documents or papers as may be necessary to implement the intent of this resolution.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 120-21 *RESOLUTION AUTHORIZING AND APPROVING THE ACCEPTANCE OF ADDITIONAL ADMINISTRATIVE SERVICE FUNDS AND MODIFY THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN TIOGA COUNTY ECONOMIC DEVELOPMENT AND PLANNING AND THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION FOR THE PERIOD JULY 1, 2021 THROUGH DECEMBER 31, 2021*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #273-18 to accept a Land Bank Community Revitalization Initiative (CRI) Program Grant in the amount of \$500,000.00 and to enter into an Administrative Services Agreement for the period January 1, 2019 through December 31, 2020; and

WHEREAS: TCEDP was approved by Resolution #140-20 to accept additional CRI Program Grant funds in the amount of \$560,000.00 granted through the CRI 4.2 Modified Program Grant for the period of January 1, 2021 through June 30, 2021; and

WHEREAS: Said program grants provide funding toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the Land Bank Director of the Tioga County Property Development Corporation (TCPDC); and

WHEREAS: By way of resolution #273-18 the Tioga County Legislature authorized and approved acceptance of \$65,065.00 covering the period of January 1, 2019 through December 31, 2020 and by way of resolution #140-20 additionally authorized and approved acceptance of \$16,266.24 covering the period of January 1, 2021 through June 30, 2021 for said purposes; and

WHEREAS: Due to delays and COVID 19, the CRI Program Grant contract was extended from July 1, 2021 to December 31, 2021; and

WHEREAS: Due to the grant extension from July 2021 through December 2021 additional costs associated with administration, office space and equipment use will be incurred; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves the acceptance of \$16,266.24 from the TCPDC, 56 Main Street, Owego, New York 13827 and modifying the Administrative Agreement to provide funding towards the cost of administration, office space and equipment for use by Tioga County Economic Development and Planning to perform duties on behalf of the Land Bank Director of the TCPDC for the additional period of July 1, 2021 through December 31, 2021; and be it further

RESOLVED: That the Chair of the Legislature or her duly authorized representative (including County Treasurer and/or Budget Director), is hereby authorized to make any transfers of funds required within this grant budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 121-21 AUTHORIZATION TO CONTRACT
WITH NYSTEC - RADIO CONSULTING
STATE INTEROPERABLE 18 GRANT

WHEREAS: The Tioga County Office of Emergency Services has a need to upgrade and replace its current radio communications system due to poor performance issues; and

WHEREAS: The Director of Emergency Services would like to contract with NYSTEC at a cost of \$117,855.28 for the period June 1, 2021 through October 31, 2021; and

WHEREAS: NYSTEC is listed on the Office of General Services Administration contract; and

WHEREAS: There are sufficient funds in account A3415.540140 IO18F (contracted services) State Interoperable Grant18 Radio & Equipment; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and NYSTEC upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 122 -21 TRANSFER FUNDS/
FUND SELF-INSURANCE PLAN RESERVE

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

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2020 Tioga County Self Insurance operating budget had surplus funds of \$458,272.59 in the fund balance; and

WHEREAS: The December 31, 2020 Tioga County Self Insurance Plan Fund Balance is \$1,484,690.20; and

WHEREAS: The December 31, 2020 Tioga County Self Insurance Contributed Reserve Fund is \$3,758,105.67; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S 390900	\$458,272.59
To: Self-Insurance Contributed Reserve Fund S 375300	\$458,272.59

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 123-21 *AMEND CAPITAL BUDGET AND TRANSFER FUNDS
AND AWARD COOLER/FREEZER REPLACEMENT –
PUBLIC WORKS*

WHEREAS: The Tioga County Sheriff and the Commissioner of Public Works have budgeted for the replacement of the Cooler/Freezer at the Public Safety Building; and

WHEREAS: The Commissioner of Public Works received a sealed bid for this project from Tri County Refrigeration, Inc., Owego, NY; and

WHEREAS: The proposal for this project came in higher than anticipated at \$67,232.00; and

WHEREAS: Legislative approval is needed to amend 2021 Capital Budget and transfer funds; therefore be it

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

From: H1620.520911	Renovations 56 Main Street	\$20,000.00
To: H1620.520130	Equipment (Not Car)	\$20,000.00

And be it further

RESOLVED: That the Tioga County Legislature authorize awarding the contract to Tri County Refrigeration, Inc., Owego, NY not to exceed \$67,232.00 to be paid out of the following accounts:

H3150.520130

H1620.520130

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 124-21	<i>TRANSFER OF FUNDS</i> <i>SOCIAL SERVICES</i>
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WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446890 Federal Aid: Other Social Services	\$ 120,000
To: A6010.540487 Program Expense	\$ 120,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-21 AMEND BUDGET & APPROPRIATE FUNDS
SOCIAL SERVICES

WHEREAS: An additional Emergency Services Grant (ESG-CV2) has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance specifically targeted to address the needs of individuals and families experiencing and/or at risk of homelessness as a result of COVID -19; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446890 Federal Aid: Other Social Services	\$ 206,200
To: A6010.540487 Program Expense	\$ 206,200

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 127-21 *RESOLUTION APPORTIONING
FORFEITURE OF CRIME PROCEEDS
FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Tioga County has received \$2,498.00 from the Bridget Pinney drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$374.70
Owego Police Department (5%)	\$124.90
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$799.36
Owego Police Department (75%)	\$899.28
Tioga County District Attorney's Office (25%)	<u>\$299.76</u>
	\$2,498.00

And;

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

RESOLVED: That funding be appropriated as follows:

FROM: A1165-426250	Forfeiture of Crime Proceeds	\$ 374.70
A1165-426260	Forfeiture of Crime Proceeds Restricted	\$2,123.30

TO:	A1165-540335	Asset Forfeiture Expense	\$ 374.70
	A1165-540336	Asset Forfeiture Expense-Restricted	\$2,123.30

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 128-21 *AMEND EMPLOYEE HANDBOOK:
AMEND DRUG-FREE AND ALCOHOL-FREE
WORKPLACE POLICY (SECTION IV. PERSONNEL
RULES; SUBSECTION Q) AND SMOKING POLICY
(SECTION IX. SAFETY RULES; SUBSECTION B)*

WHEREAS: Governor Cuomo signed legislation (S.854-A/A1248-A) on March 31, 2021 legalizing adult-use Cannabis as of April 1, 2021; and

WHEREAS: The Tioga County Employee Handbook established policies; Drug-Free and Alcohol-Free Workplace Policy and Smoking Policy need to be amended prohibiting the use or consumption of Cannabis products on County worksites and while on duty; and

WHEREAS: The Legislature is desirous of amending the Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook shall be amended as follows:

Section IV – Personnel Rules – Subsection q. – Drug-Free and Alcohol-Free Workplace:

I. POLICY – The following statement should be ADDED after the first sentence:

This shall also include the use or consumption of any Cannabis product.

Section IX – Safety Rules – Subsection b. – Smoking:

I. SMOKING PROHIBITED – The following statement should be ADDED:

B. No smokable Cannabis products are allowed in any area.

And be it further

RESOLVED: That the remainder of the Employee Handbook is in full force and effect.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 129-21 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
TREASURER'S OFFICE*

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

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

WHEREAS: The Treasurer appropriately budgeted for said position in the approved 2021 budget; therefore be it

RESOLVED: That one (1) temporary, full-time Clerk (Seasonal) position is created at the hourly rate of \$13.50 in accordance with Resolution 196-09, effective May 12, 2021; and be it further

RESOLVED: That the Treasurer shall be allowed to fill said position for a duration not to exceed beyond August 31, 2021.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 130-21 *ABOLISH ONE FULL-TIME PUBLIC HEALTH NURSE AND
CREATE PUBLIC HEALTH EDUCATOR POSITION
PUBLIC HEALTH DEPARTMENT*

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

WHEREAS: A full-time Public Health Nurse (CSEA SG XV - \$51,579) position has been vacant since July 18, 2020, due to promotion; and

WHEREAS: The Public Health Director identified the need to create an additional full-time Public Health Educator (CSEA SG XI \$44,572) position to better serve the public and has submitted a New Position Duties Statement to the Personnel Department; and

WHEREAS: The Personnel Officer has determined the description of duties is consistent with the classification for Public Health Educator; therefore be it

RESOLVED: That the vacant full-time Public Health Nurse position shall be abolished and a full-time Public Health Educator position shall be created effective May 12, 2021; and be it further

RESOLVED: The Public Health Director is allowed to fill said position on a provisional basis pending the outcome of an appropriate civil service examination.

Legislator Standing spoke. "I am confident that the Health Department has evaluated this position and certainly has laid out the case for the change, so I think it is a positive thing."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:22 P.M.

*Public Hearing
Local Law Introductory No. C of 2021
May 20, 2021*

The Public Hearing on Local Law Introductory No. C of 2021 A Local Law authorizing twelve (12) and thirteen (13) year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter was called to order by Deputy Chair Hollenbeck at 10:00 A.M. Seven Legislative members were present with Legislator/Chair Sauerbrey and Legislator Standinger being absent.

There were 14 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Steven A. Barrows – Candor, NY spoke. “I am a resident of Candor, NY and District 7. I have been a DEC Hunter Education Master Instructor for Firearms for over twenty-five years. In that time, I and my colleagues here in Tioga County have trained hundreds of people of all ages in hunter safety. All fifteen of us, your Tioga County Hunter Education Instructors Group, support the adoption of Local Law Introductory No. C of 2021 to authorize twelve and thirteen year-olds to hunt deer in Tioga County.

“New York State Department of Environmental Conservation (NYSDEC) tracks what they call HRSI’s, Hunting Related Shooting Incidents. The philosophy is that with legal measures and safety measures being implemented that these are incidents and not accidents. From 2005 to 2020, NYSDEC has investigated 387 HRSI’s. I have the summaries of each of those sixteen years. Of these 387 HRSI’s, only ten involved persons from the ages of 11 to 15. Of those ten HRSI’s, only two were actually legal hunters, properly trained, licensed, and supervised. The other eight were young people out with a firearm who frankly should not have been. Two young hunter incidents out of 387 statewide, in sixteen years, that is an exemplary safety record for these young men and women and lowers the overall NYS HRSI rate to an average of only two incidents per 100,000 hunters.

“Some people have expressed concern that this last year resulted in closing in-person Hunter Education courses because of COVID-19 issues. In 2020, 67,270 safe hunters were added to New York State’s hunters through online classes. Of the twenty-two statewide HRSI’s last year, three involved persons age 15 or younger. Only one was a legal hunter and not a single HRSI involved anyone that took an online Hunter Education class.

“Hunting is very safe. Younger hunters are among the safest age groups of all. Your approval of Local Law Introductory No. C of 2021 will provide Tioga County’s young hunters the opportunity to pursue one our greatest game resources, the whitetail deer, in a legal, safe, and supervised manner.

“From all of your Tioga County Hunter Education Instructors, some of which are represented here today, thank you for your favorable consideration.”

There being no additional comments, the hearing was adjourned at 10:05 A.M.

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

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

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

REFERRED TO:	PUBLIC WORKS COMMITTEE
RESOLUTION NO. 132-21	<i>RECOGNIZING DANIEL BERRY'S 23 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

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

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

WHEREAS: Mr. Berry is retiring on June 24, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Daniel Berry for his 23 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this dedicated and outstanding employee, Daniel Berry.

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED UNANIMOUSLY.

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

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

**County of Tioga
EXECUTIVE PROCLAMATION**

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

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

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

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

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

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

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

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

Skin Cancer Awareness Month

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

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

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

There was no privilege of the floor.

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

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

Chief Information Officer Search Committee:

Legislator Sullivan

Legislator Balliet

Legislator Roberts

Legislator Monell

Chair/Legislator Sauerbrey

Personnel Officer O'Rourke (non-voting member)

Chief Information Officer Camin (non-voting member)

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

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

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

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

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

County of Tioga

Local Law No. 3 of the Year 2021.

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

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

SECTION 1: LEGISLATIVE INTENT

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

SECTION 2: PILOT PROGRAM AUTHORIZATION

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

SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

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

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

SECTION 4: LOCAL LAW FILING REQUIREMENTS

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

SECTION 5: SEVERABILITY

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

SECTION 6: EFFECTIVE DATE

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 134-21 AMEND ERRONEOUS ASSESSMENT
TOWN OF TIOGA

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

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

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

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

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

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

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

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

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

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

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

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 147-21 APPROPRIATIONS OF FUNDS
SOCIAL SERVICES

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

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

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

RESOLVED: That funding be appropriated as follows:

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

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

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

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

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

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

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

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

RESOLVED: That funding be appropriated as follows:

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO:	ADMINISTRATIVE SERVICES COMMITTEE PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION FINANCE COMMITTEE
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RESOLUTION NO. 150-21	<i>AUTHORIZATION TO CREATE AND FILL ONE (1) TEMPORARY PART-TIME VETERAN'S SERVICE OFFICER POSITION; AUTHORIZE BUDGET MODIFICATION AND APPROPRIATION FOR TIOGA COUNTY VETERANS' SERVICE AGENCY</i>
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WHEREAS: Legislative approval is required for the creation of any position and for budget modification and appropriation of funds; and

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

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

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

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

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

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

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

ROLL CALL VOTE

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

No – None.

Absent – Legislators Mullen and Sullivan.

RESOLUTION ADOPTED.

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

Seventh Regular Meeting
July 13, 2021

The Seventh Regular Meeting of 2021 was held on July 13, 2021 and was called to order by the Chair at 12:00 P.M. Legislators Balliet, Hollenbeck, Mullen, Roberts, Sauerbrey, Standinger, Sullivan, and Weston were present with Legislator Monell being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless all our families and friends affected by the severe storms that traveled through our region."

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

There were 7 people in attendance.

Chair Sauerbrey reported we have two Proclamations; Plastic Free Month and Healthy Vision Month in Tioga County that will be read and presented.

Legislator Roberts read and presented the Plastic Free Month proclamation to Sustainability Manager, Ellen Pratt.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: The economic burden is amplified in Tioga County due to the lack of a landfill within the County; and

WHEREAS: Educating residents about the benefits of reducing waste, reusing and recycling efforts are essential elements in attaining sustainable community; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors and practices by learning how we can reduce waste, reuse and recycle; and

WHEREAS: Tioga County Solid Waste supports these initiatives; therefore

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

PLASTIC FREE MONTH

And urges all residents to take steps to educate themselves, their families, and the community about the role of reduction, reuse and recycling in the environmental and economic health of our community.

Sustainability Manager Ellen Pratt spoke. "Thank you, Legislator Roberts. I wanted to thank the full Legislature for your support in reduction of waste and the support of Tioga County's reusing and recycling efforts. Hopefully, going forward we have a really great rest of 2021. Thank you."

Legislator Standinger read and presented the Healthy Vision Month in Tioga County proclamation to Katie Wait, Public Health Educator.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Vision loss is among the top 10 causes of disability in the United States, with an estimated 7 million Americans having vision impairment, including 1 million who are blind; and

WHEREAS: These numbers are expected to double by 2050 due to the aging U.S. population, and the expected increase in chronic diseases that can cause vision loss, such as diabetes; and

WHEREAS: Risk factors for eye disease include race/ethnicity, age, sex, and having a chronic health condition such as diabetes, high blood pressure, or heart disease; and behavioral factors such as smoking and being physically inactive; and

WHEREAS: Ninety percent of blindness caused by diabetes is preventable; and

WHEREAS: Early detection and timely treatment of eye conditions such as diabetic retinopathy has been found to be successful and cost effective; and

WHEREAS: More than half of adult Americans who did not seek eye care due to lack of awareness or costs; or by lack of insurance; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of July 2021 as:

HEALTHY VISION MONTH IN TIOGA COUNTY

and urges all the citizens of our County to know their family's eye health history, eat right, maintain a healthy weight, wear protective eyewear, quit smoking, and wear sunglasses, even on cloudy days to protect against vision loss.

Legislator Standinger spoke. "I guess I know now why my doctor gets after me every time I see him to get my eyes checked. But, it is certainly a very important thing. We have two eyes and it would be nice to keep them working as long as we can."

Public Health Educator Katie Wait spoke. "I just want to thank the Legislature for recognizing July as Healthy Vision Month in Tioga County. Vision disability is one of the top ten disabilities among adults age eighteen years and older and one of the most prevalent disabling conditions among children even though half of those can be prevented. My hope is that this proclamation will generate the awareness that it needs and stress the importance of eye health as a crucial piece to overall health and wellness. Thank you."

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of June 15, 2021, seconded by Legislator Sullivan 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 by the end of this week.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 154-21 *RESOLUTION URGING NYS GOVERNOR
ANDREW M. CUOMO TO FORGO
ADDITIONAL FEDERAL UNEMPLOYMENT FUNDS*

WHEREAS: The Federal Government passed the American Rescue Plan; and

WHEREAS: This plan includes additional Pandemic Emergency Unemployment Compensation of \$300.00 a week for people laid off through the week ending September 5, 2021; and

WHEREAS: There is a severe national labor shortage caused by the Federal Government's unemployment policy changes and extensions; and

WHEREAS: Businesses have reduced hours of operation or closed due to lack of available staff; and

WHEREAS: It is vital that we rebuild the economy in Tioga County and New York State to ensure the health and viability of our State; therefore be it

RESOLVED: That the Tioga County Legislature urges the Governor of New York State, along with our State Legislature, to sunset the \$300.00 additional weekly unemployment insurance benefit on September 5, 2021 as scheduled and forgo any additional extensions; and be it further

RESOLVED: That the Clerk of the Legislature forward a certified copy of this resolution to New York State Governor Cuomo, Congressman Reed, Senator Akshar, Senator Schumer, Assemblyman Friend, and New York State Association of Counties.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 155-21 SCHEDULE SECOND PUBLIC HEARING FOR
NEW YORK STATE COMMUNITY DEVELOPMENT
BLOCK GRANT

WHEREAS: Tioga County was awarded a Community Development Block Grant in 2017; and

WHEREAS: New York State Community Development Block Grant (CDBG) Program funds in the amount of \$300,000 were received and funded the replacement of the mobile dental trailer; and

WHEREAS: On June 24, 2019 Tioga County put into operation the new mobile dental unit in which to serve the dental needs of the community; and

WHEREAS: In compliance with the requirements of the Housing and Community Development Act of 1972, Tioga County seeks public input on the project Tioga Mobile Dental Services; and

WHEREAS: Due to the printed public notice of the original 2nd Public Hearing appearing only six days prior to the Hearing Date, another 2nd Public Hearing is required by CDBG; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regards to the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, August 5, 2021 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 156-21 *AWARD DESIGN SERVICES TO
C&S ENGINEERS FOR WASH BAY FACILITY*

WHEREAS: Tioga County had budgeted for a wash bay facility in 2020 to be built at Corporate Drive, due to COVID the project budget was reduced and not enough funds were available to continue with the project; and

WHEREAS: The Commissioner of Public Works desires to proceed with the project and received a proposal for preliminary design services only for this project from C&S Engineers, Syracuse, NY; and

WHEREAS: The proposal for this phase of the project is \$28,420; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for preliminary design portion of the Wash Bay Facility for C&S Engineers not to exceed \$28,420 to be paid out of the following account:

H1620.520994.BG001 Highway Truck Wash Building

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 157-21 *AWARD DESIGN SERVICES TO DELTA ENGINEERS FOR HARNICK ROAD BRIDGE BIN 2218720*

WHEREAS: Tioga County is the recipient of funding through NYSDOT for the bridge replacement of Harnick Road over Apalachin Creek; and

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

WHEREAS: The proposal for this bridge is \$299,806; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Harnick Road over Apalachin Creek Bridge BIN 2218720 for Delta Engineers not to exceed \$299,806 to be paid out of the following account:

H5110.540004.H2102 Harnick Road over Apalachin Creek

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 158-21 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

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

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

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

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

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

RESOLVED: That the sum of \$294,400 is hereby appropriated from account H5110.540004.H2102 and made available to cover the costs of participation in the above phases of the Project; and it is further

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

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the

administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 159-21 AMEND BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a project, Harnick Road over Apalachin Creek, PIN 9754.90; and

WHEREAS: The project duration lasts until October 2023, and is programmed to have a total cost of \$1,730,400 including all phases of the project, in which 80% of Federal Funds will be reimbursed to Tioga County; and

WHEREAS: Tioga County is the recipient of CHIPS, PAVE NY and EWR funding from New York State, the total amount of funding available is \$2,719,024.79; and

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

RESOLVED: That funding be appropriated and new project accounts established as follows:

From: H5110.445020.H2102	Federal Aid - for PIN 9754.90	\$1,384,320.00
H5110.435010	State Aid – CHIPS	\$1,442,185.54
To: H5110.540004.H2102	Harnick Road over Apalachin Creek	\$ 1,730,400
H5110.540001.H2103	East River Drive Paving	\$ 600,000
H5110.540001.H2104	Corporate Drive Reconstruction	\$ 517,000

And be it further

RESOLVED: Appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 160-21 ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND BUDGET

WHEREAS: The Assigned Counsel Administrator’s Office has been awarded an Indigent Legal Services Grant (C110049) in the amount of \$123,804.00; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$123,804.00 be appropriated and the 2021 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid Indigent \$123,804.00

Expense Account: A 1173 510010 Full Time Salary	\$ 72,310.00
A 1173 510020 Part Time Salary	\$ 42,010.00
A 1173 540040 Books	\$ 4,000.00
A 1173 540280 Investigations	\$ 750.00
A 1173 540480 Postage	\$ 34.00
A 1173 540620 Software	\$ 2,500.00
A 1173 583088 Social Security	\$ 1,500.00
A 1173 584088 Workers Comp	\$ 686.55
A 1173 588988 EAP	\$ 13.45

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 161-21 *AUTHORIZE ACCEPTANCE OF THE
NYS 2020-2021 PSAP OPERATIONS GRANT AND
MODIFY 2021 BUDGET*

WHEREAS: The Sheriff's Office applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$129,555; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2021; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2021 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310	\$129,555
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 162-21 *MODIFY 2021 BUDGET AND TRANSFER FUNDS
SHERIFF'S OFFICE*

WHEREAS: Funds need to be transferred to pay for emergency equipment for the Road Patrol; and

WHEREAS: Legislative approval is needed to modify the 2021 budget and transfer funds between object of expenses; therefore be it

RESOLVED: That the 2021 budget be modified and transfer of funds be made as follows:

<u>FROM:</u>	A3110.5400070 Car Maintenance	\$31,448.50
<u>TO:</u>	A3110.520191 Emergency Equipment	\$31,448.50

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 163-21 *APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Family Peer Support Services, Ongoing Integrated Supported Employment, Psychosocial Club, Drop-In Center, Advocacy/Support Services (Warm-Line), and Single Point of Access; and

WHEREAS: TCMH has contracted with AspireHopeNY, Catholic Charities and Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434900 State Aid-Mental Health	\$ 2,428.00
To: A4311-540595 Services Rendered (Other)	\$ 8.00
To: A4320-540140 Contracting Services	\$ 68.00
To: A4320-540590 Services Rendered	\$ 440.00
To: A4333-540130 Contracts	\$ 1,260.00
To: A4333-540140 Contracting Services	\$ 652.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 164-21 CONTINGENCY FUND REQUEST AND
TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a budget modification and transfer of funds from contingency to Mental Health's appropriation account; and

WHEREAS: Transfer of funds and contingency fund requests requires Legislative approval; therefore be it

RESOLVED: That contingency fund use be approved and transferred as follows:

From: A1990 540715 County Contingency Account	\$ 33,125.05
To: A4390 540590 Criminal Psychiatric: Services Rendered	\$ 33,125.05

Legislator Standinger spoke. "Unfortunately, this is a bill we get after the fact. We really have no input on whether or not it is a necessary service that is being provided. All we get is a bill from New York State, which is very difficult to plan for and that is why we have to do this."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 165-21 TRANSFER OF FUNDS
TIOGA CAREER CENTER

WHEREAS: Resolution 144-21 appropriated Broome County issued Contract Modification #1 in the amount of \$20,000 in Adult Funds to Tioga County; and

WHEREAS: Utilization of these funds requires a modification to the original appropriation; and

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

RESOLVED: That the Tioga Career Center re-allocates the funds as follows:

From: CD6293 540130 Contracts	\$ 2350.80
To: CD6293 520070 Chairs	\$ 2350.80

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 166-21 APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES

WHEREAS: Funding to Enhance Adult Protective Services to Respond to COVID-19 has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to enhance, improve, and expand the ability of APS to investigate allegations of abuse, neglect, and exploitation in the context of COVID-19; and

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

RESOLVED: That funding be appropriated as follows:

From:	A6010.446100 Federal Aid: Administration	\$ 14,416
To:	A6010.540487 Program Expense	\$ 14,416

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 167-21 APPROVE FUNDING FOR 2021 SUMMER
YOUTH EMPLOYMENT PROGRAM

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$115,914
To: A6010.540140 Contractual	\$107,576
A6010.540487 Program Expense	\$ 8,338

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 168-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the CDC passed through NYSDOH; and

WHEREAS: The funding is specifically designated for Public Health efforts toward COVID-19 as Epidemiology & Laboratory Capacity (ELC) in Tioga County; and

WHEREAS: The budget accounts will utilize Munis project codes for county-wide reporting of COVID-19 expenses and revenues; and

WHEREAS: Funds may require future transfers to more appropriate budget lines based upon modifications and approvals from NYS & CDC; and

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

RESOLVED: That Legislature authorizes the Budget Officer to make necessary account transfers as required for these funds, per future modifications approvals from NYS; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4011 434011-ELC1 Public Health: State Aid/ELC1 \$1,369,080

To: A4011 540487-ELC1 Public Health: Program Expense/ELC1 \$1,369,080

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 169-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded 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 School & 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 \$ 50,000

To: A4053 540640 Public Health: Supplies \$ 50,000

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

REFERRED TO: LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 171-21 *APPOINT FREEDOM OF INFORMATION OFFICER*

WHEREAS: Upon retirement of Diane Stephens, Confidential Secretary to the County Attorney, who also served as the County's Freedom of Information Officer, a new Freedom of Information Officer must be appointed; therefore be it

RESOLVED: That Kevin Humes, Paralegal with the Law Department, be and hereby is appointed Freedom of Information Officer for Tioga County; and be it further

RESOLVED: That in the event he is unable to act for any reason, the County Attorney is hereby designated to act in his stead; and be it further

RESOLVED: That in the event the Freedom of Information Officer makes a personal request for information, said request shall be approved by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan made a motion to have the following two late-file resolutions considered, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 172-21 *AUTHORIZE PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH BONADIO GROUP RELATED TO THE AMERICAN RESCUE PLAN ACT OF 2021*

WHEREAS: Tioga County was the recipient of State and Local Fiscal Recovery Funds through the American Rescue Plan Act (ARPA) that was signed into law on March 11, 2021 by President Biden; and

WHEREAS: Tioga County received the first installment of \$4,681,434 and anticipates receiving an additional installment of \$4,681,434 in 2022; and

WHEREAS: The Tioga County Legislature has identified the need for professional consulting services to provide expertise and recommendations on guidance and compliance in regards to allowable expenditures and applicable federal regulations, to maximize cost recovery, and investment in the County's future for the funds received through the American Rescue Plan Act of 2021; and

WHEREAS: The Tioga County Legislature would like to contract with Bonadio Group at a cost of \$9,500 for professional consulting services; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a consulting services agreement between Tioga County and Bonadio Group as set forth with the proposal submitted by Bonadio Group and upon review of the County Attorney; and be it further

RESOLVED: That the Budget Officer is authorized to make the initial appropriation of \$9,500 to A1325 540140 M7674 and all ongoing appropriations as deemed necessary related to this agreement; and be it further

RESOLVED: That the Tioga County Treasurer's Office is authorized to process the initial payment of \$9,500 and all ongoing expenditures as deemed appropriate by the Budget Officer related to this agreement.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 173-21 *DESIGNATE BUDGET OFFICER FOR MANAGEMENT AND OVERSIGHT OF THE PROFESSIONAL CONSULTING SERVICES PROVIDED BY BONADIO GROUP IN RELATION TO THE AMERICAN RESCUE PLAN ACT FUNDS OF 2021*

WHEREAS: Tioga County was the recipient of State and Local Fiscal Recovery Funds through the American Rescue Plan Act (ARPA) that was signed into law on March 11, 2021 by President Biden; and

WHEREAS: Tioga County determined the need to hire the Bonadio Group to provide expertise and recommendations on guidance and compliance in regards to Tioga County's allocated funding received through the American Rescue Plan Act of 2021; and

WHEREAS: The Bonadio Group's quote clearly identifies the responsibility lies with Tioga County to designate an individual to perform management functions, oversight and monitoring on the services provided; and

WHEREAS: The Legislature recognizes the need to offer additional compensation to the designated individual for the additional work and responsibility being assigned; therefore be it

RESOLVED: That Jackson Bailey, Tioga County Budget Officer, is hereby designated as the individual to perform management functions, oversight and monitoring on the services provided by Bonadio Group and shall receive additional compensation in the amount of \$5,000 annually, to be paid via his bi-weekly payroll checks, effective July 19, 2021; and be it further

RESOLVED: That the additional compensation will continue until such time the program is closed.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:16 P.M.

Public Hearing
New York State Community Development Block Grant (CDBG)
Tioga Mobile Dental Services Project
August 5, 2021

The Public Hearing on New York State Community Development Block Grant regarding the project Tioga Mobile Dental Services was called to order by the Chair at 1:01 P.M. Eight Legislative members were present with Legislator Weston being absent and Legislator Monell arriving at 1:02 P.M.

There were five people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Lisa McCafferty, Public Health Director spoke. "Good Afternoon. The dental van is out and about and is currently parked at the Health & Human Services Building. We have had a huge increase in people needing services of various sorts and we are gearing up to go back into the schools and do our rotational schedule with the kids. This has been really great for the community. If you have not had a chance to see it first-hand or walk through it, I recommend you stop by and do so."

There being no further comments, the hearing was adjourned at 1:03 P.M.

Eighth Regular Meeting
August 10, 2021

The Eighth Regular Meeting of 2021 was held on August 10, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislative members were present.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for everything you do for us every day. We pray that you would bless this time that we have together here. Help us to make decisions that are good for the people of this county. We pray that you would guide and direct us in all that we do and everything we make decisions about."

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

There were 22 people in attendance.

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

Legislator Mullen spoke. "Before I read the resolution recognizing Bill Jones for his dedicated service to Tioga County over the last 20 years, I just want to use the words of Probation Director Cain in our last meeting when he talked about Bill. Probation Director Cain stated that Bill is a jack of all trades where he is good with every type of clientele Probation has whether it is a juvenile, first-time offender, DWI, someone who requires a lot more supervision, age, gender, etc. He does an excellent job. I think that if your boss is saying that about you to people he is reporting to, you probably can be pretty proud of the way you have done your job."

Legislator Mullen read and presented the following resolution to Bill Jones, Sr. Probation Officer, Probation Department.

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

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 174-21	<i>RESOLUTION RECOGNIZING BILL JONES' 20 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Bill Jones began his employment with Tioga County on August 6, 2001 as a Probation Officer at Tioga County Probation Department. On November 17, 2014, Bill was promoted to Probation Officer 2/Sr. Probation Officer which is the position he will retire from; and

WHEREAS: Bill Jones has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 20 years; and

WHEREAS: Bill Jones will retire on August 31, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bill Jones for his twenty years of dedicated and loyal service to the Tioga County Probation Department and its most vulnerable citizens; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Probation Supervisor Bennett spoke. “Billy, one of my greatest pleasures or one of the things I am most proud of from the Probation Department is the Sex Offender Treatment Program that we developed in the County. I feel like we have a great agency and we have offered an excellent service to the citizens of Tioga County in dealing with offenders and reducing the amount of victims in the County because we are treating offenders, so they stop re-offending. That program would not have been as successful without you. Your ability to engage a difficult population for many, many years I know took a lot out of you emotionally to deal with that population and I really appreciate the effort you gave people that sometimes are the most unlovable, unlikeable. You made them feel accepted and understand that they had the ability to change. I appreciate you living your faith, working your faith, and being a part of the Probation Department. Thank you. “

Probation Director Cain spoke. "It is my honor to stand here today and acknowledge a good man. A good man I am privileged to not just call my co-worker, but also a friend. Billy and I have worked at Probation his entire career. I always had a phrase that I would use when my probationers would come in and I would tell them to not mistake my kindness for softness. Billy has always been able to convey that to people without having to say it and I think that says a lot about him. Words that come to mind when I think of Billy are solid, steady, dependable, funny (in his own way), faith, family, and Google. In our Department if you even have an idea about something, Billy knows about it and if Billy does not know about it, he will be back in your office in five minutes with the definition, every review written, and everything you can think of related. So, in the Department we call him Google. During his career, like Ms. Bennett said, Billy supervised almost exclusively sex offenders. Not a very popular population to deal with day in and day out, but Billy has done it with the same attitude he does everything else. He respects himself and others. He treats people as human beings not a number, case file, or an offense. He has done outstanding work over the past 20 years and has impacted the lives of countless Tioga County citizens. I will miss my friend, his witty emails as the Department's training officer and Department (although it is only a Department of one). I will miss your humor, the countdown to deer season, and most of all the general goodness you bring every day. Thank you."

Bill Jones spoke. "Thank you, Brian and Joy. It has been an honor to serve the County for 20 years. It has been a blessing to work with the professional, hardworking, and dedicated people of the Tioga County Probation Department. Thank you to all."

Chair Sauerbrey spoke. "We wish you the best of luck in your retirement."

Chair Sauerbrey reported we have one Proclamation; National Water Quality Month that will be read and presented.

Legislator Standinger read and presented the National Water Quality Month proclamation to Public Health Sanitarian, Dan Scherrer.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: National Water Quality Month is dedicated to protecting bodies of clean water such as lakes, rivers, groundwater, aquifers, and streams and reminds us how important these water sources are to all inhabitants of these ecosystems; and

WHEREAS: Virtually everything on our planet relies on clean water; and

WHEREAS: Clean water is essential to our health, agricultural needs, and our environment; and

WHEREAS: Even though water makes up 70% of the Earth's surface, only around 3% of the water supply is freshwater with 1% of which is easily accessible; and

WHEREAS: The major sources of freshwater pollution are from dumping industrial wastes, agricultural runoffs, leakage of untreated sewage, and chemicals from products used at home; and

WHEREAS: 99% of our drinking water in Tioga County comes from aquifers, and conserving these natural water sources is essential to keeping our community healthy to ensure safe drinking water for generations to come; therefore

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

NATIONAL WATER QUALITY MONTH

and reminds our communities that Tioga County Public Health protects our natural water source by inspecting public and private water supplies on an annual basis, by monitoring safety plans, monitoring water for contaminants, and by inspecting for public health hazards to ensure that your water is safe to consume.

Legislator Standinger spoke. "I have a well at my house and I am sure a lot of other people in this County do, as well. I will tell you that clean water out of the ground is nice. Whatever these guys do to make sure that continues is a good thing."

Public Health Sanitarian Dan Scherrer spoke. "Thank you for recognizing the importance of drinking water because it is something that we are very lucky for in our County. If I had to summarize the last ten years of running this program, I would say that Tioga County is fortunate to have a good quantity and good quality of water. During our drought that we had two years ago, almost three months without water, every single municipality reported to me very little change, which means that we have a good amount of water in our aquifers. That made me feel really comfortable in the event of future droughts. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of July 13 and August 5, 2021, seconded by Legislator Monell 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 by the end of this week.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 175-21 RESOLUTION REAPPOINTING MEMBER TO
COMMUNITY SERVICES BOARD

WHEREAS: Robert Williams' appointment to the Community Services Board expired on March 31, 2021; and

WHEREAS: The Community Services Board has recommended Robert Williams' reappointment; 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 Robert Williams be reappointed to the Community Services Board for term starting April 1, 2021 and ending March 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 176 -21 APPROVE ALTERNATIVES TO INCARCERATION
2021-2022 SERVICE PLAN

WHEREAS: The Alternatives to Incarceration Service Plan for 2021-2022 was presented to the Alternatives to Incarceration Board via electronic mailing on July 27, 2021; and

WHEREAS: The Alternatives to Incarceration Programs in Tioga County for PreTrial Release and Community Service have a long standing tradition of being an effective tool to reduce the amount of inmates in the Tioga County Jail; the ATI Board approves the plan, the Tioga County Legislature will also support it; therefore be it

RESOLVED: That the Tioga County Legislature approves the Alternatives to Incarceration Service Plan for the time period of 7/1/2021 to 6/30/2022 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized Treatment.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 177-21 APPROVE FUNDING
2021 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2021 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2021 be approved by the Tioga County Legislature in the amounts indicated:

Cornell Cooperative Extension 4H Summer Youth Enrichment	\$5,700
Big Brothers Big Sisters of the Twin Tiers	\$3,000
Northern Tioga Joint Summer Rec Program	\$4,600
Cornell Cooperative Extension Family Resource Center	\$5,000
Spencer Van-Etten Schools PAVE	\$2,000
Tioga Central Schools Summer Rec	\$8,000
Village of Waverly Summer Rec	\$6,300
Kali's Klub House 7 Keys to Success	\$4,800
Town of Owego Waterman Rec Camp	\$2,700
Catholic Charities YESS Program	\$4,500
Total Allocations	\$46,600

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 178-21 AWARD BID FOR EAST RIVER DRIVE
PAVEMENT OVERLAY

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On July 13, 2021, the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$443,800.00
Dalrymple Gravel and Contracting, Pine City NY	\$454,425.00
Elmira Road Materials, Binghamton NY	\$464,745.00

Lancaster Development, Richmondville NY \$500,669.67

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$443,800.00 to be paid out of East River Drive Paving Account H51 10.540001.H2103.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 179-21 AWARD BID FOR OAK HILL ROAD
PAVEMENT OVERLAY

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On July 20, 2021, the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$1,029,760.00
Dalrymple Gravel and Contracting, Pine City NY	\$1,052,625.00
Elmira Road Materials, Binghamton NY	\$1,065,749.00
Lancaster Development, Richmondville NY	\$1,209,068.64

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$1,029,760.00 to be paid out of Oak Hill Road Paving Account H51 10.540001.H2002.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 180-21 *AUTHORIZE ACCEPTANCE OF HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT (HMEP20 HE20-1000-E00) APPROPRIATION OF FUNDS & MODIFY 2021 BUDGET EMERGENCY MANAGEMENT*

WHEREAS: The Office of Emergency Services applied for and was awarded a Homeland Security and Emergency Services (DHSES) grant of \$6,465, in which 20% (\$1,293) will be appropriated directly from the County fund balance; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM: A3360.433567 HME20 DHSES State Aid	\$5,172
TO: A3360.540140 HME20 Contracting Services	\$6,465

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 181-21 *AUTHORIZE GRANT APPLICATION
APPROPRIATION OF FUNDS AND AMEND 2021
BUDGET MENTAL HYGIENE*

WHEREAS: The Office of National Drug Control Policy (ONDCP) and the Centers for Disease Control and Prevention (CDC) have partnered in an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene is seeking authorization to apply for and receive Federal Funding of this Comprehensive Addiction and Recovery Act (CARA) Grant in partnership with Trinity CASA, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene has been awarded said grant and the said funds need to be appropriated; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to accept this grant funding; and

WHEREAS: The grant will be awarded annually from 7/01/2021 through 6/30/2026 and this funding is designated for specific program deliverables; and

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

RESOLVED: That the grant funds be appropriated and the 2021 budget be amended as follows:

From: A4210.444863.CARA	Federal Aid CARA Grant	\$ 50,000
To: A4210.540590.CARA	Services Rendered	\$ 50,000

And be it further

RESOLVED: That available funds on 12/31 of the original \$50,000 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
FINANCE/ LEGAL COMMITTEE

RESOLUTION NO. 182-21 *AMEND 2021 BUDGET & AUTHORIZE
APPROPRIATION OF FUNDS FROM
FMAS RESERVE BUDGET*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: There is a need to correct the user access control permissions within Tyler Content Management Enterprise to enable the County to make best use of all of the available features; and

WHEREAS: The cost to complete the updates is \$2,960.00; and

WHEREAS: Legislative Approval is needed to modify the 2021 Budget; and

WHEREAS: Costs for the additional implementation should be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H 387808 which requires appropriating funds from the reserve as well as Legislative approval; therefore be it

RESOLVED: That the additional costs be funded and the Treasurer's Capital Account be modified as follows:

FROM: H387808 Financial Mgmt System Reserve	\$2,960.00
TO: H1325-520620 Software Expense	\$2,960.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 183-21 *AMEND RESOLUTION 173-21 TO ESTABLISH
ARPA PAYROLL STIPEND BUDGET*

WHEREAS: Tioga County was the recipient of State and Local Fiscal Recovery Funds through the American Rescue Plan Act (ARPA) that was signed into law on March 11, 2021 by President Biden; and

WHEREAS: Resolution 173-21 assigned Jackson Bailey, Tioga County Budget Officer, to perform management functions, oversight and monitoring on the services provided by Bonadio Group and shall receive additional compensation in the amount of \$5,000 annually, to be paid via his bi-weekly payroll checks, effective July 19, 2021; and

WHEREAS: Establishing a budget is needed for the payroll process and amending of Budget requires Legislative approval; therefore be it

RESOLVED: That the following budget line is created and funded as follows:

From: A1340-510050-M7674 Budget: All Other –ARPA FUNDS \$17,116.00

And be it further

RESOLVED: That unspent funds be carried forward annually until 12/31/2024 to coincide with the Bonadio contract.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY
PERSONNEL COMMITTEE

RESOLUTION NO. 184 -21 *AUTHORIZE APPOINTMENT:
CHIEF INFORMATION OFFICER*

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

WHEREAS: The position of Chief Information Officer (\$80,529 – 90,529 Non-union) has been vacant since August 6, 2021, due to a prior announced resignation; and

WHEREAS: A committee was formed to recruit for a replacement and after interviewing a number of candidates, the committee has identified a well-qualified candidate; therefore be it

RESOLVED: That the Tioga County Legislature appoints Jeremy Loveland to the title of Chief Information Officer at an annual salary of \$87,900.00 effective August 16, 2021.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 185-21 *AUTHORIZE APPOINTMENT OF DIRECTOR OF
ASSETS AND RECORDS MANAGEMENT
COUNTY CLERK*

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

WHEREAS: Resolution 61-21 authorized creation of the position Director of Assets and Records Management (Non-union \$31,869 - \$41,869) within the County Clerk's Office; and

WHEREAS: Following recruitment efforts, the Tioga County Clerk has identified a well-qualified candidate which she would like to appoint to said title; therefore be it

RESOLVED: That the Tioga County Clerk is authorized to provisionally appoint Tracy Savard as Director of Assets and Records Management at an annual salary of \$40,000 effective August 30, 2021, pending successful completion of civil service examination requirements.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 186-21 CREATE AND FILL SEASONAL SOCIAL WELFARE
EXAMINER POSITION AND SEASONAL OFFICE
SPECIALIST I POSITIONS FOR THE HEAP PROGRAM
DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 1, 2021; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

Two, full-time, seasonal Social Welfare Examiners for the period September 27, 2021 through February 25, 2022 at the starting salary of \$15.03 per hour, and

One, full-time seasonal Office Specialist I for the period October 12, 2021 through March 25, 2022 at the starting salary of \$12.50 per hour, and

One, full-time, seasonal Office Specialist I for the period October 12, 2021 through February 25, 2022 at the starting salary of \$12.50 per hour, and

One, full-time, seasonal Office Specialist I for the period October 12, 2021 through January 28, 2022 at the starting salary of \$12.50 per hour; and

WHEREAS: The NYS Minimum Wage is scheduled to increase on December 31, 2021, to a rate to be published by the Commissioner of Labor on or before October 1, 2021, and Tioga County intends to pay at least minimum wage so the hourly rates for Office Specialist I positions will be adjusted accordingly as of December 31, 2021; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

Legislator Standinger spoke. "Unfortunately, there are people that do not have enough money for fuel and this program is done every year with government funding. I know these temporary employees really do a great job, according to Shawn Yetter, and I have not heard any complaints, so I am glad we are doing it."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 187-21 *CONTRACT FOR IT CONSULTANT SERVICES
FROM FORMER EMPLOYEE*

WHEREAS: Legislative approval is required to contract for professional services from former employees within Tioga County; and

WHEREAS: The Information Technology and Communication Services Department has a need to utilize the expertise of the former Chief Information Officer for training and consultation; and

WHEREAS: The Information Technology and Communication Services Department has budgeted funds for contracted services in the approved 2021 budget; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the contractual hire of Douglas Camin as an IT Consultant at an established rate not to exceed \$2,500 starting August 16, 2021; and be it further

RESOLVED: That the Tioga County Legislature authorize the Chair of the Legislature to sign said contract, upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.

Fourth Special Meeting
August 19, 2021

The Fourth Special Meeting of 2021 was held on August 19, 2021 and was called to order by the Deputy Chair at 10:00 A.M. with Legislators Roberts, Sauerbrey, and Sullivan being absent.

Deputy Chair Hollenbeck asked Legislator Monell to have a moment of prayer. "Lord, we thank you for everything you do for us. We pray that you would be with us at this time, as we do things pertaining to the business of the County. Bless us, as we conduct this business and keep us knowledgeable about what you would have us do."

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

There were seven people in attendance.

Legislator Mullen motioned to bring the following resolution forward, seconded by Legislator Weston.

County Attorney DeWind spoke. "We talked about this briefly at our last meeting and there was some additional questions, which I tried to get some clarification. I emailed documents to all of you, however, our email is currently not working today and was not working for most of yesterday, so it is unclear whether these were received. There are really two things requiring authorization for signature and I tried to poll around the State to determine who is participating, who is not participating, and right now it looks good, but I cannot say we have universal buy-in with all the entities needed to obtain 100%.

"Essentially, Letitia James, Attorney General's Office, is looking to settle with the two main Plaintiffs with Johnson & Johnson and three of their affiliated companies. This would release their claims and we would be signing on or joining a settlement with the Attorney General's Office. One point is that this could be superseded by a global settlement that could come out of the Federal litigation in Ohio, which is the bigger nationwide case in multiple courts. The State agreement does have a clause that this could not move forward if a separate, larger agreement is signed nationwide and is contingent on the number of entities in New York State that sign on. There are three pots of money; the original agreement that we sign on to, the Attorney General's Office case with different plaintiffs, and the Johnson & Johnson companies. Then, there is separately an agreement about how that money is divided within New York State. That agreement is with New York and is 5.4% unrestricted and 5.4% restricted. There is also another pot of money that is cycled through the New York State Office of Substance Abuse Services. That office

is then going to distribute grants regionally, outside of the New York City area, so personally I am not holding my breath on how much we are going to receive from this. If we see some of this money come regionally, there is a good chance it is going to bypass us and go to larger areas and facilities in Broome, Chemung, or possibly Syracuse. We tend to sub off of the Broome services. The maximum potential value of \$315,403.91 is partly grants that will be cycled through a State agency, therefore, requiring us to apply for them and possibly not be awarded.

“If everyone signs on the State agreement, New York State would receive \$229,800,000 of which \$60,000,000 is unrestricted, \$60,000,000 restricted, and \$109,800,000 restricted through grants. The State agreement identifies how the restricted funds can be spent and requires annual certification that the funds were used appropriately. Going forward, funds have to be applied to future programs and cannot be used for back funding. This includes treatment of opioid disorders, legal system assistance for people who are addicted, strategies and trainings for first responders, etc. Ultimately, I think if we move forward with this and it comes to fruition in the State, the Legislature will want to meet with our Human Services Committees to determine how to set up programs to apply for the funds. My plan, if you want to proceed with this today, is to sign the agreements and delay sending for a couple of weeks. The attorneys are requesting submission to them by September 10, 2021 because there is a 75 and 90-day trigger period based on when this was first signed by New York State and some of the plaintiffs and we are still waiting for some of the plaintiffs to get resolutions authorized such as Nassau and Suffolk Counties. Otherwise, the Legislature could potentially work on this at a different level and bring it back at a subsequent meeting such as another special meeting at the September 9, 2021 worksession. This resolution is really just authorization for the Chair of the Legislature to sign a settlement agreement between Johnson & Johnson and New York State, as well as an agreement with all the municipalities who enter into this agreement in New York State as to how the funds will be divided.

“It is anticipated that there is going to be another settlement with three other entities that is expected in the next couple of weeks, so we are going to possibly repeat this process for these three distributors.

“Ultimately, if we do not get any of the money from New York State directly in pass through restricted funds, we will at least be looking at a total of \$120,000 of which half will be restricted and half will be unrestricted.

“If enough people sign on in a timely fashion, they are going to pay the first three years lump sum. If we do not meet that metric, then we will get an annual check over the ten-year time period. If we do meet the metric, then everyone will get their check in Year 1 and then we will not get additional funds until Year 4.”

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

REFERRED TO: LEGAL/FINANCE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 188-21 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH JOHNSON AND JOHNSON, JANSSEN PHARMACEUTICALS, INC., ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC. AND JANSSEN PHARMACEUTICA, INC. CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has joined in a legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the "Action"); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS: The Action alleges several causes of action against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. ("J & J") based on claims that J & J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various "front groups" and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in New York; and

WHEREAS: J & J has offered to settle the claims against it by paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will have a potential maximum value of \$315,403.91; and

WHEREAS: It is in the best interest of Tioga County to resolve this matter with respect to J & J without further litigation and enter into an agreement to settle all allegations against J & J and avoid protracted litigation; therefore be it

RESOLVED: That Tioga County is authorized to settle its claim with J & J and Tioga County Chair of the Legislature Martha Sauerbrey is authorized to execute such forms and agreements, as approved by the County Attorney, to compromise the claim of the Defendants J & J and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Standinger, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislators Roberts, Sauerbrey, and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:12 A.M.

Fifth Special Meeting
 September 9, 2021

The Fifth Special Meeting of 2021 was held on September 9, 2021 and was called to order by the Chair at 1:00 P.M. All nine Legislative members were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Lord, our prayer is simple. We ask that you guide us in our endeavor today in doing the business of the people in Tioga County and watch over us, our families, and friends."

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

There were nine people in attendance.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
 LEGISLATIVE WORKSESSION

RESOLUTION NO. 189-21 AWARD BRIDGE PREVENTATIVE MAINTENANCE
 PHASE VII, PIN 9754.31 CONSTRUCTION CONTRACT

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for this portion of the project and NYSDOT has concurred with the award; and

WHEREAS: The Commissioner of Public Works received sealed bids on August 13, 2021 and the bids results were as follows:

Economy Paving Co. Inc.	\$135,353.53
R. DeVincentis Construction, Inc.	\$208,000.00
Hunting Valley Construction	\$223,836.10

And;

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Economy Paving Co., Inc., Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Economy Paving Co. Inc., Cortland, NY not to exceed \$135,353.53 to be paid out of the following account: D51 10.540050 – Bridge Projects.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 1:01 P.M.

Ninth Regular Meeting
September 16, 2021

The Ninth Regular Meeting of 2021 was held on September 16, 2021 and was called to order by the Chair at 12:00 P.M. Legislators Balliet, Hollenbeck, Monell, Mullen, Roberts, Sauerbrey, Standinger, and Weston were present with Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Eternal Father, we beseech you to send forth the armor of the Holy Spirit upon this great nation and all nations and through the precious blood of Jesus Christ great leaders will be raised up that will hold all human life sacred. We humbly ask that this shall lead to the end of abortion, euthanasia, and the slaughter of innocent. Lord, we ask that as we take time to honor the memory of the fallen of the 20th anniversary of the attacks on September 11, 2001 that we strive to emulate the selflessness that was displayed on that faithful and tragic day. May we also remember that on September 12, 2001, we were no longer red or blue, but instead red, white and blue and that we realized we in fact are one nation under God. Father, may it be your divine will that we all shed the yoke of our selfish nature and obtain the virtue of selflessness so that we may, too, one day hear your Son, our Lord and Savior Jesus Christ, utter those glorious words welcome my good and faithful servant. Now enter into the Glory of my Father's Kingdom."

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

There were 38 people in attendance.

Chair Sauerbrey reported we have three Proclamations; *National Recovery Month in Tioga County*, *National Suicide Prevention Awareness Month in Tioga County*, and *National Preparedness Month* that will be noted in the minutes.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 9.2 million adults have a co-occurring mental health and substance use disorder; and

WHEREAS: Of the 19.3 million adults in the United States with a substance use disorder, 47.7% also have a co-occurring mental health disorder; and

WHEREAS: Substance use negatively affects children, families and loved-ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Use and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 32nd anniversary of National Alcohol and Drug Addiction Recovery Month now known as National Recovery Month; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2021 as:

NATIONAL RECOVERY MONTH IN TIOGA COUNTY

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and are proud to support the observance of National Suicide Prevention Awareness Month; and

WHEREAS: Suicide is the 12th leading cause of death in New York State; and

WHEREAS: Suicide is the second leading cause of death for ages 10-34 and fourth leading cause of death for ages 35-54; and

WHEREAS: Suicide claimed the lives of over 1,723 New Yorkers in 2020, or an average of one person died of suicide every five hours in the state; and

WHEREAS: The total deaths to suicide reflect a total of 34,563 years of potential life lost before age 65; and

WHEREAS: Stigma works against Suicide Prevention by discouraging persons at risk from seeking lifesaving help; and

WHEREAS: Most suicides are preventable; and

WHEREAS: Tioga County Suicide Prevention Coalition's mission is to increase awareness, provide education, training, resources and coordinate community services to the public; and

WHEREAS: Tioga County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, and parents, as partners in supporting our community in simply being available to one another; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2021 as:

NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The month of September is recognized as "National Preparedness Month" and creates an opportunity for every citizen to prepare themselves to be on their own for at least three days, as well as prepare their homes, businesses, and communities for emergencies and disasters; and

WHEREAS: The 2021 National Preparedness Month theme is “Prepare to Protect. Preparing for disasters is protecting everyone you love.”; and

WHEREAS: During an emergency, every second counts, and emergency preparedness programs educate individuals and families on how to prepare before, during, and after a disaster; and

WHEREAS: These programs address threats of flooding, flash flooding, severe winter storms, extreme temperatures, power outages, and other potentially life-threatening circumstances that are commonplace in Tioga County to help make our community better prepared, resilient, and safer; and

WHEREAS: The Tioga County Health Department, working alongside our community partners, promotes an all-hazards approach to emergency preparedness by providing ongoing outreach, education, training, and planning to ensure that the community is aware of how to prepare, respond, recover, and mitigate against disasters; and

WHEREAS: Emergency preparedness is the responsibility of every individual, and all county residents are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2021 as:

NATIONAL PREPAREDNESS MONTH

and urges all citizens of our county to participate in preparedness activities and become more prepared by making a plan, building a kit, and staying informed.

Chair Sauerbrey read a paragraph from the County’s Rules of Procedure as it relates to Privilege of the Floor and then individually called upon each resident signed up for privilege of the floor to proceed to the podium.

Rocco Lucente – Spencer, NY spoke. “My name is Rocco Lucente and I am the founder of the recently created Tioga County Liberty Coalition and I am a Republican Committeeman in Tioga County. I am sure some of you on the Legislature have enjoyed reading my emails over the last couple of weeks.

“I am here to address a problem in this County that has been facing us for the last 19 months and that is the official actions of this County Government via the County Public Health Department enforcing COVID mitigation efforts and

measures, which the residents of this County plainly and simply do not support. I have several examples of this. In the year 2020, according to their report, Public Health investigated 64 COVID complaints; that is 64 residents of this County that had their constitutional rights blatantly violated by our County Government. Public Health recommended the abusive practice of the forced masking of school children prior to New York State mandating it. School districts like the Candor School District used this recommendation as a cause to implement a forcible mask mandate before Kathy Hochul came in and did so herself. Public Health, according to their Facebook page, is planning to waste our taxpayer money on a 35 hour a week COVID Investigator, which will cost us nearly \$40,000 a year as a County. Public Health is further wasting our County resources on vaccine clinics that nobody uses and the majority of our county residents do not support. Public Health is parroting State and Federal messaging supporting vaccine apartheid; a situation where unvaccinated people are given different rights and different privileges than the vaccinated. A situation which would put a majority of county residents; the residents you all represent, in a situation of second class citizenship. Fifty-four percent of our residents are unvaccinated, according to the New York Vaccine Tracker, and your Public Health Department is leading the charge locally to discriminate against them. Public Health now supports universal indoor masking. I would note that nobody here is following Public Health's recommendation, which creates a lot of confusion as to the actual intentions of County Government. I would point out that they support universal vaccination despite again the majority of our county not being vaccinated and us being the second least vaccinated County in all of New York State. They support giving people unproven and potentially dangerous booster shots, which have not gone through the trials necessary to prove their efficacy. I frankly have no doubt that they would enforce any COVID measure that has come down the pike because they have done so. The fact of the matter is the biggest threat to liberty in our community is not Joe Biden, it's not Kathy Hochul, it's not Howard Zucker, it's not Anthony Fauci, it is a Republican government which does not take the necessary steps to represent us by doing what they need to do and telling their Health Department to represent the priorities of our community.

"Now, I understand there are some things you cannot do. You cannot control the schools and other aspects beyond your control, but you can control what your County employees do, say and recommend.

" In that light, I have a few recommendations:

1. Tell your County Public Health Department to cease any enforcement of any COVID mitigation efforts and do so openly. Do so via a resolution.
2. Declare that you will not enforce vaccine checks for indoor venues of 5,000 plus as it is required by New York State.

3. Declare that you will not participate in the vaccination program any further and declare that it is frankly now illegal for any State level authority to come into our County and do so.
4. Encourage other "red" rural Upstate New York counties, like ours, to do the same.
5. Resolve to make Tioga County a Republican County again by passing legislation, which actually makes a difference for the people who live here. I moved here from Tompkins County a few years ago and in Tompkins County they routinely passed legislation that defied the Federal government. Legislation that made them a Sanctuary County from illegal immigration and all sorts of other things that they made clear that they would not comply with Federal or State actions which do not align with their priorities. The one thing we should try to emulate from them is their zeal to represent their constituents. Your political opponents have it and too often you do not and that is why we get rolled on every single issue.
6. Pass a law similar to the law Cattaraugus County recently passed to make Tioga County a Constitutional Sanctuary County where unconstitutional laws will not be enforced by County Government and unconstitutional mandates will not be directed by County Departments."

"Finally, I have to conclude by admitting my own feelings of shame over my lack of having been confrontational on this over a year ago. These actions harm thousands of people. These actions that County Government took with enforcing the COVID mitigation harmed more people than anything County Government has ever done to help them and that all lays at your feet. You are responsible for that. These are your employees and at the end of the day, you have to do what is necessary to make sure that they do not do that anymore and, if not, we need to have Legislators who will do so. Thank you."

Benjamin Luce – Little Meadows, PA spoke. "My full name is Benjamin Luce and I am actually a Doctor of Osteopathic Medicine and recently graduated from United Health Services as a resident. I actually live just across the border in Little Meadows, PA and I asked if I could speak even though I am not a resident of Tioga County and was granted the privilege to do so.

"I would first like to thank the Legislature for the very difficult jobs you have representing a significant population and trying to take everyone's concerns into count, which is a very difficult task to do, so thank you.

"I do want to speak on two things. I am not going to be quite so overarching as the previous speaker, but I do appreciate what he said and I do have to agree. I will say that I do want to speak on the mask mandates in schools, as well as the

vaccine mandate for all healthcare workers and what seems to be extending to the rest of the populous. I will talk about the later first.

“As a healthcare professional, one of the things I swore to do was to uphold my patient's medical rights and those medical rights are very, very important. If I were to force someone to do something that I think would be best for them even though they do not want it that is considered a no-no in medicine and it is called medial coercion. This is especially true if I am holding something from them that they actually need. A mandate of the COVID vaccine takes away a very basic right and that is the right of autonomy. An autonomy is something we determine in medicine if someone retains capacity. Capacity is the ability to understand the risks, benefits, alternatives, and everything associated with accepting a certain type of medical intervention and being able to apply it to themselves and determining for themselves whether it would be a good or bad action based on their beliefs. Someone who has severe advanced Dementia and who does not really understand what is going on, unfortunately they do not have capacity anymore and a health care proxy would be assigned to make decisions for them. However, when someone does have capacity, they need to maintain that medical right of autonomy to make decisions for themselves and this vaccine mandate goes against that. It says regardless of whether or not you have capacity, you have to have the vaccine or, in the case of healthcare workers, your job may be at stake. I do feel very strongly about that and probably because I am a physician. Regardless of whether I am for or against the vaccine and I am not anti-vax, this is a very, very significant breach on our liberties here in the United States of America.

“The second thing is the mask mandate for kids in schools. I tried to do a significant amount of research on this and it seems that whenever you find an argument you find a counter argument and you are not really sure where to go. You look at statistics and statistics seem to be skewed on one side and then you look at something else and the statistics are skewed from the other side, so it is really hard to figure out what would be the best avenue. So, a lot of times we look to leaders to give us some kind of direction as to where we should go to save us from whatever is causing us fear.

“I just want to provide some basic things that we could develop a framework off. The mask mandate in schools might not be the best idea. Why do I say that? Of the masks that we have, the best is the N95. It is created specifically to filter out approximately down to 100 nanometers in size. The COVID Virus is 60-140 nanometers in size, so 60 nanometers is smaller than the 100 nanometers in size, so technically if it was just the virus particle itself it could filter through that mask and get into the respiratory system of the person wearing it. We count on and hope that those particles are actually associated with mucus or something else surrounding it that comes off of the person expiring it. However,

we are finding in schools that what we are being required to do for these kids is tell them to wear cloth masks. I submit to you that cloth masks might not be the best idea for actually trying to protect our kids. I heard a comment once that said are we trying to follow a rule for the rule's sake or are we actually trying to protect our kids. In regards to a cloth mask study, if you take a hanky and put 16 layers of hanky material folded up and put it over your nose and expel the air from your lungs, it will actually filter out about 64% of particles approximately 300 nanometers in size. So, 300 nanometers does not even get down to the 60-140 nanometers in size. So, these masks the kids are wearing expel air out of all the corners and it is not sealed tight against their face. If we actually want to protect our kids and not necessarily follow a rule, we should require them to wear N95 masks, which are not fitted for children, or wear a CAPR (Controlled Air Purifying Respirator), which is basically the space suit that filters all the air coming in and out.

"So, I would like to submit that it might be a better idea instead of having these kids wear something that does not necessarily protect them, but that is only a rule that maybe we implement something more along the lines of Plexiglas on the school desks. We do know that babies born after 2020, based on research, that their IQ is actually 21 to 22 percent lower than kids comparable in the last ten years. That is a significant decline in IQ. Thank you so much."

Lora Kuchinski – Owego, NY spoke. "Hi, I am Lora Kuchinski and I live in Owego, NY. I am here to speak about the mask mandate also from the Department of Health.

"First, I want to say that I appreciate the letter this Legislature sent to Governor Cuomo approximately two years ago about the full-term abortion passing and I see you really support life and children. In that regard, masking our kids in school is not helping them at all. I have a pamphlet here if anyone wants to see it that shows face masks pose serious risks to the healthy and there are 14 studies on the back of the pamphlet that were sponsored by the CDC and prove that masks do not work in filtering out viruses. This was not with the Influenza Virus, which is larger than the COVID Virus.

"I offer the following suggestions:

1. To have an opt-out form. I do not know if you are afraid of being sued, but parents will sign forms indicating they do not want their kids to wear a mask and will not sue.
2. Implement a religious exemption. It is against my religion to veil my face, therefore, it is against my kid's religion to veil their face. I do not want to see their faces veiled.

“Show me the scientific studies that show that masks are not harming any children. I have not seen any. I have seen many that say they do harm, but none that they do not. If a parent wants their child to wear a mask, that is fine. They are protected by their mask if they believe masks work. Why force everyone to wear a mask? It should be a choice. Wearing a mask is also a medical experiment and that is against our Nuremberg Law and Constitutional Rights to have our kids participate in a medical experiment of wearing a mask. My child can go anywhere else mask-free. It makes no sense that when they enter school, they have to wear a mask. This is all coming down from your Department of Health; these mask mandates. The schools are following these mandates. They pass the buck. Everyone seems to pass the buck and say it is a mandate they have been told to do. Somebody needs to take a stand for our kids.

“I thought Tioga County supported the constitutional freedom and medical autonomy over one’s body. There is no emergency right now. There is no State of Emergency in New York State. I would like to see the Department of Health for Tioga County get rid of the mask mandate for schools. Thank you.”

Ashley Anderson – Waverly, NY spoke. “My name is Ashely Anderson and I am speaking on behalf of my son who is a ninth grader at the Waverly School, as well as on behalf of all the parents here who are against the masks.

“I did not really know what I was going to say today. I have nothing prepared. I just have to say that the mental health aspect and the long-term effects of lack of oxygen to the brain, children’s development, and being able to concentrate in school is concerning. I do not know what can be done. I do not know if hands are tied, funding cuts are at stake, schools not willing to comply. I do not know how it all works. I do not know much about politics.

“I do know that there needs to be fresh oxygen available to our children throughout the school day. They need to have fresh drinking water. The school has shut down all of their drinking fountains, so if my son forgets to bring his water bottle because we are rushing out the door trying not to forget our mask then he has to go without. These are the little extra stressors that are put on the parents and then sending him to school knowing he is going to have his face covered. As adults, we can take the masks off. These children are being forced to feel that they cannot and that they have to comply. My son is embarrassed of me. He does not want me to make a big deal of this, saying it is not a big deal. This is a huge deal. I have never felt this violated before to protect my child or my rights.

“The community that we live in, I feel like there are so many more of us against this than for the mask. I actually have worked with and talked with healthcare providers who feel the masks are safe when worn properly. These kids

are touching their faces. Let's just take them off and see what happens. I trust the immune system. I am a healthcare worker as well. I believe in the health autonomy of our systems to be able to fight infections and diseases and when you are constantly covering your face and then promoting hand sanitizer all day long; 70% Isopropyl Alcohol on our children's hands. This is becoming normal. What happened to hand washing? Handwashing and keeping your hands out of your face. When you are sick, stay home. We are forgetting all of this and the mask is a symbol of a false sense of security. It is not accurate. To deprive a child or adolescent's brain from oxygen or to restrict it is not only dangerous to their health, it is absolutely criminal. Oxygen deficiency inhibits the development of the brain and the damage cannot be reversed. This is by a neurologist, Dr. Margaret, Ph.D. There are doctors who are for anti-masks, but they cannot say anything because they are obligated.

“What can we do on a collective to tell our children to just stop wearing the mask? There are so many questions that need answered. My son has only been in school for two weeks and he gets migraines, acne, stress and anxiety all of these things that are developing that were not before having to wear the mask. These children should not have to suffer because of the fear. Trust your immune systems, teach hand washing, and if the masks must continue then give them fresh oxygen in school with mask breaks. Take them outside and have a stress reduction session without masks. Do something for these kids. They think this is normal. This is not normal. For the little ones just entering school, this will become their normal if we do not stop this. My son had freedom two years ago and now he is mandated to do this. It is not okay. It breaches civil rights, constitutional rights, and I stand for all the moms and parents.

“My son was quarantined at least fifty (50) days last year. Someone tests positive, my son has to stay home for ten days. Another student test positive, another ten day quarantine. He misses algebra, he misses other classes and we are now stressed with having to learn virtually. He has never tested positive himself. I have never once signed the paper that they were legally allowed to test with a swab up my son's nose and they have done this four times. We received a letter that starts with a recommendation and then at the very bottom of the letter indicates that if we fail to quarantine our son they can have my son removed from our home. They can take the children and put them in a camp. I have the documents of this threat if I failed to keep my son quarantined.

“I am outraged, violated, and just angry and I do not know what to do with it. I hope that someone can hear it, acknowledge it, and we can move through this for the safety and wellness of our kids. Thank you.”

With no further public comment, Chair Sauerbrey closed the privilege of the floor section of the meeting.

Legislator Monell made a motion to approve the minutes of August 10 and August 19, 2021, seconded by Legislator Roberts 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 by the end of this week.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 190-21 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2022 County taxes

among the several Towns are hereby established as follows:

Town of Barton	80.00
Town of Berkshire	95.00
Town of Candor	92.00
Town of Newark Valley	66.00
Town of Nichols	25.80
Town of Owego	68.00
Town of Richford	96.00
Town of Spencer	100.00
Town of Tioga	6.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 191-21 *DESIGNATION OF TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION,
D.B.A. TIOGA COUNTY TOURISM, AS
AUTHORIZED TOURISM PROMOTION
AGENCY FOR 2022*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the State in its tourism grants program; and

WHEREAS: The New York State Tourism Grants Program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA); therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2022 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 192-21 REAPPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member in the REAP Board of Directors; and

WHEREAS: Abbey Ortu's term expires October 14, 2021; and

WHEREAS: Abbey Ortu, Community Development Specialist, is willing to serve another two year term on the REAP Board of Directors; therefore be it

RESOLVED: That Abbey Ortu, Community Development Specialist, be hereby reappointed to the REAP Board for a two year term from October 15, 2021 through October 14, 2023.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 193-21 APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Mike Reynolds' term serving in alternate position on the Tioga County Planning Board expires on 12/31/2022; and

WHEREAS: Mike Reynolds had to prematurely resign from serving on the Tioga County Planning due to moving outside of the county; and

WHEREAS: The Tioga County Planning Department has found Bryan Goodrich willing and able fulfill this unexpired term; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Bryan Goodrich to serve in an alternate position on the Tioga County Planning Board, replacing Mike Reynolds, for a term of 9/17/2021 – 12/31/2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO.194-21 *SEQRA CONSIDERATION FOR NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (NYSOPRHP) 2021-2022 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to all trails in Tioga County, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the

proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 195-21 *AUTHORIZATION FOR TIOGA COUNTY
LEGISLATURE APPROVAL OF THE REISSUANCE AND
CONVERSION OF REVENUE BONDS BY THE
CENTRAL BRADFORD PROGRESS AUTHORITY AND
DECLARING THAT IT IS DESIRABLE FOR THE HEALTH,
SAFETY, AND WELFARE OF THE PEOPLE OF TIOGA
COUNTY, NY FOR THE CENTRAL BRADFORD
PROGRESS AUTHORITY TO FINANCE CERTAIN
FACILITIES SERVING THE PEOPLE OF TIOGA
COUNTY, NY*

WHEREAS: The Tioga County Legislature adopted Resolution 13-11 on January 11, 2011, at the request of the Central Bradford Progress Authority (the "Authority"), providing "host approval" under section 147(f) of the Internal Revenue Code (the "Code") in connection with the issuance by the "Authority" of its revenue bonds in a principal amount not to exceed \$300,000,000 for the purpose of making a loan to Guthrie Health, a Pennsylvania non-profit corporation to finance and refinance the costs of acquisition, construction, renovation, equipping, furnishing, and installation of land, buildings, equipment, furnishings, fixtures, and software for the provision of clinical, hospital, inpatient, outpatient, diagnostic, treatment, ancillary, support and/or other health care related services provided by the

members of the health care system headed by the Borrowers at various locations, including locations in Tioga County, NY; and

WHEREAS: The "Authority" is again requesting the approval of the Tioga County Legislature (the "Municipality") in connection with the proposed conversion of the interest rate on and reissuance of its Revenue Bonds (Guthrie Clinic Issue), Series 2019 (the "Bonds"), originally issued in an aggregate principal amount of \$104,520,000 to a tax-exempt rate. The proceeds of the Bonds were issued in order to finance, refinance, and reimburse a portion of the cost of a project consisting of:

(1) the refinancing of the Authority's Revenue Bonds (Guthrie Clinic Issue), Series 2011, the proceeds of which were used to accomplish:

(i) the financing, refinancing, refunding, and reimbursement of the costs of acquisition, construction, renovation, equipping, furnishing, and installation of various facilities for the provision of clinical hospital, inpatient, outpatient, diagnostic, treatment, ancillary support and other health care related services provided by the System Members, including interest during construction at various locations, including Tioga County, NY locations;

(ii) the refunding of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series A of 2002 used to fund and refinance certain capital projects of the Corporation;

(iii) the financing of the costs of construction of a new critical access hospital for Troy Community Hospital, including interest during construction;

(iv) the refinancing of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series 2007 used to fund and refinance certain capital projects of the Corporation; and

(v) the payment of the costs of issuance of the Series 2011 Bonds; and

(2) the payment of the costs of issuing the Bonds; and

WHEREAS: Section 147(f) of the "Code" requires the approval of the governing body or chief elected representative of each state or local government jurisdiction in which tax-exempt bond-financed facilities are located, following a public hearing by an authorized representative of the state or local government jurisdiction; and

WHEREAS: In accordance with the above-mentioned requirement, a public hearing was held by the "Authority", on behalf of, and as a joint undertaking of, Tioga County and certain of those other host jurisdictions in which Facilities

financed by the Bonds are located, respecting the proposed conversion and reissuance of the Bonds to a tax-exempt rate, after notice of the hearing (the "Hearing Notice") was published prior to the hearing date in one or more newspapers of the general circulation in Tioga County. A copy of the Hearing Notice thereof is attached to and made part of this resolution as Exhibit A hereto; therefore be it

RESOLVED: By the Legislature of the County of Tioga, NY as follows:

1. The reissuance of the Bonds as tax-exempt bonds is hereby approved in accordance with Section 147(f) of the "Code". By way of this Resolution, the Tioga County Legislature does not accept and through this approval does not impose any liability on Tioga County, NY in connection with the reissuance of the Bonds, nor shall the credit or taxing power of the Tioga County Legislature be pledged in any way for reissuance of the Bonds or the financing of any projects with respect thereto.
2. It is hereby declared desirable for the health, safety, and welfare of the people in Tioga County, NY to have the "Authority" reissue the bonds that financed and refinanced costs of the facilities located in Tioga County, NY.
3. The proper officers, authorized representatives, or designees of Tioga County are hereby authorized, directed, and empowered to execute and deliver a copy of this resolution and execute and deliver a Certificate of Approval in the form attached hereto as Exhibit B.
4. This resolution shall be effective immediately upon adoption. All prior resolutions inconsistent herewith are hereby repealed to the extent of such inconsistency.

EXHIBIT A

TEFRA Hearing Notice

NOTICE IS HEREBY GIVEN that a public hearing will be conducted by the Central Bradford Progress Authority (the "Authority") by and on behalf of, and as a joint undertaking of, the Pennsylvania municipalities of the Borough of Towanda; the Township of North Towanda, the Township of Towanda and the Township of Wysox, the Pennsylvania Counties of Bradford, Sullivan, Tioga and Wyoming, and the New York Counties of Broome, Chemung, Schuyler, Steuben, Tioga, and Tompkins, on August 12, 2021, at 10 a.m. local time at 1 Elizabeth Street, Suite 3, Towanda, Pennsylvania 18848.

The hearing will be held by the Authority in connection with the proposed conversion of the interest rate on and reissuance of its Revenue Bonds (The Guthrie Clinic Issue), Series 2019 (the "Bonds"), originally issued in an aggregate principal amount of \$104,520,000, to a tax-exempt rate. The Bonds were issued for the benefit of The Guthrie Clinic, a Pennsylvania nonprofit corporation ("Guthrie Clinic") and certain organizations which are members of an integrated health care delivery system headed by Guthrie Clinic (collectively, with Guthrie Clinic, the "System Members"). The proceeds of the Bonds were issued in order to finance, refinance and reimburse a portion of the cost of a project consisting of (1) the refinancing of the Authority's Revenue Bonds (Guthrie Health Issue), Series 2011, the proceeds of which were used to accomplish (i) the financing, refinancing, refunding and reimbursement of the costs of the acquisition, construction, renovation, equipping, furnishing, and installation of various facilities for the provision of clinical hospital, inpatient, outpatient, diagnostic, treatment, ancillary support and other health care related services provided by the System Members, including interest during construction at various locations listed on Schedule I attached hereto; (ii) the refunding of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series A of 2002 (the "Series 2002A Bonds"), used to fund and refinance certain capital projects of the Corporation; (iii) the financing of the costs of construction of a new critical access hospital for Troy Community Hospital, including interest during construction; (iv) the refinancing of a portion of the outstanding Health Care Facilities Authority of Sayre Revenue Bonds (Guthrie Health Issue), Series 2007 (the "Series 2007 Bonds"), used to fund and refinance certain capital projects of the Corporation; and (v) the payment of the costs of issuance of the Series 2011 Bonds; and (2) the payment of the costs of issuing the Bonds.

Members of the public are invited to attend the public hearing and/or to submit written comments on the reissuance of the Bonds at a tax-exempt rate and the above-described projects on or before the hearing date. Written comments should be submitted to the Central Bradford Progress Authority, c/o Anthony J. Ventello, Executive Director, 1 Elizabeth Street, Suite 3, Towanda, PA 18848.

CENTRAL BRADFORD PROGRESS AUTHORITY

EXHIBIT B**Certificate of Approval**

The undersigned, being the highest elected official(s) of Tioga County named below, on behalf of Tioga County hereby approves the reissuance and conversion by the Central Bradford Progress Authority (the "Authority") of its revenue bonds to a tax-exempt rate in an aggregate principal amount not to exceed \$104,520,000, used to finance costs of health care and related facilities for the benefit of Guthrie Clinic and its affiliates as further described in the notice of public hearing attached as Exhibit A hereto. The Tioga County Legislature does not accept and through this approval does not impose any liability on Tioga County in connection with the issuance of the Bonds, nor shall the credit or taxing power of Tioga County be pledged in any way for the issuance of the Bonds or the financing of any projects with respect thereto.

A public hearing concerning the issuance of the Tax-Exempt Bonds was held at the offices of the Authority on August 12, 2021 at 10:00 a.m. and we have received a copy of the transcript of said hearing.

IN WITNESS WHEREOF, this Certificate is executed by the undersigned elected official(s) this _____ day of _____, 2021.

TIOGA COUNTY, NEW YORK

By: _____

Chair of the Tioga County Legislature

Schedule I

<u>Initial Owner</u>	<u>Municipality</u>	<u>County</u>	<u>State</u>	<u>Location of Facilities</u>
Guthrie Medical Group,	Athens	Bradford	PA	412 South Main Street Athens, PA 18810
Successor to Guthrie Clinic Ltd	Bath	Steuben	NY	7569 Route 54 Bath, NY 14810
	Big Flats	Chemung	NY	31 Arnot Road Horseheads, NY 14845
	Canton	Bradford	PA	127 Sullivan Street Canton, PA 17724
	Corning	Steuben	NY	130 Centerway Corning, NY 14830
	Dushore	Sullivan	PA	110 Main Street Dushore, PA 18614
	Erwin	Steuben	NY	9768 Lynn Morse Drive Painted Post, NY 14870
	Dryden	Tompkins	NY	1780 Hanshaw Road Ithaca, NY 14850
	Mansfield	Tioga	PA	63 South Main Street Mansfield, PA 16933
	Owego	Tioga	NY	1246 State Route 38 Owego, NY 13827
	Pine City	Chemung	NY	1243 Pennsylvania Ave. Pine City, NY 14871
	Sayre	Bradford	PA	Guthrie Square Sayre, PA 18840
	Sayre	Bradford	PA	1011 N. Elmer Ave. Sayre, PA 18840
	Sayre	Bradford	PA	307/309/311/313/315/317/319 Lockhart Street Sayre, PA 18840
	Sayre	Bradford	PA	103 South Elmer Avenue Sayre, PA 18840
	Sayre	Bradford	PA	247 Desmond Street Sayre, PA 18840
	Towanda	Bradford	PA	7 Colonial Drive Towanda, PA 18848
	Towanda	Bradford	PA	204 York Avenue Towanda, PA 18848
	Troy	Bradford	PA	285 Guthrie Drive Troy, PA 16947
	Tunkhannock	Wyoming	PA	Rt-6 Town Plaza Suite 2, Tunkhannock, PA 18657
	Vestal	Broome	NY	2517 Vestal Parkway East Vestal, NY 13850

Watkins Glen	Schuyler	NY	One First Street Watkins Glen, NY 14891
Waverly	Tioga	NY	150 Broad Street Waverly, NY 14892
Waverly	Tioga	NY	29 North Chemung Street Waverly, NY 14892
Wellsboro	Tioga	PA	7 Water Street Wellsboro, PA 16901
Wellsboro	Tioga	PA	120 Plaza Lane Wellsboro, PA 16901
Wyalusing	Bradford	PA	Route 6 West, Farm and Home Plaza Wyalusing, PA 18853

The Guthrie Clinic, Successor to Guthrie Healthcare System	Ithaca	Tompkins	NY	1780 Hanshaw Road Ithaca, NY 14850
	Owego	Tioga	NY	1246 State Route 38 Owego, NY 13827
	Sayre	Bradford	PA	Guthrie Square Sayre, PA 18840
	Sayre	Bradford	PA	307/309/311/313/315/317/319 Lockhart Street Sayre, PA 18840
	Sayre	Bradford	PA	103 South Elmer Avenue Sayre, PA 18840
	Sayre	Bradford	PA	1011 N. Elmer Avenue Sayre, PA 18840
	Sayre	Bradford	PA	302/304/306/322/324 Chemung Street Sayre, PA 18840
	Sayre	Bradford	PA	311/317/319/321/323 Hayden Street Sayre, PA 18840
	Sayre	Bradford	PA	300/304/306/308/310/312 South Wilbur Avenue Sayre, PA 18840
	Sayre	Bradford	PA	318 Chemung Street Sayre, PA 18840
	Wellsboro	Tioga	PA	120 Plaza Lane Wellsboro, PA 16901
Robert Packer Hospital	Athens	Bradford	PA	Round Top Tower, on Round Top Per Road, approximately ½ mile north of the intersection of Round Top Road and Round Top Park Road Athens Township, PA 18840
	Sayre	Bradford	PA	Guthrie Square Sayre, PA 18840
	Sayre	Bradford	PA	North Thomas Avenue, Sayre, PA 18840 (building and land containing hangar and laundry facilities)

	Sayre	Bradford	PA	North Thomas Avenue Sayre, PA 18840 (parking lot adjacent to hangar and laundry facilities)
	Sayre	Bradford	PA	96 Hayden Street Sayre, PA 18840
	Sayre	Bradford	PA	123 Lockhart Street Sayre, PA 18840
	Sayre	Bradford	PA	107 South Wilbur Avenue Sayre, PA 18840
	Towanda	Bradford	PA	603 Williams Street Towanda, PA 18848
Troy Community Hospital	Troy	Bradford	PA	275 Guthrie Drive Troy, PA 16947
Corning Hospital	Bath	Steuben	NY	47 West Steuben Street Bath, NY 14810
	Corning	Steuben	NY	1 Guthrie Drive Corning, NY 14830
	Erwin	Steuben	NY	9768 Liberty Drive Painted Post, NY 14870
Robert Packer Hospital School of Nursing	Sayre	Bradford	PA	Guthrie Square Sayre, PA 18840
	Sayre	Bradford	PA	317/319/321/323 Hayden Street Sayre, PA 18840
	Sayre	Bradford	PA	105 South Wilbur Avenue Sayre, PA 18840
	Sayre	Bradford	PA	310 South Wilbur Avenue Sayre, PA 18840
	Sayre	Bradford	PA	102/104/106/108/110/112 Hospital Place Sayre, PA 18840
	Sayre	Bradford	PA	116/118 Elmer Avenue Sayre, PA 18840
	Sayre	Bradford	PA	307/309/311/313/315/319 Lockhart Street Sayre, PA 18840
	Sayre	Bradford	PA	322/324 Chemung Street Sayre, PA 18840
Donald Guthrie Foundation for Education and Research, Inc.	Sayre	Bradford	PA	Guthrie Square Sayre, PA 18840

Guthrie Home Care	Towanda	Bradford	PA	421 Tomahawk Road Towanda, PA 18848
Sayre House of Hope	Sayre	Bradford	PA	312 Chemung Street Sayre, PA 18840

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 196-21 *AUTHORIZE SALE OF COUNTY OWNED PROPERTIES ACQUIRED FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; therefore be it

RESOLVED: That the following properties be sold at public auction to be held in the former Treadway Conference Center at 1100 NY-17C, Owego, NY 13827 on October 07, 2021 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

- 166.15-1-8; Patrick Hogan
- 166.15-7-7; Lincoln J Cascio
- 166.19-4-11; Christina R Ellis
- 113.00-3-13.12; Joseph D Zarkowski
- 122.14-1-3; Estate of Ellen Zoeller
- 135.00-1-8; Tina M Manchester
- 157.00-2-18; Robert J Triolo
- 157.07-1-20; Robert J Triolo
- 166.00-1-7.20; Sally J Shea

166.00-2-20.21; Douglas K VanAllen
166.11-5-1.1; Ronald Olsen
167.18-1-2; William Tobey

Town of Candor:

27.00-1-9.113; James Slougher & Debra Slougher
27.00-1-9.70; Beverly Krauss
60.00-1-11.10; Judith Johnson
72.06-1-3.22; Kristine S Hia

Town of Newark Valley:

64.15-2-56; William Garrapy & Keith Greene
64.19-2-25; Brandon S Baird
64.00-1-37; Willis Hilker & Shirley Hilker

Town of Owego:

117.19-1-66; Maurice Daniel Miller
117.19-2-62; The Kurt J. Kemmerling Trust
128.08-2-60; Equity First Realty
128.08-3-9; Horizon Transport, LLC
129.05-1-10; Gerald D Wade Jr
129.05-2-12; Richard H Fiacco
131.19-1-23; Cecil J Van Patten
141.00-1-68; Hazel Youells
142.06-1-2; David A Sayles & Jennifer L Sayles
142.06-1-1; David A Sayles & Jennifer L Sayles
142.10-1-6.3; Kevin E Lane & Mikaela Kelly Lane
142.11-1-1; Lucas H Coene
142.14-2-49; James Mosher
142.18-1-24; Brian Hulbert
153.05-1-20; Maurice J Duffy
153.07-1-56.2; Drihmi Realty Inc
164.05-1-3.14; Terry Ann Woloszyn
98.00-1-28; Mark P Lane & Patricia M Lane
98.00-1-54; Eric C Knapp
98.00-1-56; Eric C Knapp

Town of Spencer

68.07-1-43; Elizabeth A Letourneau & William R Letourneau
46.00-1-38; Jason Mott
70.00-2-26.12; Darlene Ann Rider-Breese
80.00-1-11; David Wemmer
80.00-1-13.10; David Wemmer

Town of Tioga

105.00-2-7; Kenneth J Jacobson & Brandon D Jacobson

106.19-1-18; Bryan Tinnel

115.00-2-14.10; Seth Grantham

137.00-3-13.22; Henry C Beebe & Connie H Beebe

158.00-2-2; Emmanuel Sloat aka Chris W. Root

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 197-21 *RENEW POLICY WITH SHELTERPOINT LIFE
INSURANCE COMPANY FOR SHORT-TERM
DISABILITY*

WHEREAS: Tioga County provides a short-term disability policy to CSEA and full-time Non-Union employees, except elected officials; and

WHEREAS: Resolution 183-20 authorized Tioga County to change carriers from Guardian to ShelterPoint Life Insurance Company as of October 1, 2020 due to a one-year rate quote from ShelterPoint that was a significant savings; and

WHEREAS: ShelterPoint continues to offer a competitive rate as of October 1, 2021 renewal date; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to renew the short-term disability policy with ShelterPoint effective October 1, 2021, subject to review by the County Attorney, and annually thereafter until such time as a different carrier is selected if appropriate.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 198-21 *AWARD BID FOR EMS STUDY*

WHEREAS: The Tioga County Office of Emergency Services sought bids for Emergency Medical Services (EMS) study; and

WHEREAS: The requested study is part of the County's efforts to evaluate its existing EMS Operation and EMS Training to make recommendations for long term success, viability, sustainability, stability and improved efficiency and safety for both EMS services and citizens looking at a five to ten year plan; and

WHEREAS: The Tioga County Office of Emergency Services received sealed bids on September 7, 2021:

Cambridge Consulting Group	\$148,500
A.E.R. Consulting Services	\$225,000
Center for Governmental Research	\$ 63,500

And;

WHEREAS: Tioga County Office of Emergency Services has determined that Center for Governmental Research is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to Center for Governmental Research, the lowest responsible bidder in material and substantial compliance with the bid specifications, for \$63,500.00.

Legislator Standinger spoke. "Tioga County is in dire straits as far as EMT's and ambulance service. Hopefully, this will help address some of the issues we are undergoing now."

Legislator Mullen spoke. "I just want to thank Mike Simmons, Director of Emergency Services, for the hard work in this area and the Legislators for taking this under consideration. If you have to call for an ambulance, there are some parts in Tioga County this could be an hour wait. Think about that if it were your son, daughter, mother, or father. We need to get something done."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 199-21 *AUTHORIZE CONTRACT WITH UNITED HEALTH CARE (UHC) FOR RETIREE MEDICARE ADVANTAGE PLAN/MEDICARE PART D PRESCRIPTION DRUG COVERAGE THROUGH BROOME COUNTY PURCHASING ALLIANCE (BCPA)*

WHEREAS: Resolution 119-21 authorized Tioga County to participate in the Broome County Purchasing Alliance (BCPA) Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for Medicare-eligible retirees and their eligible spouses; and

WHEREAS: Broome County has reviewed and evaluated all of the proposals and selected United Health Care (UHC) as the carrier to provide the retiree Medicare coverage with three coverage offerings to select from; and

WHEREAS: Tioga County has reviewed the UHC Plan 1, the richest of the three offerings which most closely mirrors Tioga County retirees' current Hartford Medicare Supplemental Plan F and Express Scripts Medicare Part D prescription drug coverage; and

WHEREAS: The UHC representative confirmed that there would be zero out-of-pocket cost for any medical services covered by Medicare which is the same level of medical coverage as with the current Medicare Supplemental Plan F; and

WHEREAS: The UHC Plan 1 provides some additional benefits for services not covered by Medicare, an enhancement from Tioga County's current Medicare Supplemental plan; and

WHEREAS: The UHC representative indicated that the medical network is any provider who accepts Medicare which is the same medical network as our current Medicare Supplemental plan; and

WHEREAS: The UHC representative indicated that UHC Plan 1 prescription coverage is their richest Part D drug formulary and believes it would be similar coverage to our current Medicare Part D formulary; and

WHEREAS: The UHC prescription co-pays in Plan 1 are \$0 for generic, \$5 for preferred brand, \$20 for non-preferred brand, and \$20 for specialty tier for 30 day supply, which is lower than our current plan's 30 day co-pays; and

WHEREAS: The UHC Plan 1 does allow for 90 day prescriptions for one co-pay through mail order; and

WHEREAS: The UHC pharmacy network is all major pharmacy chains similar to our current plan's pharmacy network; and

WHEREAS: Tioga County met with the Tioga County Retirees' Association Board to discuss this potential change in benefits for 2022, and the UHC representative satisfactorily answered the questions the Board raised about the UHC Plan 1 medical coverage; and

WHEREAS: UHC is able to offer a three year rate guarantee through the BCPA seeking a two year commitment from employers who elect to participate but allows for opting out in any given year; and

WHEREAS: The UHC Plan 1 rate for 2022 and 2023 is \$260 per policy per month and \$275 for 2024, which is almost half the 2022 Medicare Supplemental plan rate of \$490.43 per policy per month, for an annual savings of over \$770,000.00 for 2022; therefore be it

RESOLVED: That the Tioga County Legislature wishes to change Tioga County Medicare eligible retirees' and eligible spouses' coverage to UHC Plan 1 effective January 1, 2022 and acknowledges the two year commitment to UHC Plan 1 through December 31, 2023; and be it further

RESOLVED: That Tioga County is authorized to execute the necessary steps to change retirees' coverage to UHC Plan 1 as of January 1, 2022; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with United Health Care, subject to review by the County Attorney, electing Plan 1 Medicare Advantage and Medicare Part D Prescription Drug Benefits for Tioga County Medicare eligible retirees and their eligible spouses for the period of January 1, 2022 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 200-21 *AUTHORIZE CONTRACT WITH EXCELLUS
BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH
INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2022 through December 31, 2022; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2022 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 201-21 *AUTHORIZE 2021-22 CONTRACTS WITH
SADD SCHOOL ASSOCIATES
STOP DWI*

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

WHEREAS: It is the desire to contract with the following five SADD School Associates for the school year 2021-22; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Cindy Tebo to serve the Owego Apalachin School District; Erika Brown to serve the Spencer Van Etten School District, and; Janice Barto to serve the Tioga Central School District; and

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

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

RESOLVED: That these contracts for SADD School Associates be authorized for the 2021-22 school year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 202-21 APPROVE 2022 STOP DWI PLAN

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires counties to submit an annual STOP DWI Plan by October 1st for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2022 STOP DWI Plan to the Tioga County Legislature for approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the 2022 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$ 6,000
Prosecution Related	\$ 1,000
Probation	\$13,000
Rehabilitation	\$ 1,000
PI&E	\$14,000
Administration	\$ <u>450</u>
	\$35,450

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 203-21 *AUTHORIZE THE SUBMISSION OF THE
2021-2022 NYS STOP DWI HIGH VISIBILITY
ENGAGEMENT APPLICATION
STOP DWI*

WHEREAS: The NYS STOP-DWI Foundation Board secured funding from the Governor's Traffic Safety Committee for the High Visibility Engagement Campaign during the grant cycle of October 1, 2021 – September 30, 2022 with \$15,000 in funding set for Tioga County; and

WHEREAS: County Policy # 47 requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to apply for this grant.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 204-21 *AUTHORIZATION TO EXECUTE ENGAGEMENT
LETTER FROM GOLDBERG SEGALLA TO
PROVIDE LEGAL SERVICES*

WHEREAS: Tioga County has been named as a party in two lawsuits; and

WHEREAS: Tioga County wishes to retain the services of Goldberg Segalla to act on behalf of the County; and

WHEREAS: Goldberg Segalla has set forth the services they will provide in an engagement letter; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Chair of the Legislature to sign said engagement letter from Goldberg Segalla for said services.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 205-21 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program (FFY 2021), PIN 9754.31 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

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

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

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

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

RESOLVED: That the sum of \$249,655 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phases of the Project; and it is further

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

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

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 206-21 *AUTHORIZE APPLICATION FOR NYS EARLY VOTING
EXPANSION GRANT AND
BUDGET AMENDMENT*

WHEREAS: The New York State Legislature allocated a total of \$2,000,000 from the 2021 Aid to Localities Budget for use by county boards of elections for Early Voting expansion;

WHEREAS: Tioga County is authorized to receive up to \$17,694.07 reimbursement from these funds for eligible expenses related to Early Voting expansion and implementation, which have taken place between April 7, 2021 and January 28, 2022; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to apply for the NYS Early Voting Expansion (EVE) Grant Program as soon as practicable; and be it further

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM: A1450-439060 EV State Aid, Early Voting Grant \$17,694.07

TO: A1450-540490 EV Elect. Exp., Early Voting Grant \$17,694.07

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 207-21 *APPLY FOR NYS TECHNOLOGY INNOVATION AND
ELECTION RESOURCE GRANT AND
BUDGET AMENDMENT*

WHEREAS: The New York State Legislature allocated a total of \$20,000,000 from the 2021 Capital Projects Budget for use by county boards of elections to reimburse expenses related to upgrades of software, technology, and equipment; and

WHEREAS: Tioga County is authorized to receive up to \$50,356.46 reimbursement from these funds for eligible expenses related to Early Voting expansion and implementation, which have taken place between April 7, 2021 and January 27, 2023; and

WHEREAS: This funding will be used to reimburse a portion of the expense for our new voting machines purchased in July 2021, but must first be accepted; therefore be it

RESOLVED: That the Tioga County Board of Elections is authorized to apply for the NYS Technology Innovation and Resource (TIER) Grant Program as soon as practicable; and be it further

RESOLVED: That the 2021 budget be modified to accept funds to the following account:

H1450-439060	State Aid-Elections	\$50,356.46
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 208-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding through Broome County, as a partner in the Creating Healthy Schools and Communities (CHSC) grant; and

WHEREAS: The funding is specifically designated for Public Health efforts toward CHSC in Tioga County; 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 \$ 50,000

To: A4053 540487 Public Health: Program Expenses \$ 50,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 209-21 CONTINGENCY FUND REQUEST AND
TRANSFER OF FUNDS
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

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

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses, yet this will require a budget modification and transfer of funds from contingency to Mental Health's appropriation account; and

WHEREAS: Transfer of funds and contingency fund requests requires Legislative approval; therefore be it

RESOLVED: That contingency fund use be approved and transferred as follows:

From: A1990 540715	County Contingency Account	\$ 32,056.50
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$ 32,056.50

Legislator Standinger spoke. "This is an unfunded mandate. The State dictates how much money we have to pay for an inmate who has already been incarcerated and goes to the State facility. Then they send us a bill. Obviously, we have to pay it, but I am not in favor of the way it is done."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 210-21 *AUTHORIZATION TO RECLASSIFY VACANT
PART-TIME LAND BANK DIRECTOR POSITION
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: A part-time Land Bank Director (\$29,249-\$29,980; Non-union) position has been vacant since July 28, 2021, due to resignation; and

WHEREAS: The Director of Economic Development & Planning has reviewed and redefined work assignments within her department and has also determined said part-time vacancy would be better utilized if reclassified; and

WHEREAS: The Director of Economic Development & Planning submitted a New Position Duties Statement to the Personnel Officer who determined that the title of Office Specialist II (\$13.19/hour) was the appropriate classification for work to be performed by the part-time position; therefore be it

RESOLVED: That the part-time vacant Land Bank Director (\$29,249-\$29,980; Non-union) position is reclassified as a part-time Office Specialist II (\$13.19/hour) not to exceed 17 hours per week effective September 15, 2021; and be it further

RESOLVED: The Director of Economic Development & Planning is authorized to fill said part-time vacancy from the appropriate eligible list and in accordance with payroll processing hire date requirements.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 211-21 *AUTHORIZE SALARY REALLOCATION
WITHIN CSEA SALARY SCHEDULE FOR
SUPERVISING PUBLIC HEALTH SANITARIAN AND
PUBLIC HEALTH SANITARIAN
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for a title's salary reallocation; and

WHEREAS: On July 13, 2021, the Personnel Department received position description questionnaires from Todd Kopalek, Supervising Public Health Sanitarian (CSEA SGXII, \$46,378-\$47,078); Adam Ace, Albert Knapp, and Daniel Scherrer, Public Health Sanitarians (CSEA SG IX, \$40,898-\$41,598) all of whom work within the Environmental Health division of the Public Health Department; and

WHEREAS: A desk audit occurred and involved the review of work tasks performed by the employees as well as current salary allocation; and

WHEREAS: The Personnel Officer has made a determination that due to the specific college degree requirements of the minimum qualifications as set by the New York Sanitary Code; the extent of work responsibilities inclusive of intensive case management and ongoing public health education; and the responsibility of enforcing statutes and regulations, there is justification to request a salary reallocation of said titles within the CSEA Salary Schedule; therefore be it

RESOLVED: That the title of Supervising Public Health Sanitarian shall be reallocated from CSEA Salary Grade XII to CSEA Salary Grade XV (\$55,917-\$56,617) and the title of Public Health Sanitarian shall be reallocated from CSEA Salary Grade IX to CSEA Salary Grade XI (\$44,572-\$45,272) effective retroactive to July 13, 2021; and be it further

RESOLVED: That the 2021 annual salaries of current incumbents in said titles shall increase as follows: Todd Kopalek, \$9,539; Adam Ace, Albert Knapp, and Daniel Scherrer, \$3,674 (each), effective retroactive to July 13, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:37 P.M.

Tenth Regular Meeting
October 12, 2021

The Tenth Regular Meeting of 2021 was held on October 12, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislative members were present.

Chair Sauerbrey turned the meeting over to Legislator Roberts who incorporated a moment of silence as today's prayer in memory of Sr. Investigator, Clifford Alexander, who passed away on September 25, 2021.

Legislator Roberts spoke. "As Chair Sauerbrey mentioned, I would like to ask for a moment of silence for Clifford Alexander, Sr. Investigator, Sheriff's Office."

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

There were 21 people in attendance.

Chair Sauerbrey reported we have two Proclamations that will be read and presented; *Employee Recognition & Appreciation Week and Green Light for Military Service County* and one Proclamation; *Dental Hygiene Month* that will be noted in the minutes.

Chair Sauerbrey reported Steven Palinosky, Employee Recognition Committee member, will read and present the Employee Recognition & Appreciation Week proclamation recognizing the County's employees who have attained 25 and 35 years of service.

Steven Palinosky spoke. "Good Afternoon Ladies and Gentlemen. Again, I am Steve Palinosky and I am representing the Employee Recognition Committee (ERC) and Institute for Advancement (I4A).

"First of all, as always, thank you to the Legislature for your support of the Employee Recognition Program. We really appreciate it. Next week is Employee Recognition Week and we will be conducting our annual pin ceremonies. We will be travelling the highways and byways of different county locations to hand out service pins to employees who have attained 5, 10, 15+ years of service. The schedule is as follows:

"Monday, October 18th, at 11:00 a.m. in the Hubbard Auditorium to recognize employees in the offices of the County Clerk, District Attorney, Legislature, ED&P, Personnel, Probation, and Public Defender. Then, later that

afternoon, at 2:30 p.m., the committee will be recognizing the employees of the Public Works Department at their facility.

“On Tuesday, October 19th, at 2:30 p.m., the committee will be recognizing the employees of the Sheriff’s Office at their facility.

“On Wednesday, October 20th, at 11:30 a.m., the committee will be recognizing the employees at Social Services, Mental Hygiene, Public Health, and Board of Elections at the Health & Human Services Building.

“Country Boys Kitchen will be onsite for each pin ceremony offering complimentary lunches courtesy of the Legislature, the Institute for Advancement, and the Employee Recognition Committee.

“On Wednesday, October 27th, the Employee Recognition Committee will host the Employee Recognition Luncheon at 12:00 p.m. at the Terra Cotta, formerly known as the Owego Treadway Inn. In addition to recognizing this year’s honorees, we have also invited last year’s honorees because they did not receive their luncheon. To review, the 2020 honorees include:

“Elaine Jardine – 25 years

“Anne Davis – 30 years

“Tracy Hill – 30 years

“Anita Teed – 30 years

“Julie Whipple – 30 years

“Without further ado, I will read this year’s proclamation acknowledging the 2021 honorees.”

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

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

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

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

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

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

<u>Name</u>	<u>Department</u>	<u>Years</u>
George Awad	Public Defender	35
Shellianna Decker	Public Safety Dispatcher	25
Clifford Alexander	Senior Investigator (Posthumously)	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of October 18th – 22nd, 2021 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

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

Legislator Balliet read and presented the Green Light for Military Service County proclamation to Veterans Service Agency Director Michael Middaugh.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Approximately 200,000 service members transition from military to civilian communities annually and there is an anticipated 20% increase in that transition due to the drawdown of the Afghanistan/Iraq War; and

WHEREAS: Current studies indicate that 44-72% of service members experience high levels of stress during the transition period from military to civilian, sadly for these transitioning members they are at the highest risk for suicide during their first year after military service; and

WHEREAS: The Tioga County Legislature appreciates the sacrifices that our United States military personnel have made while defending freedom and believe that specific recognition should be accorded them in appreciation for their service; and

WHEREAS: Designating this as a time to salute and honor our men and women in uniform who are making the transition to civilian life by switching one lightbulb to green to show visible support for these veterans; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim October 13, 2021 through Veterans Day, November 11, 2021 as a:

GREEN LIGHT FOR MILITARY SERVICE COUNTY

and in observance of Operation Green Light for Military Services encourages its citizens to recognize the importance of honoring all those who made immeasurable sacrifices in preserving freedom by displaying a green light in a window of their residence and/or business. Green is the color of hope, renewal, and wellbeing, and that by this simple act of changing one light to green, we can spark meaningful conversation regarding the recognition of veterans and help "green light" them forward as valued members of our communities.

Veterans Service Agency Director Michael Middaugh spoke. "Thank you to the members of the Legislature and Chairwoman Sauerbrey. Recently, Chairwoman Sauerbrey was elected President of New York State Association of Counties (NYSAC), which was a great honor for our little county. As a result of this, and as a member of the New York State County Veterans Service Officers Association, we are partnering with them on Operation Green Light across the State of New York. We became the first county to make the official proclamation regarding that and we are highly promoting it. We are trying to get businesses involved throughout the County within the next month. It is not just something we want to do for a month, but we want to do throughout the year. Our little agency has been picked as a pilot program for the National ETS (End of Terminal Service) sponsorship program. National ETS is the leave within a year of a veteran's separation and will now be mentored through our agency if they are returning to this area of New York, so that they can find housing, employment, and adapt to coming back from military service into the civilian community. Hopefully, we will lower those suicide rates of 22 a day, which is the whole purpose behind Operation Green Light.

"The New York State County Veterans Service Officers Association asked and appointed me to be the national representative to the National County Veterans Service Officers Association to bring New York's issues to the national level and to help with legislative changes at the national level for more funding for veterans and local services across the country. I will be representing the State over the next year as the new national representative".

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: October is nationally recognized as Dental Hygiene Month; and

WHEREAS: Good oral hygiene is important in the prevention of diseases such as tooth decay, periodontitis, gingivitis, and oral cancer; and

WHEREAS: Combining 2019 and 2020 data, the Tioga County Dental Van saw 1690 patients with tooth decay, with almost 60% having extensive disease; and

WHEREAS: Brushing your teeth at least twice per day and flossing no less than once per day are crucial components of good oral health; and

WHEREAS: Consuming a healthy diet which emphasizes fruits and vegetables and limits sugary foods and beverages is also critical for preventing oral disease; and

WHEREAS: Routine visits to a dental professional can aid in early disease detection; and

WHEREAS: The Tioga County Dental Van is an affordable option that is available to all Tioga County residents for routine oral care; therefore

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

DENTAL HYGIENE MONTH

and urges all residents to practice and prioritize oral hygiene and ensure they are up-to-date on routine examinations and cleanings.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of September 9 and 16, 2021, seconded by Legislator Mullen 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 by the end of this week.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 212-21 SET PUBLIC HEARING
2022 BUDGET

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2022 be held at 9:30 A.M., Tuesday, November 9, 2021, in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827.

Chair Sauerbrey spoke. "We will be livestreaming the budget public hearing."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 213-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Larissa Pierce has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Larissa Pierce'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 Larissa Pierce be appointed to the Community Services Board to fill the partial term of John Holton, Sr., starting November 1, 2021 and ending March 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 214-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Shawn Nalepa has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Shawn Nalepa'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 Shawn Nalepa be appointed to the Community Services Board to fill the partial term of Rose Mumbulo, starting November 1, 2021 and ending May 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

the County Attorney, to compromise the claim of these Settling Distributors and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 216-21 *AUTHORIZE THE SUBMISSION OF THE
FLOYD HOOKER FOUNDATION
APPLICATION FOR THE TIOGA
COUNTY PROBATION DEPARTMENT
YOUTH PROGRAM*

WHEREAS: The Tioga County Probation Department would like to apply for a grant from The Floyd Hooker Foundation in the amount of \$7,500.00 for the Juvenile/Youth at Probation; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. The Floyd Hooker Foundation's grant application needs to be completed by October 15, 2021; therefore be it

RESOLVED: That the Tioga County Probation Department be given the authorization to apply for The Floyd Hooker Foundation grant application in the amount of \$7,500 to be in compliance with the county policy.

Legislator Standinger spoke. "Our new Probation Director has aggressively pursued mechanisms to address the youth and I think this is indicative of that. So, we are grateful for his efforts there."

Legislator Mullen spoke. "I agree. Brian has done a fantastic job."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 217-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Culvert Program, Phase 1 (FFY 2022), PIN 9754.94 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

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

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

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

RESOLVED: That the sum of \$45,000 is hereby appropriated from account H51 10.520003.H1008 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 218-21

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase 8 (FFY 2022), PIN 9754.57 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

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

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

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

RESOLVED: That the sum of \$10,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 219-21 *AUTHORIZE CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2022 through December 31, 2022 and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2022 through December 31, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 220-21 *AUTHORIZATION TO CONTRACT
WITH NYSTEC - RADIO CONSULTING
STATE INTEROPERABLE 18 GRANT*

WHEREAS: The Tioga County Office of Emergency Services has a need to upgrade and replace its current radio communications system due to poor performance issues; and

WHEREAS: Tioga County has contracted with NYSTEC at a cost of \$117,855.28 for the period June 1, 2021 through October 31, 2021; and

WHEREAS: The Director of Emergency Services would like to amend contract with NYSTEC extending the contract period from October 31, 2021 through June 30, 2022; and

WHEREAS: Said contract amendment will not increase the original contract authorized value; and

WHEREAS: NYSTEC is listed on the Office of General Services Administration contract; and

WHEREAS: There are sufficient funds in account A3415.540140 IO18F (contracted services) State Interoperable Grant18 Radio & Equipment and A3415.540140

IO19F (contracted services) State Interoperable Grant19 Radio & Equipment; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute an amended contract between Tioga County and NYSTEC upon review by the County Attorney.

Chair Sauerbrey spoke. "This is an extension of the current contract, as we await the State's announcement of grant funding."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 221-21 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the years 2020, 2019, and 2018 indicates that parcel #57.19-1-10 in the Town of Spencer assessed to Jean and Jessica Regis on the 2020, 2019, and 2018 tax rolls of the Town of Spencer is erroneous in that the 41132 Veterans C 25% exemption was not applied; and

WHEREAS: Proper paperwork has been presented proving that this property is and was entitled to this exemption; and

WHEREAS: An Application of Refund or Credit of Real Property Taxes has been filed for paid 2021, 2020, and 2019 Town and County taxes resulting in a refund as follows:

TAX YEAR/ROLL YEAR	REFUND
2021/2020	156.49
2020/2019	192.60
2019/2018	182.14
TOTAL:	531.23

Therefore be it

RESOLVED: That a refund be issued to Jean and Jessica Regis in the amount of \$531.23; and be it further

RESOLVED: That the erroneous county tax of \$ 531.23 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 222-21 *AMEND BUDGET*
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a project, Tioga County Culvert Program, Phase 1 (FFY22), PIN 9754.94; and

WHEREAS: The project duration will last until December 2022, and is programmed to have a total cost of \$375,000 including all phases of the project, in which 80% of Federal funds and 15% of State funds, will be reimbursed to Tioga County; and

WHEREAS: Remaining funds will be allocated from unrestricted fund balance in the Capital Fund; and

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

RESOLVED: That funding be appropriated and new project accounts established as follows:

From: H5110.445020.H1008	Federal Aid-County Road Bridge	\$300,000.00
H5110.435020.H1008	State Aid-County Road Bridge	\$ 56,250.00
H.390900	Fund Balance Unrestricted	\$ 18,750.00
To: H5110.520003.H1008	Culvert Replacement	\$375,000.00

And be it further

RESOLVED: Appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 223-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

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

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

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

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

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

From:	A4210 510010	Full Time	\$15,000.00
	A4309 510010	Full Time	\$15,000.00
	A4310 510010	Full Time	\$68,315.60
To:	A4390 540590	Criminal Psychiatric: Services Rendered	\$98,315.60

Legislator Sullivan spoke. "This happens occasionally and this year we were hit pretty good with the cost of criminal psychiatric services. This is the second time that funds had to be moved around. First, we went to our Contingency Account. This time, Mental Hygiene had excess funds for positions that had not been filled, so we did not have to hit the Contingency Account again, but the year is not over yet."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 224-21 *APPROPRIATION OF FUNDS AND
BUDGET MODIFICATION
MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Ongoing Integrated Supported Employment, Care Management, Health Home Service Dollars, Drop-In Center, Advocacy/Support Services (Warm-Line), and Supported Housing; and

WHEREAS: TCMH has contracted with Catholic Charities and Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434900 State Aid-Mental Health	\$ 356.00
To: A4311-540595 Services Rendered (Other)	\$ 112.00
To: A4321-540130 Contracts	\$ 149.00
To: A4321-540590 Services Rendered	\$ 38.00
To: A4333-540130 Contracts	\$ 57.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 225-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has received funding from the Tioga County Senior Citizens Foundation; and

WHEREAS: Funding is specific to providing items to senior citizens in Tioga County for the safe care of pets; and

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

RESOLVED: That funding be appropriated as follows;

From: A4090 422800 Public Health: Local Grants	\$ 1,500
To: A4090 540640 Environmental Health: Supplies	\$ 1,500

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 226-21 *TRANSFER OF DOG FUND MONIES
AND APPROPRIATION OF FUNDS
OTHER ANIMAL CONTROL ACCOUNT
SHERIFF'S OFFICE*

WHEREAS: Resolution 45-11 apportioned dog monies, from a report of the expenditures and surplus from the dog license fund monies, for the year end of December 31, 2010; and

WHEREAS: Tioga County has not been responsible for dog licensing since 2011, and the Tioga County Sheriff's Office has maintained the responsibility and costs associated with Agriculture and Markets violations; and

WHEREAS: Trust account TA 205700 has carried a balance of \$2,593.67 and the Tioga County Treasurer's Office has recommended the abolishment of the TA 205700 trust account and the transfer of the remaining cash balance to the Tioga County Sheriff's Office, Other Animal Control fund; and

WHEREAS: Future funding will be provided through yearly budget carry forward monies, donations, and budget appropriations, as needed, when funds are depleted; and

WHEREAS: The creation of new accounts and the appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature approve the establishment and appropriation of new budgetary account A3520 Other Animal Control and transfer of funds as follows:

From:	TA 205700 Dog Monies	\$2,593.67
To:	A3520-427700 Other Unclassified Revenues	\$2,593.67

AND

From:	A3520-427700 Other Unclassified Revenues	\$2,593.67
To:	A3520-540640 Supplies (Not Office)	\$ 593.67
	A3520-540590 Service Rendered	\$2,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 227-21 *GASB 84 TRUST RECLASSIFICATION TO GENERAL FUND*

WHEREAS: The Governmental Accounting Standards Board (GASB) issued Statement No. 84 for Fiduciary Activities to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported; and

WHEREAS: The external audit report for 2020 provided by Insero & Co. CPAs, LLP has removed several Trust Activity (TA) accounts and transferred the funds into the General Fund (A) based on the GASB 84 statement requirements; and

WHEREAS: In order for 2020 Tioga County Financials to coincide with the External Auditor’s 2020 Financial Report, a transfer of funds from the Trust to the General Fund needs to occur; and

WHEREAS: Legislative approval is needed to transfer between Trust and General Fund accounts; therefore be it

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

RESOLVED: That budgeted funds be transferred as follows:

From: C11930 540270 Insurance Claims \$ 26,000.00

To: C11910 540270 Insurance Premiums \$ 26,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 229-21 *AUTHORIZE THE SALE OF 113 LIBERTY STREET
LOCATED IN THE VILLAGE OF OWEGO TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 128.08-1-8, parcel number 733 owes 2018, 2019 and 2021 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by the Tioga County Property Development Corporation, who has made an offer to purchase the property for \$1.00 “as is”; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Village of Owego, identified on the Village of Owego Tax Map as number 128.08-1-8 parcel number 733, to the Tioga County Property Development Corporation or assigns.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 231-21 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Legislator	S Tracy Monell	6	01/01/19 – 12/31/21	N	6.42

I, Cathy A. Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the twelfth day of October, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this twelfth day of October, 2021.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy A. Haskell, being duly sworn, depose and say that the posting of the resolution began on October 12, 2021 and continued for at least 30 days. That the resolution was available to the public on the

X Employer's website at www.tiogacountyny.gov

X Official sign board at Tioga County Legislative Office.

X Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-file resolution considered, seconded by Legislator Balliet and carried.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 232-21 ACCEPT AUCTION BIDS FOR COUNTY OWNED
PROPERTY ACQUIRED FOR TAXES,
AUTHORIZE EXECUTION OF DEEDS

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Candor, Owego, Spencer and Tioga and Villages of Newark Valley, Owego, Spencer, and Waverly were offered for sale at Public Auction conducted Thursday, October 7, 2021, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Village of Waverly:</u>		
Patrick Hogan; 166.15-1-8;	Sabrina Swansbrough	\$ 8,000
Lincoln J Casio; 166.15-7-7;	Gary E. & Judy A. Kauppinen	\$ 51,500
Christina R Ellis; 166.19-4-11;	William H. Brewster	\$ 7,500
<u>Town of Barton:</u>		
Joseph D Zarkowski; 113.00-3-13.12;	Robin M. Baker	\$ 6,500
Estate of Ellen Zoeller; 122.14-1-3;	John T. Mick	\$ 4,000
Tina M Manchester; 135.00-1-8;	Kristopher Atchison	\$ 16,500
Robert J Triolo; 157.00-2-18;	Angel L. Beebe	\$ 600
Robert J Triolo; 157.07-1-20;	Angel L. Beebe	\$ 100
Sally J Shea; 166.00-1-7.20;	Matthew H. Sloat	\$ 18,500
Douglas K VanAllen; 166.00-2-20.21;	BTSB Properties LLC	\$ 21,000
Ronald Olsen; 166.11-5-1.1;	Stacey L. & Tony L. Santalucia	\$ 122,500
William Tobey; 167.18-1-2;	Norman D. Millage Jr	\$ 9,000
<u>Town of Candor:</u>		
James Sloughter; 27.00-1-9.113;	Frank Swansbrough	\$ 7,000
Beverly Krauss; 27.00-1-9.70;	Perkins Realty Investments	\$ 1,000
Judith Johnson; 60.00-1-11.10;	Steven & Michelle Chaffee	\$ 133,000
Kristine S Hia; 72.06-1-3.22	Alexis M. Parillo	\$ 25,000
<u>Village of Newark Valley:</u>		
Brandon S Baird; 64.19-2-25;	Zamir Shaikh	\$ 10,000
<u>Village of Owego:</u>		
Maurice Daniel Miller; 117.19-1-66;	Robert F. Graves	\$ 12,500
The Kurt J. Kemmerling Trust; 117.19-2-62;	Owego Holdings NY LLC	\$ 22,500
Equity First Realty; 128.08-2-60;	Richard A., Jr. & Andrea Shimer	\$ 14,500
Gerald D Wade Jr; 129.05-1-10;	Owego Holdings NY LLC	\$ 1,500
Richard H Fiacco; 129.05-2-12;	Neil J. & Sarah Lewis	\$ 42,500

<u>Prior Owner-Tax Map#</u>	<u>Purchaser</u>	<u>Bid</u>
<u>Town of Owego:</u>		
Cecil J Van Patten; 131.19-1-23;	James Walley	\$ 14,000
Hazel Youells; 141.00-1-68;	Christopher E. & Carol M. Ray	\$ 600
David A Sayles; 142.06-1-1& 142.06-1-2	Perkins Realty Investments	\$ 12,000
Kevin E Lane; 142.10-1-6.3;	Perkins Realty Investments	\$ 51,000
Lucas H Coene; 142.11-1-1;	Daniel P. & Michele O. Frauenhofer	\$ 13,000
James Mosher; 142.14-2-49;	Lory Tinkham	\$ 8,500
Brian Hulbert; 142.18-1-24;	Thaddeus J. Sisson	\$ 21,500
Maurice J Duffy; 153.05-1-20;	Robie Rentals Inc.	\$ 65,000
Drihmi Realty Inc.; 153.07-1-56.2;	Anthony J. & Crystal L. Albanese	\$ 9,500
Terry Ann Woloszyn; 164.05-1-3.14;	Keith L. McNeal	\$ 11,000
Mark P Lane; 98.00-1-28;	Jared J. Martin	\$ 7,000
Eric C Knapp; 98.00-1-54;	Kamal Hanna	\$ 135,000
Eric C Knapp; 98.00-1-56;	John B. Seymour	\$ 90,000
<u>Village of Spencer:</u>		
Elizabeth A Letourneau; 68.07-1-43;	Patrick Byrne	\$ 17,000
<u>Town of Spencer</u>		
Jason Mott; 46.00-1-38;	Patrick Byrne	\$ 15,500
Darlene Ann Rider-Breese; 70.00-2-26.12; TPR Realty		\$ 2,500
David Wemmer; 80.00-1-11 & 80.00-1-13.10; TPR Realty		\$ 24,000
<u>Town of Tioga:</u>		
Kenneth J Jacobson; 105.00-2-7;	Pamela J. Guilfoyle	\$ 1,500
Bryan Tinnel; 106.19-1-18;	Lory Tinkham	\$ 12,500
Seth Grantham; 115.00-2-14.10;	Kayla M. Pond	\$ 34,000
Henry C Beebe; 137.00-3-13.22;	Patrick N. & Kelly Hildebrant	\$ 13,000
Emmanuel Sloat; 158.00-2-2;	April L. Jacobson	\$ 170,000

Legislator Standinger spoke. "This is unfortunate that we have to sell these properties for foreclosure, but ultimately it gets them back on the tax rolls. That's a good thing. It's a necessary evil.

ROLL CALL VOTE

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

No – Legislator Mullen.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:19 P.M.

*Public Hearing
2022 Budget
November 9, 2021*

The Public Hearing on the 2022 Budget was called to order by the Chair at 9:30 A.M. Five Legislative members were present with Legislators Hollenbeck, Mullen, Standinger, and Weston being absent.

There were 10 people in attendance along with Budget Officer Jackson Bailey and zero attendance via Zoom.

The Clerk read the legal notice as published in the official newspapers.

Chair Sauerbrey announced this meeting is also being conducted via Zoom so the public can be present.

Jackson Bailey, Budget Officer gave the 2022 budget presentation.

“Honorable Members of the Tioga County Legislature and residents of Tioga County, I present to you the proposed tentative County budget for 2022 on Tuesday, November 9, 2021, at 9:30 A.M. in the Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

“In the wake of the COVID-19 pandemic, Tioga County leaders and employees have continued to show exemplary strength in their day-to-day duties to provide services to Tioga County residents. County leaders continue to work together to find new and innovative ways to keep costs down, incentivize employees, and provide quality county services during these uncertain times. The road to recovery is just beginning. County Legislators, leaders, and employees are steadfast in their commitment to the betterment of Tioga County and have worked tirelessly to provide a fiscally responsible 2022 budget focused on meeting the County's needs.

“On March 10, 2021, the US Department of Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 referred to henceforth as “ARPA”. ARPA funds have been made available to municipalities to support urgent COVID-19 response efforts to decrease spread of the virus and bring the pandemic under control; to replace lost public sector revenue to strengthen support for vital public services and help retain jobs; to support immediate economic stabilization for households and businesses; and to address systematic public health and economic challenges that have contributed to the unequal impact of the pandemic on certain populations. Tioga County received an award of \$9.7 million

dollars to provide relief in the wake of the impact of the COVID-19 pandemic. As stewards of the ARPA funds, the Tioga County Legislature's economic response plan will provide the greatest benefits to Tioga County and its citizens.

"The 2022 budget process met challenges such as unfunded and underfunded mandated services, which continue to further shift costs to all New York counties. Additionally, sales tax, one of the largest revenue sources for Tioga County, saw a reduction in 2020 due to COVID-19 and is also impacted by the reduction to support AIM funding, which was previously funded by the State. As well as another State mandate requiring up to \$150,000 to be withheld per year for Distressed Hospitals and Nursing Homes.

"Tioga County Legislators, Directors, Department Heads, and Employees continue to be good stewards of taxpayer dollars; diligently looking for cost-saving measures, advocating for additional revenue sources, and seeking new sources for economic growth. The 2022 budget maintains all programs and services currently provided to Tioga County residents.

"The total tentative budgeted appropriations for 2022 are \$95,750,277. In 2021, the total budgeted appropriations were \$82,886,597; this is an increase of \$12,863,680 or approximately 16%. Total tentative estimated revenues for 2022 are \$58,449,325. In 2021, the total anticipated revenues were \$52,877,882; this is an increase of \$5,571,443 or 11%.

"The increase in expenditures of \$12.8 million dollars is a combination of salary and benefit increases through contract negotiations and Non-Union recommendations. There are increases in expenditures for State Mandated services, as more costs are shifting directly to the counties and Capital Expenditures utilizing ARPA funds granted to Tioga County. The Tioga County Capital Budget for 2022 includes \$5.8 million dollars allocated for improvements to infrastructure and radio tower upgrades to expand emergency response communication for the overall public safety of Tioga County citizens.

"The increase in estimated revenues of approximately \$5.5 million dollars from prior year comes from the stabilizing revenue streams after the COVID-19 pandemic. Sales Tax revenue and Casino revenue have returned to their original trends. State and Federal Aid funding has also returned to normal due to the lack of threats of massive cuts or holdbacks from the State.

"The total Tax Levy for 2022 shall be \$25,358,754. Compared to the 2021 Tax Levy of \$24,948,721, this is an increase of \$410,000 or 1.64%.

"2022 will mark the 11th consecutive budget year that Tioga County has stayed under the State imposed property tax cap. The 11 year average increase in the Tax Levy has been approximately 1.65% each year.

"The combined Composite Tax Rate is \$8.76 per \$1,000 of taxable value. The average assessed \$100,000 home will pay approximately \$876.00 in County Tax. Tax rates will vary from town-to-town due to the State established equalization rates and each town's apportionment percentage. The combined Composite Tax Rate includes Veterans and Clergy exemptions, which may also further impact those rates.

"The total budget deficit gap is estimated at \$37,300,952. After applying the 2022 Tax Levy of \$25,358,754, I propose using \$4,457,198 of Appropriated Fund Balance, \$1,635,000 in Capital Reserves, and ARPA Fund utilization of \$5,850,000 to balance the 2022 Tentative Budget.

"In preparation of the 2022 Budget, I would like to thank all Department Heads and County Employees for their participation in the budget process. I thank the following Tioga County employees for their time and efforts: Terie Huseby, Real Property Director, Bethany O'Rourke, Personnel Officer, Amy Poff, Benefits Manager, Katie Chandler, Deputy Treasurer, Stephanie Jerzak, Chief Accountant, James McFadden, County Treasurer, and Charles Root, Software Support Liaison. I especially thank the Tioga County Legislature for their continued strength and leadership, as we push forward in these difficult times, Cathy Haskell, Legislative Clerk, and Legislative Chair Martha Sauerbrey for their unrelenting support and assistance throughout the 2022 budget process.

"The proposed Tax Levy cannot be increased after today's hearing without an additional public hearing. Following the presentation of the 2022 Budget Brief, the floor will be open for comments to the Legislature."

The Budget Officer presented a PowerPoint slide presentation on budget brief specifics.

There being no public comments, the hearing was adjourned at 9:57 A.M.

Eleventh Regular Meeting
November 9, 2021

The Eleventh Regular Meeting of 2021 was held on November 9, 2021 and was called to order by the Chair at 12:00 P.M. Eight Legislators were present with Legislator Weston being absent.

Chair Sauerbrey asked for a moment of prayer. "God, we thank you for the blessings you give us each day. We ask for your guidance for this Legislature as we make decisions for all the people we represent in Tioga County. We especially pray and remember our active military and veterans as we approach Veteran's Day."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 34 people in attendance.

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

Legislator Standinger read and presented the following resolution to Beth Bailey, Employment Counselor, Tioga Career Center.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 233-21 *RESOLUTION RECOGNIZING BETH BAILEY'S
23 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Beth Bailey was appointed to the position of Employment Counselor on November 12, 1998; and

WHEREAS: Beth Bailey has been an asset to the Tioga County Career Center and has been an outstanding agency representative. She has strived for quality in all aspects of her job; and

WHEREAS: Beth Bailey has been dedicated and loyal in the performance of her duties and responsibilities during the past 23 years. She is well-respected by customers, co-workers, and her colleagues throughout Tioga County and she has

used her extensive knowledge effectively to collaborate with state, local and community agencies and services to assist customers; and

WHEREAS: Beth Bailey will retire on December 4, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Beth Bailey for her 23 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I just want to congratulate you on 23 years. I know you are going to be missed."

Sheri McCall, Tioga Career Center Manager, spoke. "Beth and I actually went to high school together. When JTPA turned into WIA, I ran into her and she was just leaving Robert Packer Hospital and we needed a position to start this new resource room concept, a one-stop office concept, and I nominated Beth. Beth came over and filled out an application. I do not know if anyone remembers Dick Lindhorst, but he came to me and said he interviewed Beth and agreed that she was qualified for the position. He indicated it was a great interview and she has all the qualifications we need and would be a good fit except Beth might have been one of the ones back in high school (20 years ago) that might have had a crush on me.

Needless to say, Beth was hired. Since that time, Beth has worked to improve the services of the Tioga Career Center. She has taken on new tasks, she was instrumental in creating the Tools for Success to work with the Probation Department in providing ex-offenders with information on how to job search, how to get their certificates of release, how to get their criminal records to reflect accurate information, and she has worked with the Trade Adjustment Assistance (TAA) Program for those who lose their jobs due to foreign trade.

As I think about what I need to refresh for me to do now, I think we are going to rescind this retirement. I started this job temporarily 24 years ago because my parents needed to be taken care of and Beth is leaving us to go and take care of her parents. It is a noble reason. We are going to miss her, but we understand that in life you have to make changes to meet your life's needs.

I want to sincerely thank Beth for 23 years of service and all her time and effort she has put into serving the customers of Tioga County."

Chair Sauerbrey reported the following recognition resolution for Maryanne Malec, Probation Department, will just be noted in the minutes, as Ms. Malec was unable to attend today's meeting.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 234-21 *RESOLUTION RECOGNIZING
MARYANNE MALEC'S 22 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Maryanne Malec began her employment with Tioga County on May 13, 1999 as a Public Safety Dispatcher at the Tioga County Sheriff's Office. On April 2, 2001, Maryanne was promoted to Caseworker at Tioga County Department of Social Services. On January 21, 2019, she was promoted to Probation Officer 1 which is the position she will retire from; and

WHEREAS: Maryanne Malec has been a dedicated and loyal employee in the performance of her duties and responsibilities during the past 22 years; and

WHEREAS: Maryanne Malec will retire on October 30, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Maryanne Malec for her twenty-two years of dedicated and loyal service to Tioga County and its most vulnerable citizens; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported the following recognition resolution for Robert Spallone, Jr., Sheriff's Office, will just be noted in the minutes, as Mr. Spallone was unable to attend today's meeting.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 235-21 *RESOLUTION RECOGNIZING
ROBERT SPALLONE'S 25 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY*

WHEREAS: Robert Spallone was hired as a Corrections Officer on September 24, 1996; and was promoted to Corrections Sergeant on November 27, 1999; and was appointed as a Deputy Sheriff on May 27, 2000; and

WHEREAS: Robert Spallone has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Robert Spallone will retire from the Tioga County Sheriff's Office on October 30, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Robert Spallone for his 25 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, Robert Spallone.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have two Proclamations recognizing *Salute to Tioga County Employee Veterans and Active Military Day* and *Adoption Awareness Month*.

Chair Sauerbrey reported she will read the Salute to Tioga County Employee Veterans and Active Military Day proclamation, along with presenting certificates and green lightbulbs for each veteran and active military honoree.

Chair Sauerbrey spoke. "Before I read the proclamation, I want to provide a little background information. This is the first year we have done anything like this. Through my new position with New York State Association of Counties (NYSAC), I was made aware of the Green Light Program, which is lighting up your houses with a green light to remember our veterans, especially those coming home from Iraq and Afghanistan. We encourage the public to take part by replacing your outdoor porch light with a green light especially this week, as we remember, acknowledge, and appreciate our veterans and active military.

"So, I got thinking and I knew that in this building there were about four employees who are veterans. This led me to working with Personnel to see if they have a current countywide list of employees who are veterans and active military. Personnel worked together to compile a comprehensive list of employees who are veterans and active military. We decided that today would be the day that we recognize and appreciate our active military and veterans."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: As we approach the season of Thanksgiving, the Tioga County Legislature pays tribute to the millions of service members, veterans, military families, caregivers, and survivors who have served and continue to serve our great Nation. The contributions of the men and women that serve in the Armed Forces has been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS: The Tioga County Legislature appreciates the sacrifices that our United States military personnel have made while defending freedom and believe that specific recognition should be accorded to employees of Tioga County that have selflessly served our Country; and

WHEREAS: The Tioga County Legislature is proud and honored to have such distinguished men and women who have bravely protected our values, freedom, and way of life, as dedicated employees; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have served, or are currently serving, our Country:

Lawrence Alger	Bonnie Hand	Jeremy Loveland	Jeffrey Shepardson
William Allen, Jr.	Brian Henry	Camille Mattison-Corneby	William Standing III
Warren S Bennett	Earl Hollenbeck	Grace Middaugh	John Ward
Cody Brunner	Rita Hollenbeck	Michael Middaugh	Steven Wasko
Kristine Budinger	Gary Howard	Dean Morgan	William White
James Cornell	Lukas Kiballa	Jessica Morris	Darion Wiant
Chad Edwards	Andrea Klett	Dennis Mullen	Robert Williams
Robert Ervay	Albert Knapp	Steven Palinosky	Jo Ellen Yoest
Thomas Gallagher	Cuylar Kochin	Rhonda Pasto	Angela Zito
Bryan Goodrich	Heather Krohmalney	Shawn Quick	
Mark Griep	Clifford Little	Daniel Rouse	

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November 9, 2021 as:

SALUTE TO TIOGA COUNTY EMPLOYEE VETERANS AND ACTIVE MILITARY DAY

and encourages Tioga County citizens to honor, acknowledge and recognize all men and women who have served, and continue to serve, in our nation's Armed Forces.

The proclamation for Adoption Awareness Month has been read and presented in year's past, therefore, will just be noted in the minutes.

**County of Tioga
EXECUTIVE PROCLAMATION**

This November marks the 31st annual National Adoption Month. November 20, 2021 is National Adoption Day. Our task is to find permanent homes for all our

children. Tioga County has not finalized any adoptions this year to date. Tioga has four children freed for adoption and three of those youth are awaiting a match with a forever family. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November as

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of October 12, 2021, seconded by Legislator Hollenbeck 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 by the end of this week.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 236-21 APPOINT NEW YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 60-19 and vacancies exist; therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

	TERM
Julie Whipple (Director, replacing Natalie Thompson)	07/01/2021 – 12/31/2023
Natalie Thompson (Ex-officio)	07/01/2021 – 12/31/2023
Eric Silvanic (Tioga County DSS, replacing Steve Herbert)	07/01/2021 – 12/31/2023
Sean Lanning (Catholic Charities, replacing Kathleen Clark)	09/01/2021 – 12/31/2023
Margaret McCann (Owego Free Academy Student, replacing Ryleigh Clark)	07/01/2021 – 12/31/2023

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 237-21 RESOLUTION APPOINTING NEW MEMBER
TO COMMUNITY SERVICES BOARD

WHEREAS: Tina Lounsbury has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Tina'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 Tina Lounsbury be appointed a new member to the Community Services Board, for term starting December 1st, 2021 and ending November 30th, 2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 238-21 REAPPOINT AT-LARGE MEMBER TO THE
STERPDB REGIONAL BOARD

WHEREAS: The bylaws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or an at-large and 3) the County Planning Director; and

WHEREAS: Brittany Woodburn, Tioga County Deputy Director Economic Development and Planning, has served as the at-large member on the STERPDB Regional Board and that term expires as of 12/31/2021; and

WHEREAS: Brittany Woodburn has expressed a desire to continue to serve in this capacity and the STERPDB Regional Board is desirous of Brittany Woodburn to continue to serve for another four-year term; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Brittany Woodburn to the Tioga County's at-large position on the Southern Tier East Regional Planning Development Board for a four-year term, 1/1/2022 – 12/31/2025.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 239-21 *REAPPOINT CHRISTINA BROWN
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD*

WHEREAS: Christina Brown, as a member of a County Agency within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for a three-year term from 1/1/19 until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member being a member of a public agency; and

WHEREAS: Christina Brown is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Christina Brown as a member of a County Agency within Tioga County to the Tioga County Property Development Corporation Board as a Board Member for a three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 240-21 *REAPPOINT MICHAEL BARATTA
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD*

WHEREAS: Michael Baratta, as a public officer of a municipality within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for an unexpired term until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member holding the public office and confirmed by the governing board of the municipal representative's municipality; and

WHEREAS: Michael Baratta is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Michael Baratta, as a public officer of a municipality within Tioga County, to the Tioga County Property Development Corporation Board as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 241-21 REAPPOINT PATRICK AYRES
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Patrick Ayres, as a public officer of a municipality within Tioga County, was appointed by the Tioga County Legislature as a Board Member to the Tioga County Property Development Corporation (TCPDC) for an unexpired term until 12/31/21; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms and this re- appointment is conditioned upon the board member holding the public office and confirmed by the governing board of the municipal representative's municipality; and

WHEREAS: Patrick Ayres is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Patrick Ayres as a public officer of a municipality within Tioga County to the Tioga County Property Development Corporation Board as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 242-21 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 243-21 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2021 to September 30, 2021 be and it hereby is accepted; and be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 21,905.60
Berkshire (Town)	12,946.79
Candor (Town)	28,394.15
Candor (Village)	5,684.45
Newark Valley (Town)	23,664.73
Newark Valley (Village)	5,378.96
Nichols (Town)	8,593.61
Nichols (Village)	3,570.61
Owego (Town)	182,099.86
Owego (Village)	16,138.20
Richford (Town)	7,349.27
Spencer (Town)	20,684.97
Spencer (Village)	658.38
Tioga (Town)	18,792.34
Waverly (Village)	23,172.31
	<hr/>
	\$379,034.23

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 244-21 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY ASSOCIATES, PC
AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2022 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$950.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/22 through 12/31/22.

Legislator Standinger spoke. "The freezing of this fee is the result of the work of the Administrative Coroner, Stew Bennett. So, I thank him for that."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 245-21 *AUTHORIZE PURCHASE OF EMPLOYER'S LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's employer's liability insurance policy will expire December 31, 2021; and

WHEREAS: The continuance of an employer's liability insurance policy helps to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of employer's liability insurance, subject to review by the County Attorney, for the period of January 1, 2022 through December 31, 2022 to be paid for out of the 2022 Tioga County Self-Insurance Plan budget.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 246-21 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF TIOGA TO MICHELLE L. STEBBINS*

WHEREAS: Property located in the Town of Tioga assessed to Bryan Tinnel, identified as Tax Map number 106.19-1-18, parcel number 1646, owes 2018, 2019, 2020 and 2021 taxes and is past the last date of redemption; and

WHEREAS: Lory Tinkham was the closing bidder with the winning bid of \$12,500 and placed a \$3,950 deposit paid at the Foreclosure Auction held on October 7, 2021 and has defaulted by not appearing at closing with forfeiture of the \$3,950; and

WHEREAS: The Treasurer has approached the second bidder Michelle L. Stebbins, hereby making an offer to purchase said property for \$12,000, "as is", thereby placing the property back on the tax rolls; therefore be it

RESOLVED: That the County rescinds its previous resolution to sell said property to Lory Tinkham, the closing bidder with \$3,950, paid at the Foreclosure Auction held on October 7, 2021, by Default of Appearance at closing, with forfeiture of the \$3,950; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$12,000 and recording costs, a Quit Claim Deed conveying the property assessed to Bryan Tinnel located in the Town of Tioga identified on the Town of Tioga Tax Map as number 106.19-1-18, parcel number 1646, to Michelle L. Stebbins and/or assigns.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 247-21 *AMEND 2021 BUDGET &
AUTHORIZE APPROPRIATION OF FUNDS
FROM FMAS RESERVE*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: The original contract per Reso 230-14 with Tyler Technologies still had remaining days available for training & additional services from Tyler Technologies, outside the scope of the original contract; and

WHEREAS: Costs for additional training are to be charged to H1325 540140 Contracted Services as they are associated with the Treasurer's Capital Account; and

WHEREAS: Legislative Approval is needed to modify the 2021 Budget; and

WHEREAS: Costs for the additional implementation should be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H 387808 which requires appropriating funds from the reserve as well as Legislative approval; therefore be it

RESOLVED: That the additional costs, estimated at \$7,500.00 for Munis Training and Implementation, be funded and the Treasurer's Capital Account be modified as follows:

FROM:	H 387808	FMAS Capital Reserve Account	\$7,500.00
TO:	H1325 540140	Treasurers Capital Account	\$7,500.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 248-21 *AWARD 2021 CRIMINAL JUSTICE
DISCOVERY REFORM GRANT
DISTRICT ATTORNEY*

WHEREAS: The District Attorney's Office has been awarded a grant of \$119,933.00 from the New York State Division of Criminal Justice Services; and

WHEREAS: The grant will be used to offset expenses related to criminal justice services in Tioga County; therefore be it

RESOLVED: That the District Attorney's budget be allowed to accept the awarded Criminal Justice Discovery Reform Grant in the amount of \$119,933.00.

To: A1165 430891 State Aid Grant-Discovery Reform \$119,933.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 249-21 *AWARD 2021 EMERGENCY MANAGEMENT
PLANNING GRANT (EMPG21)
EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,664 by the New York State Division of Homeland Security and Emergency Services (NYS DHSES); and

WHEREAS: The matching grant will be used to offset \$23,664 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2021 Emergency Management Planning Grant in the amount of \$23,664 and appropriate it to account A3640.443050.EMPG21 Federal Aid-Civil Defense.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 250-21 *AUTHORIZE THE TRANSFER OF FUNDS FOR ITCS*

WHEREAS: ITCS is in need of a standup desk and chair; and

WHEREAS: The funds are available in another account; and

WHEREAS: The Information Technology CIO has approved the purchase of said items; therefore be it

RESOLVED: That the budgeted funds be transferred as follows:

From:	A1680 540420	\$531.00
To:	A1680 520070	\$171.00
	A1680 520010	\$360.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 251-21 *TRANSFER OF FUNDS
2021 BUDGET MODIFICATION
COUNTY LIABILITY INSURANCE FUND*

WHEREAS: The funds budgeted for 2021 CI1910 540270 Insurance Premiums will be exceeded in November 2021; and

WHEREAS: The 2021 CI1930 540270 Liability Claims has budgeted funds available for transfer; and

WHEREAS: Transfer of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That budgeted funds be transferred as follows:

From:	CI1930 540270 Insurance Claims	\$ 4,000.00
To:	CI1910 540270 Insurance Premiums	\$ 4,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 252–21	<i>TRANSFER OF FUNDS</i>
	<i>WORKERS' COMPENSATION</i>

WHEREAS: The Tioga County Self-Insurance Plan has received notification from Midwest Employers Casualty Company that an audit of the payroll figures for the period of January 1, 2020 through January 1, 2021 submitted for our workers' compensation Specific Excess Insurance has resulted in additional premium due in the amount of \$13,109.00; and

WHEREAS: There is currently only \$8,409.00 remaining in S1722.40 (540270) Insurance-Liability; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1720.40 (540380)	\$4,700.00
To: Workers' Compensation Account S1722.40 (540270)	\$4,700.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 253-21 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has received a request for an ergonomic chair accompanied by a doctor's note for one of its employees; and

WHEREAS: TCMH has determined other chairs in the clinic are in need of replacement at this time; and

WHEREAS: TCMH has determined the amount of additional funding needed to fulfil this request within its own budget, yet this will require a budget modification and transfer of funds; and

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

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

From: A4310 540130	Contracts	\$ 1,000.00
To: A4309 520070	Chairs	\$ 1,000.00

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 254-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

WHEREAS: Due to supplemental LIHEAP funds received under the American Rescue Plan Act (ARPA) of 2021, districts are receiving additional 2020-2021 allocations from the Office of Temporary and Disability Assistance for HEAP administrative costs; and

WHEREAS: The department has identified the need to replace desktop scanners and a fax machine; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$ 25,000
To: A6010.520200 Office Equipment	\$ 25,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 255-21 *APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES*

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

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

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

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration \$ 41,418

To: A6010.540140 Contracting Services \$ 41,418

And be it further

RESOLVED: Available funds on 12/31 of the original \$41,418 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 256-21 APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES

WHEREAS: The County of Tioga has received Federal 5311 funds granted by the Federal Transit Administration and the New York State Department of Transportation; and

WHEREAS: Federal Transit Administration and New York State Department of Transportation have granted these funds to be used to support mobility management services; and

WHEREAS: Tioga County has a contract with Rural Health Network of South Central New York to provide these services; and

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

RESOLVED: That funding be appropriated as follows:

A 5630.430900 State Aid-Transportation	\$ 92,617.00
A 5630.440900 Federal Aid-Transportation	\$ 740,922.00
A 5630.540140 Contracting Services	\$ 833,539.00

And be it further

RESOLVED: Available funds on 12/31 of the original \$833,539.00 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 257-21 *APPROPRIATION OF FUNDS*
2021-2022 NYS STOP DWI
HIGH VISIBILITY ENGAGEMENT GRANT
STOP DWI

WHEREAS: The NYS STOP-DWI Foundation Board has awarded a High Visibility Engagement grant of \$15,000 (contract #C002527) to Tioga County STOP-DWI; and

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

RESOLVED: That the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002527) be appropriated as follows:

FROM: A3315-445890-CRK21 Federal Aid-Other Transp NPSP \$15,000

TO: A3315-540590-CRK21 Services Rendered-STOP DWI \$15,000

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 258-21 *AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR FIRE TRUCK – PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a fire truck within the 2022 Capital Budget; and

WHEREAS: The Newark Valley Fire Department has a used fire truck in good working order that they are selling now; and

WHEREAS: Cost savings was achieved in another 2021 Capital Reserve Budget line and legislative approval is needed to authorize all Capital Reserve expenses and Capital Budget Amendments and Transfers; therefore be it

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

From: H5130.521910	Chipper	\$22,000.00
To: H5130.521063	Fire Truck	\$22,000.00

Legislator Standinger spoke. "The purpose of this fire truck, which some may question but I do not, is to help maintain the bridges by cleaning salt and other debris off of them. I think this is an innovative way to handle the situation and make our bridges last longer."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:	PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION LEGAL/FINANCE COMMITTEE
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RESOLUTION NO. 259-21 *RATIFY COLLECTIVE BARGAINING AGREEMENT (CSEA)*

WHEREAS: Tioga County and CSEA Unit #8850 have been negotiating a successor agreement to the 2018-2020 collective bargaining agreement; and

WHEREAS: The parties had previously reached an agreement to extend the 2020 terms through 2021 in light of the pandemic and financial uncertainties resulting therefrom; and

WHEREAS: The CSEA members ratified an agreement for 2021 – 2024 at a vote on October 13, 2021; therefore be it

RESOLVED: That the County Legislature hereby ratifies the 2021-2024 Collective Bargaining Agreement; and be it further

RESOLVED: That the Chair of the Legislature, along with the Sheriff, is authorized to sign the Agreement as a joint employer; and be it further

RESOLVED: That the County Legislature does hereby agree to implement the funds necessary to carry out the terms and provisions of said contract

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 260-21

*ABOLISH AND CREATE POSITIONS
SHERIFF'S OFFICE*

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

WHEREAS: After discussing with the Personnel Officer, the Sheriff has determined he can better address staffing needs and workload by abolishing certain vacant part-time positions in order to create a full-time Cook position; therefore be it

RESOLVED: That one (1) vacant, part-time Cook position (\$15.05 per hour) and one (1) one vacant part-time Deputy Sheriff position (\$20.55 per hour) shall be abolished effective November 10, 2021; and be it further

RESOLVED: That one (1) full-time Cook position (\$39,918 per year) shall be created effective November 10, 2021; and be it further

RESOLVED: That the Sheriff's 2021 authorized full-time headcount shall increase to 108 and his part-time headcount shall decrease to 7.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 261-21 *AUTHORIZE CREATION OF POSITIONS:
ONE (1) SKILLS INSTRUCTOR (PT) AND
ONE (1) VICTIM HELPER (PT)
EMERGENCY SERVICES*

WHEREAS: Legislative approval is required for position reclassifications; and

WHEREAS: A need exists to create additional part-time positions for staff to work within the Department of Emergency Services' training program for Emergency Medical Technicians; and

WHEREAS: The Director of Emergency Services submitted a New Position Duties Statement to create the additional positions and the Personnel Officer has determined the appropriate classifications; therefore be it

RESOLVED: That the Legislature hereby authorizes the creation of one (1) Skills Instructor (PT) at the hourly rate of \$13.11, and one (1) Victim Helper (PT) at the hourly rate of \$12.50 retroactive to September 26, 2021; and be it further

RESOLVED: That the Department of Emergency Services' authorized headcount for 2021 shall increase from 8 to 10.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 262-21 *AUTHORIZE SALARY REALLOCATION WITHIN
CSEA SALARY SCHEDULE FOR TITLES WITHIN
DEPARTMENT OF MOTOR VEHICLES
COUNTY CLERK'S OFFICE*

WHEREAS: Legislative approval is required for a title's salary reallocation; and

WHEREAS: On September 8, 2021, the Personnel Department received position description questionnaires from Joyce Costantini, Supervisor Motor Vehicle Bureau (CSEA SGVII, \$36,622-\$37,322); Lisa Chandler, Principal Motor Vehicle License Clerk (CSEA SG VI, \$32,286-\$32,986); Cheryl Heffernan, Robert Palanza, Alicia Ross, and Willetta Ryder, Motor Vehicle License Clerks (CSEA SG IV, \$28,352-\$29,052) all of whom work within the Department of Motor Vehicles under the County Clerk's Office; and

WHEREAS: A desk audit occurred and involved the review of work tasks performed by the employees as well as current salary allocation; and

WHEREAS: The Personnel Officer has made a determination that due to the supervisory functions (evaluations, leave time approvals, involvement with disciplinary matters, and transaction audits) of the Supervisor of Motor Vehicle Bureau title; the knowledge base requirements and training responsibilities of the Principal Motor Vehicle License Clerk; and the level of customer service interaction of the Motor Vehicle License Clerks in comparison with other titles within the current CSEA salary grade structure, there is justification to request a salary reallocation; therefore be it

RESOLVED: That the title of Supervisor Motor Vehicle Bureau shall be reallocated from CSEA Salary Grade VII to CSEA Salary Grade XI (\$44,572-45,272); the title of Principal Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade VI to CSEA Salary Grade VII (\$36,622-\$37,322); the title of Senior Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade V to CSEA Salary Grade VI (\$32,286-\$32,986); and Motor Vehicle License Clerk shall be reallocated from CSEA Salary Grade IV to CSEA Salary Grade V (\$29,918-\$30,618) effective retroactive to September 8, 2021; and be it further

RESOLVED: That the 2021 annual salaries of current incumbents in said titles shall increase as follows: Joyce Costantini, \$7,950; Lisa Chandler, \$4,336; Cheryl Heffernan, Robert Palanza, Alicia Ross, and Willetta Ryder, \$1,566 (each), effective retroactive to September 8, 2021.

WHEREAS: This policy will automatically terminate on December 31, 2023 unless otherwise expanded; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add Tioga County Remote Work Policy to Section IV. Personnel Rules, as Subsection t. entitled Tioga County Remote Work Policy.

Tioga County Remote Work Policy

I. PURPOSE

To establish a policy and procedures to allow, where appropriate, the use of remote worksites in order to attract and retain a diverse and talented work force, and improve productivity among employees. Tioga County supports the use of remote worksites for a portion of the standard workweek and allows Department Heads to implement Remote Work Arrangements where appropriate, for eligible employees.

II. ORGANIZATIONS AFFECTED

Applicable to all Tioga County departments where a remote worksite is feasible and appropriate, as determined by the Department Head.

III. DEFINITIONS

- A. "Centrally Located Worksite" means the Tioga County worksite where the employee would be required to work if they were not remote working.
- B. "Remote Work Agreement" means a Remote Work Arrangement has been agreed to by the Department Head and employee for the employee to work one or two days each work week from a non-County location instead of commuting to the employee's centrally located worksite. No more than two days per week may be worked from a remote worksite.
- C. "Remote Work Location" means the non-County site where the employee intends to perform County work.
- D. "Voluntary" means employees choose an alternative working arrangement.

IV. POLICY

A. General Remote Work Standards and Requirements

- 1. This Remote Work Policy shall supersede all prior and/or existing Telecommute guidelines.
- 2. Remote Work Arrangements may be implemented where appropriate and approved by the Department Head for eligible employees. Remote Work Arrangements may be made in recognition of the positive personal and organizational impacts of such arrangements, including increased workplace flexibility and increased productivity.

3. Remote Work Arrangements are not appropriate for all employees. No employee is entitled to, nor guaranteed the opportunity to have a Remote Work Arrangement. Said schedules are not a universal employee benefit; employees do not have the "right" to Remote Work Arrangements. Offering the opportunity for a Remote Work Arrangement is at the discretion of the employee's Department Head. All Remote Work Arrangements must meet the criteria in this policy and may be terminated by the Department Head. The Department Head shall endeavor to give 10 working days' notice when terminating a Remote Work Arrangement.
4. An employee wishing to request a Remote Work Arrangement shall submit a written request to his/her Department Head. A determination on a Remote Work Arrangement must be issued in writing by the Department Head. Any changes, other than termination of the arrangement, to the written arrangement must also be documented in writing and the Department Head's determination issued in writing.
5. Department Heads should routinely evaluate the effectiveness of an employee's alternative work agreement, minimally every three months. Remote Work Agreements will be reviewed each December for renewal the following January. At the expiration of a Remote Work Agreement, the employee may request renewal of the arrangement. **The Remote Work Agreement can be found on the County's Intranet under "Employee Handbook – EH Forms"**. The request to renew the arrangement must be made in writing.
6. The Department Head will evaluate and adjust Remote Work Arrangements as needed to meet the organizational and workload needs. Adjustments may be made at any time during the agreement, with 10 days notice and subject to Department Head approval.
7. Should a conflict arise between two or more employees concerning a Remote Work Arrangement, the Department Head shall have final authority to resolve the matter.
8. The business of the County will take precedence over remote workdays. Employees may, at the discretion of their immediate supervisor or Department Head, be called to work with 4 hours notice to their centrally located worksite on their remote workday during their regular work hours to meet workload or operational requirements. Employees will be expected to complete their remote work during regular County hours. Any deviation from standard work hours (Monday – Friday, 9am – 5pm) must be approved in advance by the Department Head; deviations are to be kept to a minimum.
9. When an employee engaged in a Remote Work Agreement comes into their centrally located worksite, the time traveling from the employee's home to the centrally located worksite will be treated as regular commuting time and the

employee's travel time will not be counted as hours worked, nor will the employee's mileage be reimbursed.

10. The essential duties, obligations, and responsibilities of an employee who remote works are the same as employees at the centrally located worksite. Employees must be available to communicate with those whom he/she normally conducts business (e.g. supervisor, clients/the public, co-workers, etc.) by phone and email while remote working. Employees must respond to inquiries in the same fashion and within the same timeframes, as if she/he were in the office. In-person meetings must not be delayed because of remote work scheduling.
11. A set procedure and schedule for regular communication between a remote working employee, staff, and clients must be identified in the Remote Work Agreement. For all employees, the Remote Work Agreement must indicate the hours that the remote working employee will be available to be reached by staff and clients. The Department Head may also outline specific job assignments and expectations of the remote working employee. Work schedules and variations are subject to Department Head approval.
12. Work hours, overtime compensation, and annual leave schedule must conform to state and federal law and the County policies. Requests to work overtime or use leave time must first be approved by the Department Head/Supervisor in the same manner as when working in the office. If the employee is sick and unable to work, he/she must follow the same policy/procedure as employees at the centrally located worksite and notify his/her supervisor in accordance with county policy/collective bargaining agreement. Employees are to adhere to the lunch break language found in their collective bargaining agreement.
13. Employees must record and report all their time accurately. For Departments that do not have a mechanism for accountability of remote work, the employee will complete the County's *Tele-work Weekly Log*. **This form can be located on the County's Intranet under "Employee Handbook – EH Forms".**
14. Employees who remote work are expected to be working during their Remote Work schedule, without the availability of a direct supervisor during non-standard hours of operation. Personal, vacation, and any other leave time scheduled during a Remote Work employee's scheduled workday must be arranged in the same manner as employees at the centrally located worksite.
15. The Remote Work employee's salary, retirement, and benefits are the same as if the employee were working at the centrally located worksite.
16. While working remotely, responsibilities and tasks need to be completed with the same importance and attention as they would if they were tended to in the centrally located worksite. Non-work-related interruptions must be kept to a minimum. Remote working shall not be used as a substitute for dependent child or elder care. Employees who remote work are expected to make dependent or childcare arrangements during the period they will be working. Remote

working is not intended to enable employees to conduct personal or non-County business while on County time.

17. Employees who remote work may be covered by workers' compensation for job-related injuries occurring during their defined work period. Any claim received will be reviewed on its merit and in accordance with the Workers' Compensation Law. The employee is responsible for maintaining a safe and ergonomic remote working environment, including the work area, bathroom, and other areas that may be necessary for use during the Remote Work Arrangement. Workers' compensation will not apply to non-job-related injuries that occur at the remote work site. The employee remains responsible for injuries to third parties and/or members of the employee's family on the employee's premises. Tioga County will not be responsible for injuries to third parties or members of the employee's family that occur on the employee's premises and employee will hold the County harmless for injury to others at the remote worksite.
18. In the event of a job-related incident, accident or injury during remote working hours, the employee shall report the incident to their supervisor as soon as possible but no longer than 24 hours after and follow established procedures to report and investigate workplace incidents, accidents, or injuries.
19. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the County or its agent if a job-related incident, accident, or injury has occurred.
20. Remote working employees shall not hold in-person business meetings with internal or external clients, customers, or colleagues at their remote worksite.
21. Employees shall not conduct any unauthorized external (non-County) work during their remote work schedule.
22. The employee shall participate in any County-sponsored remote working and/or technology training as requested by the employee's supervisor or Department Head.
23. The employee shall participate as requested in any County evaluation of the remote working arrangement.

B. Remote Work Arrangement Eligibility:

1. Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and ability to work well alone. The employee communicates effectively with supervisors, co-workers, support staff and clients. The employee operates computer or other equipment independently, to the degree that will be required to work from their home or during non-supervised periods. The employee must be performing currently at an overall satisfactory level or above in their position.

2. An employee's work must be of a nature that face-to-face interaction with internal or external customers or project workgroups is minimal and/or the employee's tasks can be performed successfully away from the centrally located worksite.
3. The need for specialized material or equipment in order to remote work should be minimal. Employees interested in Remote Work must already have a safe and ergonomic home office environment or work area and the primary materials and equipment needed at their home in order to remote work.
4. Employees must have completed at least two years of continuous full-time onsite employment with the County.
5. Employee must have appropriate dependent care arrangements that allow the employee to work without distraction and mitigate undue interruption which could impact productivity.
6. Employees in a training capacity or providing hands-on service will not normally be eligible to participate in a Remote Work Arrangement program.
7. Employees with attendance or tardiness issues will not be eligible.
8. Employees who have been counseled or disciplined within the two years immediately preceding the request for Remote Work Arrangement will not be eligible.
9. Meeting the above eligibility criteria does not guarantee that an employee will be approved for a Remote Work Arrangement. Operational and organizational needs may preclude an employee's Request from being approved.

C. Hardware, Software and Supplies:

1. Employee is responsible for providing computer, laptop or tablet approved by Information Technology as well as workspace, phone, networking and/or internet capabilities at the remote work location and shall not be reimbursed by the County for these or related expenses. Special circumstances may arise and will be reviewed by the Department Head. (*Arrangements made prior to effective date of this policy may remain in effect with approval from Department Head). Internet access is expected to be reliable and secure, and meet the bandwidth needed for the job.
2. The need for specialized material or equipment in order to remote work should be minimal. The County may provide equipment (hardware and/or software) and services (such as technical support) if it is approved in advance by the employee's Department Head and the Chief Information Officer.
3. Department expenses incurred in the implementation and execution of remote work arrangements require the approval of the Department Head. If County equipment is provided to the employee, the employee is responsible for seeing that the equipment is properly used in compliance with County IT policy and

- returned in working order to the County upon conclusion of the Remote Work Arrangement.
4. Standard office supplies (such as paper and pens) will be provided by the County and should be obtained by the employee at the centrally located worksite. Out-of-pocket expenses for supplies normally available at the centrally located worksite will not be reimbursed. Office furniture will not be provided to employees who remote work.
 5. Employees who remote work are subject to the same internal County policies regarding the use of County-provided equipment (hardware and/or software) and services as that of employees at the centrally located worksite.
 6. Employees who remote work shall not allow anyone, except County employees, to use or access County-provided equipment (including hardware, software, and storage devices) and services.
 7. Employees are prohibited from accessing the County network using a public access computer.
 8. **HARDWARE:** New or existing computer equipment may be provided on an as-needed basis to staff by the County if approved in advance by the employee's Department Head and the Chief Information Officer. Staff working remotely will be permitted to use personal computer equipment to access the County data or network. All County owned hardware equipment and devices must be returned to the County as soon as the remote working agreement has ended, or when the equipment is no longer needed to perform related work activities.
 9. The County will provide routine maintenance and repairs for County owned computers and equipment. The County will try and perform maintenance remotely, however, to complete necessary maintenance it may be required that the staff member bring their device back to the worksite or internal network. Staff can request technical support for County computer devices by sending an email to the Tioga County Helpdesk. County IT staff will not visit the employee's remote work location to provide service onsite.
 10. **SOFTWARE:** Employees must conform to the County's software standards. Department Heads will consult with Information Technology staff to ensure that the software needed conforms to the County's software policies.
 11. Remote access to the County's network may be provided to the employee at the discretion of the employee's Department Head and with the approval of the Chief Information Officer or designee. If the County's remote access system includes internet access or other dial-in services, the employee may only use the County provided internet access or other dial-in services in a manner consistent with that of employees at the centrally located worksite. Employees who remote work are subject to the same internal County policies regarding the use of County provided equipment, software and services as that of employees at the centrally located worksite.

12. The County may purchase software for installation on County-provided equipment if approved in advance by the employee's Department Head and the Chief Information Officer or designee.
13. Employees shall forward their County phone extension to their remote work site during Remote Work hours.

D. Confidential Information:

1. The employee will maintain the confidentiality of County and State information and documents, prevent unauthorized access to any County system or information, and dispose of work-related documents in a manner that will not jeopardize the interests of the County or its clients/customers.
2. The employee shall continue to follow all Tioga County policies that address confidentiality and security, as found in the Employee Handbook.

X. PROCEDURE

- A. Employee submits completed Request for Remote Work Arrangement form to Department Head. If Department Head is requesting remote work, completed form to be submitted by Department Head to Chair of the County Legislature. ***The Request for Remote Work Arrangement can be found on the County's Intranet under "Employee Handbook – EH Forms".***
- B. After review by Information Technology for technical needs, Department Head (or Chair of Legislature if Department Head requesting) issues written determination within 10 working days of receipt of Request.
- C. If approved, employee and Department Head (or Chair of Legislature if Department Head requesting) or designee complete Remote Work Agreement form.
- D. Any requests to revise the Agreement are to be submitted by the employee to the Department Head (or Chair of Legislature if Department Head requesting) in writing, and answered in writing by the Department Head (or Chair of Legislature if Department Head requesting).
- E. Department Heads are to file with the Chair of the Legislature and Chair of their Legislative Committee each newly approved Remote Work Agreement, changes to Remote Work Agreements, and the conclusion thereof.

VI. FORMS

Located on the ***County's Intranet "Employee Handbook-EH Forms"***, are the following:

- A. Remote Work Agreement
- B. Request for Remote Work Arrangement
- C. Employee Assessment for Remote Work Suitability
- D. Tele-Work Weekly Log

Legislator Mullen spoke. "I just want to say thank you to the people that worked on this policy. I know a lot of work went into this and it is a policy we have been building for a while and it helps us recruit and retain some of the highly skilled individuals we need to do the work in the County. Thank you and I appreciate you for doing the hard work."

ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-file resolution move forward for consideration, seconded by Legislator Hollenbeck and carried.

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 266-21

*CONTINGENCY FUND REQUEST &
TRANSFER OF FUNDS TO COMMUNITY
COLLEGE CHARGEBACKS*

WHEREAS: The cost of Community College tuition has increased, along with payment of some 2020 bills as a result of billing deadlines being extended due to COVID; and

WHEREAS: Additional funding is needed to meet mandated costs; and

WHEREAS: The Treasurer's Office has identified the amount of additional funding needed in 2021; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

FROM:

A1990 540715	County Contingency Account	\$300,000
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TO:

A2490 540487	Community College Tuition Chargebacks	\$300,000
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:32 P.M.

allow Tioga County DPW personnel to install said boiler at an additional cost savings; and

WHEREAS: Funds are available for the purchase of the boiler from Account H1621.520929; therefore be it

RESOLVED: That the Tioga County Legislature approve the purchase of boiler to Adirondack Combustion Technologies, Duanesburg, NY in the amount of \$19,728.00 to be paid out of H1621.520929.

Legislator Roberts spoke. "This is just one of three boilers at the HHS Building that is being replaced at this time. Please keep in mind the other two boilers are of the same age and will need to be replaced in the future."

ROLL CALL VOTE

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

No – None.

Absent – Legislators Standinger and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:03 A.M.

WHEREAS: Michael A. Roberts has served as the Chair of the Public Works & Capital Projects Legislative Standing Committee from January 1, 2005 – December 31, 2021; and

WHEREAS: Michael A. Roberts also served on the Legislative Standing Committees of Economic Development & Planning, Information Technology & Communication Services, Public Safety, Probation, & DWI, Personnel, ADA, & Right to Know, and Finance, Legal & Safety; and

WHEREAS: Michael A. Roberts was appointed and served as a Legislative board member on the Tioga County Industrial Development Agency from March 14, 2006 - January 11, 2010; and

WHEREAS: Michael A. Roberts served as the Deputy Legislative Chair from January 1, 2007 – December 31, 2008; and

WHEREAS: Michael A. Roberts served as a Legislative representative on the Cornell Cooperative Extension of Tioga County Board from January 1, 2011 – December 31, 2011; and

WHEREAS: Michael A. Roberts served as the Republican Majority Leader of the Tioga County Legislature from January 1, 2011- December 31, 2021; and

WHEREAS: Michael A. Roberts has served on the Binghamton Metropolitan Transportation Study (BMTS) Policy Committee since 2011 and is currently the Committee's Vice-Chair; and

WHEREAS: Michael A. Roberts will be retiring as a Tioga County Legislator on December 31, 2021 to pursue his new position as Town of Owego Highway Superintendent; and

WHEREAS: Michael A. Roberts has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past seventeen years to the Tioga County Legislature. He has earned the respect of his colleagues and peers throughout Tioga County; therefore be it

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

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Michael A. Roberts.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Weston spoke. “Thank you very much. You have done a wonderful job. You have been a good companion to most of us, except every once in a while. I thank you very much and I certainly wish you the best at the Town of Owego Highway Department. I am sure things will get changed around over there just a little bit.”

Legislator Roberts spoke. “I would like to thank the whole County. When I first came to the County I was new and I have learned a lot. I appreciate everybody’s patience with me over the years and I truly thank you.”

Legislator Monell read and presented the following resolution to Legislator Loretta A. Sullivan.

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

Legislator Monell spoke. “It is my joy and privilege to present this resolution.”

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 269-21 *RESOLUTION RECOGNIZING
LORETTA A. SULLIVAN’S
13 YEARS OF DEDICATED SERVICE TO THE
TIOGA COUNTY LEGISLATURE*

WHEREAS: Loretta A. Sullivan was elected to the position of Tioga County Legislator on January 1, 2009 representing District #4; and

WHEREAS: Loretta A. Sullivan has successfully been re-elected and faithfully served as a Tioga County Legislator until her retirement effective December 31, 2021; and

WHEREAS: Loretta A. Sullivan served as the Chair of the Administrative Services Legislative Standing Committee representing Board of Elections, County Clerk,

Historian, Real Property, and Veterans from January 1, 2009 – December 31, 2009; and

WHEREAS: Loretta A. Sullivan served as the Chair of the Information Technology & Communication Services Legislative Standing Committee from January 1, 2010 – December 31, 2011 and then resumed this position from January 1, 2014 – December 31, 2021; and

WHEREAS: Loretta A. Sullivan served as Chair of the Finance, Legal & Safety Committee from January 1, 2012 – December 31, 2013; and

WHEREAS: Loretta A. Sullivan also served on the Legislative Standing Committees of Economic Development & Planning, Personnel, ADA, & Right to Know, Public Works & Capital Projects, Administrative Services, Health & Human Services, and Finance, Legal & Safety; and

WHEREAS: Loretta A. Sullivan was appointed and served as the Legislative representative on the Tioga County Council of Governments from January 1, 2009 – December 31, 2021; and

WHEREAS: Loretta A. Sullivan was a founding member and Co-Chair of the Tioga Investigates Natural Gas (TING) Steering Committee established in March 2009; and

WHEREAS: Loretta A. Sullivan will be retiring as a Tioga County Legislator on December 31, 2021; and

WHEREAS: Loretta A. Sullivan has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 13 years to the Tioga County Legislature. She has earned the respect of her colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Loretta A. Sullivan for her years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Loretta A. Sullivan.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Monell spoke. "I want to express that it has been my personal joy and privilege to have gotten to know this lady. She is a sweetheart. We are going to miss her on the Legislature. I have told her that several times in jest because she brings up the strangest topics sometimes and talks incessantly about them, but we are going to miss that. Sometimes the things that you bring up are what all the rest of us are thinking about, but we do not say it. We are going to miss that; I know we are. It has been my joy to meet you and get to know you."

Legislator Sullivan spoke. "For Tracy's sake, I am not going to keep this brief. I just want to say that I am very grateful for the opportunity to hold this position and represent our community. It has allowed me to play a role in trying to keep tax costs down for everybody in the County. It has given me the opportunity to participate in providing the basic services that I believe citizens need and are deserving of, such as public safety, emergency services, good roads, and good bridges. It also gave me the opportunity to meet and work with a lot of wonderful people. That includes my fellow Legislators, past and present, and countless employees of the County including Department Heads. Having represented the County on the Council of Governments, I got to meet every town supervisor and village mayor. With Tioga Investigates Natural Gas (TING), I was able to work with all of the members and staff of this committee on some of the issues that we have all been challenged with. I got to meet hundreds of people throughout the County geographically that I would not have ever had the opportunity. I am not sure if everyone is aware, but 93% of the County's budget is made up of mandated items either by the State or Federal government. I am glad having worked with the Legislature and the Departments to figure out how to pull off all these mandates without crippling our citizens with a tax burden. We were able to do that and I hope and pray that we can continue to do that. As the years go by, I am not as confident that we are going to be able to do that. In my opinion, New York State has been going down the wrong path for decades with the Federal government not too far behind. I believe a lot of their priorities and mandates are not in line with the Constitution of the United States or the Bill of Rights is not in line with God's wishes or the teachings of our Lord Jesus Christ. At the local level, we cannot stop a lot of this craziness, but we can do our best to manage it. So, I wish my fellow Legislators, new Legislators, and everyone working for the County to continue to do what you have done in the past and do the best for all of us that live in Tioga County. I thank you all and I wish you all the best. God Bless."

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 270-21 *RESOLUTION RECOGNIZING
CLIFFORD BALLIET, JR.
3 YEARS OF DEDICATED SERVICE TO THE
TIOGA COUNTY LEGISLATURE*

WHEREAS: Clifford Balliet, Jr. was elected to the position of Tioga County Legislator on January 1, 2019 representing District #1; and

WHEREAS: Clifford Balliet, Jr. has faithfully served as a Tioga County Legislator until his retirement effective December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. has served as the Chair of the Administrative Services Legislative Standing Committee representing the Board of Elections, County Clerk, Historian, Real Property, and Veterans from January 1, 2019 – December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. also served on the Legislative Standing Committees of Information Technology & Communication Services, Public Works & Capital Projects, Personnel, ADA, & Right to Know, and Finance, Legal, and Safety; and

WHEREAS: Clifford Balliet, Jr. was appointed as a Legislative representative on the Cornell Cooperative Extension Board of Tioga County on January 14, 2020 and served until his retirement effective December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. will be retiring as a Tioga County Legislator on December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past three years to the Tioga County Legislature. He has earned the respect of his colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize

Clifford Balliet, Jr. for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Clifford Balliet, Jr.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I just wanted to say a couple of things having served on the Administrative Services Committee with Cliff. In three short years, since Cliff took over, I have seen a tremendous dedication to professionalism. Are we doing the right things for the right reasons? That is a rare commodity in this world. A lot of people do the right things, but for the wrong reasons. Cliff wants to see people doing the right things for the right reasons. He comes across as a quiet person, maybe a little unassuming, but he is that constant pressure. It's like the old Frank Sinatra song lyrics that a ram thinks he can punch a hole in the dam or that an ant thinks he can move that rubber tree plant. Right here is your ant. You have done a great job and it is my pleasure to work with and witness a dignified gentleman who knew when to dig his heels in and knows when to compromise. I have said it before here in committee meetings and I will say it again, that is good governance. It has been my pleasure. Thank you, Cliff."

Legislator Balliet spoke. "It is one of those things in life when you go along and out of the blue someone says 'Hey, how would you like to run for the Legislature'. I had no clue. I must say that these past three years have been some of the most interesting and a lot of ways satisfying, educational, flabbergasting, and all the things that go into this governmental structure that we are a part of. But, I have been so impressed by this group of Legislators, as unique of a group I have ever seen in my life to work with, that somehow in spite of our conflicting opinions and views, we get it done. I really appreciated that. It is remarkable in this age to see that happening. The more I learned about what was happening at the Federal and State level, I was even more proud of what we do and what many of you all here do for the citizens of Tioga County. We are the boots on the ground. We are where the rubber hits the road. Especially

the Departments represented under the Administrative Services Committee, as they deal with the public and work for the benefit of the County. It has been a pleasure and an honor to work with these Departments. I will say that when you get to be a little more mature and experiencing all of this, it says this is the way it should be done. I thank all the members of our local County government for doing what they do and how well they do it and that is not always easy. I have discovered another way to get into trouble, so I will be serving on the Tioga County Historical Society Board. I hope it is more historical than hysterical. Thank you very much."

Chair Sauerbrey reported we have one Proclamation recognizing *Fire Prevention Month in Tioga County*.

Legislator Standinger spoke. "I have a proclamation here that I probably know a little bit about since I have been a member of the Fire Investigation Team for over 20 years."

Legislator Standinger will read and present this proclamation to Adam Ace, Environmental Health Sanitarian, Public Health Department.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Cooking and heating are the leading causes of home fires and fire injuries, and the winter months are the peak time for fire-related deaths; and

WHEREAS: Fires are a leading cause of death for children ages one to fourteen, and one death from a preventable fire is one too many; and

WHEREAS: Tioga County has 20 active fire departments that protect and serve our community; and

WHEREAS: It is crucial to promote fire prevention methods such as staying alert when cooking, keeping flammable objects away from stoves and heating sources, checking and replacing old or frayed cords, and keeping matches and lighters out of reach of children; and

WHEREAS: Ensuring smoke alarms are properly installed and working are also of the utmost importance; and

WHEREAS: Tioga County Public Health encourages citizens to develop and practice fire escape plans to protect their loved ones in the event of a house fire; now therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of December 2021 as:

FIRE PREVENTION MONTH IN TIOGA COUNTY

and urges all residents to utilize Tioga County Public Health's Healthy Neighborhoods program for home safety checks and fire prevention education.

Legislator Standinger spoke. "I want to put a plug in for fire departments because unfortunately there is a crisis developing with fire departments due to lack of volunteers, so if you know someone who wants to volunteer direct them to their local fire department. Believe me, if your house is burning you want somebody to come and put it out and if no one volunteers than it is going to keep burning and you are going to lose everything; your animals, family members, all your belongings. Prevention is probably the best thing you can do."

Environmental Health Sanitarian Adam Ace spoke. "My name is Adam Ace, I am from Tioga County Health Department and part of the Healthy Neighborhood Program. This program provides health and safety products and gets us in a home to help walk people through many things they can do. One of which is fire safety, so I would like to thank Legislator Standinger and the Legislative body for this proclamation. As far as home safety goes, we perform 200 plus safety visits in a year and more than 60% of those visits do not have adequate smoke alarms in their home. Usually what we see with fire alarms is outdated units, so they usually want updated or new units every 8-10 years. Other things we see is missing batteries from the units and most commonly they do not have adequate alarms throughout the house with the location not being right. Smoke detectors should be placed on every level and in every bedroom of the home. I would like to remind everyone to test their fire alarms monthly, replace expired alarms, and install units on every level and in every bedroom of the home. It is one of those things that often gets overlooked, but if you don't look at it, you will not know if it is up to date, whether the battery is good, and whether it is going to work. Properly installed and working smoke detectors can save your lives. I think it is an important thing that we get out and talk to people about and make sure they are reminded these are being done. I would like to say thank you again to the Legislative body, Legislator Standinger, and Public Health. Thank you."

Chair Sauerbrey reported we have one individual for privilege of the floor.

Mark Standinger, Candor, NY resident spoke. "I have never done this before, so my brother, Bill, suggested it last night at 9:00 p.m. and I said OK, why not. I feel passionate about it. This Governor Hochul, I am not sure what she is intending to do or whatever about these mask mandates, so I was on the computer last night trying to find a mask mandate from her or an Executive Order and apparently there isn't one. I do not know where she is assuming her authority from, but apparently from one of the Executive Orders; Executive Order No. 11, which most of that is parroting what the World Health Organization and some of the other people have said about a pandemic. I tried to research what a pandemic is and there is not information out there what the level is. As far as I am concerned, and I have seen, there really isn't a pandemic so I do not understand their criteria. I have been in law enforcement for a long time; over three decades between military police, Tioga County Sheriff's Office, and the NYS Department of Corrections. I retired three years ago as a Sergeant from the NYS Department of Corrections and also served in the military culminating my career as a Command Sergeant Major, so I know a little bit about control and laws. The way I read some of the announcement she has made public is that masks are now required in all indoor public places unless business or venues implement a vaccine requirement. So, if you know anything about the ends, ways, and the means apparently this is a way and a means for what end I do not know. I learned a new word when I was on the Internet last night. The word is vena. Does anyone know what that means? This word means it is motivated by the susceptibility to bribery. It appears that's what the Governor is doing. She is supposedly, with no authority, announcing that all businesses will be required to implement a vaccine requirement. So, what does that encompass? A vaccine requirement? Is that a vaccine passport? Is that per the Constitution? I do not understand where she is getting this authority to mandate all this stuff. There is no law in the penal law for NYS or the criminal procedure law. There is no law that gives her this authority other than her Executive Order No. 11 for emergency powers. This Order parroted everything about the World Health Organization and a pandemic. But, a lot of it has to do with the State finance given her authority to play around with the money and finances. I heard someone just talk about the financing and the mandates, so what is her intent? Restricting businesses is going to end up happening which has already happened with all the restrictions and lock downs, etc. Businesses have closed, so she is talking out both sides of her mouth. She is not getting the revenue from the businesses, but yet she wants to restrict them and mandate them to have vaccine passports or the Excelsior pass. So, this is a new invention of control and to control the population. This is the same thing that I, three decades of service in the prison system, did to our inmate population. Whenever we did not like what was going on we restricted their liberties, movement, mail, visitation, and everything. The masks do not even work. My mother is in Elderwood. I get robocalls stating 20 staff

members are positive for COVID, but they are required to vaccinated and wear a mask, as well as the residents. So, masks do not work. How are they getting positive? It makes no sense. Thank you."

Legislator Roberts made a motion to approve the minutes of November 9 and 18, 2021, seconded by Legislator Monell 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 by the end of this week.

Chair Sauerbrey announced the establishment of the Personnel Officer Interview Committee and made the following appointments:

- Legislator Hollenbeck
- County Attorney DeWind
- Personnel Officer O'Rourke
- Commissioner of Social Services Yetter
- Legislator/Chair Sauerbrey

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 271-21 *FIX TIME OF
ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 a.m., Monday, January 3, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 272-21 *APPOINT MEMBER TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD*

WHEREAS: The Tioga County Legislature wishes to appoint Hannah Murray as a Board Member to the Tioga County Property Development Corporation (TCPDC) to fill a vacancy; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that the board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned upon holding the public office by their position; and

WHEREAS: Hannah Murray currently serves as a Board of Education Member for the Candor Central School District; and

WHEREAS: Hannah Murray is willing and able to serve on the TCPDC as a Board Member; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Hannah Murray to the Tioga County Property Development Corporation as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 273-21 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Pam Moore's position on the Tioga County Planning Board representing the Town of Nichols expires on 12/31/2021; and

WHEREAS: The Town of Nichols Board has nominated Pam Moore to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Pam Moore to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 274-21 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: John Current's position on the Tioga County Planning Board representing the Town of Owego expires on 12/31/2021; and

WHEREAS: The Town of Owego Board has nominated John Current to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint John Current to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 275-21 *RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD*

WHEREAS: Chelsea Robertson's position on the Tioga County Planning Board as an alternate expires on 12/31/2021; and

WHEREAS: Ms. Robertson is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Chelsea Robertson to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

RESOLVED: That the Tioga County Legislature hereby re-appoint Pam Moore to the Agricultural and Farmland Protection Board, for the four-year term of 1/1/22 – 12/31/25.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 278-21 REAPPOINT MEMBER TO THE
TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Rani Kapur-Pado, DO, on the Board of Health expires 12/31/21; and

WHEREAS: The Board of Health recommends re-appointment and Dr. Kapur-Pado has agreed to serve for another term; therefore be it

RESOLVED: That Rani Kapur-Pado, DO, be re-appointed to the Board of Health for a term of 1/1/22-12/31/27.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 279-21 REAPPOINT MEMBER TO THE
TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for William Standinger III on the Board of Health expires 12/31/21; and

WHEREAS: Legislative representatives on the Board of Health serve only the length of their elected term; and

WHEREAS: William Standinger III has agreed to serve for another term; therefore be it

RESOLVED: That William Standinger III be re-appointed to the Board of Health for a term of 1/1/22-12/31/24.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 280-21 ADOPT COUNTY BUDGET FOR 2022,
APPROPRIATIONS AND SALARY SCHEDULE

RESOLVED: That the tentative budget for Tioga County for the year 2022 submitted by the Budget Officer on November 9, 2021 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2022; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2022; and be it further

RESOLVED: That the full-time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2022.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 281-21 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 280-21 dated December 14, 2021 adopted a Budget for the fiscal year 2022 and by Resolution No. 280-21 dated December 14, 2021 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 282-21 dated December 14, 2021 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$25,358,754 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	490,635.20
For School Tax Returned	3,442,457.63
For Deficits from prior years' taxes	52.86
For Reimbursement of Erroneous taxes, etc.	9,250.17

All of the forgoing being subject to

Credit for excess collection the prior year of \$3.51

Further

RESOLVED: That the County Treasurer's Office be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 282-21 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Town Tax Districts of the County on or before December 31, 2021; and be it further

RESOLVED: That the County tax rates for each of the Towns are as follows:

Barton	Out	11.130402
	In	11.130402
Berkshire	Out	9.372718
Candor	Out	9.675732
	In	9.675732
Newark Valley	Out	13.496269
	In	13.496269
Nichols	Out	34.497857
	In	34.497857
Owego	Out	13.058338
	In	13.058338

Richford	Out	7.311081
Spencer	Out	8.850522
	In	8.850522
Tioga	Out	148.262091

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 282-21 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2022; therefore be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	5,995.00	238,397.00
Newark Valley	-	-
Nichols	1,975.00	-
Owego	-	2,230,000.00
Spencer	11,115.00	445,078.00

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton

Halsey Valley Fire Protection	20,571.26
Lockwood Fire Protection	44,523.05
Waverly Joint Fire Protection	296,916.00

Town of Berkshire

Berkshire Fire District	155,981.00
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Town of Candor

Candor Fire District	456,314.00
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Town of Newark Valley

Newark Valley Fire District	319,341.45
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Town of Nichols

Nichols Joint Fire Protection	467,046.19
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Town of Owego

Apalachin Fire District	1,095,222.00
Owego Fire District	1,971,324.70
Newark Valley Fire District	45,829.05

Town of Richford

Richford Fire District	109,150.00
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Town of Spencer

Spencer Fire Protection District	80,000.00
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Town of Tioga

Tioga Fire District	296,339.00
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And be it further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,683.00
Water District No. 4/Ext. 15	8,509.00
Water District No. 4/Ext. 17	-
Water District No. 4/Ext. 20	17,125.00
Sewer District No. 2/Ext. 14	11,623.00
Sewer District No. 2/Ext. 15	12,390.00
Lighting District No. 1	5,667.14
Lighting District No. 2	9,939.60
Lighting District No. 3	10,967.42
Lighting District No. 4A	621.00
Lighting District No. 4B	2,235.10
Lighting District No. 5	6,829.40
Lighting District No. 6	11,651.27
Lighting District No. 7	1,773.10
Lighting District No. 8	1,269.25
Lighting District No. 9	691.00
Lighting District No. 10	876.56

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$387,678.10; and be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$3,787.69; and be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	242,100.00	598,500.00
Berkshire	97,226.00	346,573.00
Candor	1,027,127.00	745,830.00
Newark Valley	332,740.00	414,500.00
Nichols	-	228,200.00
Owego	1,060,000.00	-
Richford	245,724.00	479,947.00
Spencer	369,172.00	307,497.00
Tioga	266,259.00	603,811.00

And be it further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 283-21 *AUTHORIZE THE RE-ESTABLISHMENT OF
PRIOR YEAR 2021 GRANT FUNDS AND
CAPITAL PROJECTS FOR 2022*

WHEREAS: Grant Funds and Capital Project expenditures and revenue allocations have been approved via resolution; and

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; and

WHEREAS: Prior year Capital Projects need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; therefore be it

RESOLVED: That the remaining unencumbered balances of active and approved Grants and Capital Projects be re-established.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 284-21 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 285-21 *AUTHORIZE TREASURER TO
ENCUMBER FUNDS*

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 23, 2021 to allow proper coding of bills for payment through the Accounts Payable check run of March 3, 2022.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 286-21 *RESOLUTION AUTHORIZING AND APPROVING THE
ACCEPTANCE OF ADDITIONAL ADMINISTRATIVE
SERVICE FUNDS AND MODIFY THE ADMINISTRATIVE
SERVICES AGREEMENT BETWEEN TIOGA COUNTY
ECONOMIC DEVELOPMENT AND PLANNING AND
THE TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION FOR THE PERIOD JANUARY 1, 2022
THROUGH DECEMBER 31, 2023*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolutions #273-18, #140-20 and #140-21 to accept Land Bank

funds and to enter into an Administrative Services Agreement for the period January 1, 2019 through December 31, 2021; and

WHEREAS: Said Administrative Services Agreement calls for TCEDP to provide the Tioga County Property Development Corporation (TCPDC) with administrative services, office space and equipment necessary for the performance of the duties of the Land Bank Director of the TCPDC through TCEDP; and

WHEREAS: The Administrative Services Agreement also calls for the TCPDC to contribute toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the TCPDC; and

WHEREAS: The annual amount paid by the TCPDC for 2019 through 2021 as identified in the Administrative Services Agreement was \$32,532.50; and

WHEREAS: The TCPDC and TCEDP are desirous of continuing the Administrative Services Agreement for a two-year period; and

WHEREAS: The Community Revitalization Initiative (CRI) funds, the original source of grant funds used by TCPDC to pay for the administrative services, office space and equipment use, are no longer available; and

WHEREAS: The TCPDC will continue to contribute toward the administrative services as stated in the agreement, at a reduced amount of \$25,000.00 by way of other grant sources and/or program fees; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves the acceptance of \$25,000.00 annually from the TCPDC, 56 Main Street, Owego, New York 13827 and modifying the Administrative Services Agreement to provide funding towards the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the Land Bank Director of the TCPDC to include the additional year making it a two-year agreement for the period of January 1, 2022 through December 31, 2023; and be it further

RESOLVED: That the Chair of the Legislature or duly authorized representative (including County Treasurer and/or Budget Officer), is hereby authorized to make any transfers of funds required within this budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 287-21 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF OWEGO, TO THE TOWN OF OWEGO*

WHEREAS: Property located in the Town of Owego at 6125 State Route 17C, assessed to Cecil J Van Patten and identified as Tax Map number 131.19-1-23, parcel number 12370, is delinquent on 2018, 2019, 2020 and 2021 taxes with the last date of redemption for the 2018 taxes having passed; and

WHEREAS: James Walley was the apparent winning bidder at the October 7, 2021 Tioga County Property Auction having bid \$14,000 for the parcel and having put down a deposit of \$4,100 which is currently being held by the County; and

WHEREAS: For reasons beyond Mr. Walley's control he will not be able to develop the property as intended and wishes to withdraw his bid without being in default; and

WHEREAS: The Town of Owego is interested in acquiring said property from the County for \$14,000, "as is" for municipal purposes and entering into an agreement with Mr. Walley to make him whole for the Auctioneers Fee and consideration for the agreement; therefore be it

RESOLVED: Upon concluding an agreement with the Town concerning his expenses, James Walley is allowed to withdraw his auction bid with said withdrawal not thereafter being held against him when considering his eligibility to participate in future Tioga County property auctions, the Tioga County Treasurer is directed to then return Mr. Walley's deposit of \$4,100 and the County rescinds its previous resolution to sell said property to James Walley; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$14,000 and recording costs, a Quit

Claim Deed conveying the property assessed to Cecil J Van Patten located in the Town of Owego identified on the Town of Owego Tax Map as number 131.19-1-23, parcel number 12370, to the Town of Owego.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 288-21 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from New York State Department of Health; and

WHEREAS: The funding is designated for the Healthy Neighborhoods Program; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4090 434640 Environmental Health: State Aid \$ 50,000

To: A4090 540595 Environmental Health: Services \$ 50,000

And be it further

RESOLVED: That available funds on 12/31/21 of the original \$50,000 will be carried forward into the New Year.

To: A4011 540487-ELC2 Public Health: Program Exp/ELC2 \$719,282

And be it further

RESOLVED: That available funds on 12/31/21 of the original \$719,282 will be carried forward into the New Year.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 290-21 *AMEND 2021 CAPITAL BUDGET AND
TRANSFER FUNDS FOR RENOVATIONS 56 MAIN –
PUBLIC WORKS*

WHEREAS: The Economic Development and Planning will be moving into the vacated CCE space in 56 Main Street; and

WHEREAS: The vacated CCE space is in need of renovations including HVAC and carpet replacement; and

WHEREAS: Cost savings was achieved in another 2021 Capital Reserve Budget line and legislative approval is needed to authorize all Capital Reserve expenses and Capital Budget Amendments and Transfers; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H1620.520923 Standby Generator \$30,000.00

To: H1620.520911 Renovations 56 Main St \$30,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 291-21 *AMEND RESOLUTION 257-21
APPROPRIATION OF FUNDS
2021-2022 NYS STOP DWI
HIGH VISIBILITY ENGAGEMENT GRANT
STOP DWI*

WHEREAS: Resolution 257-21 requested authorization to appropriate the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002567) in the amount of \$15,000; and

WHEREAS: The grant contract award is actually \$17,500; and

WHEREAS: Appropriation of funds and budget modifications requires legislative approval; therefore be it

RESOLVED: That the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002567) be appropriated with the corrected amount as follows:

FROM: A3315-445890-CRK21 Federal Aid-Other Transp NPSP \$17,500

TO: A3315-540590-CRK21 Services Rendered-STOP DWI \$17,500

And be it further

RESOLVED: That the balance of the original \$17,500 as of December 31, 2021 be carried forward into the 2022 budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 292-21 *MODIFY 2021 BUDGET AND TRANSFER FUNDS
SHERIFF'S OFFICE*

WHEREAS: Funds need to be transferred from various accounts to pay for obligatory 2021 expenses for car maintenance expenses; and

WHEREAS: Legislative approval is needed to modify the 2021 budget and transfer funds between object of expenses; therefore be it

RESOLVED: That the 2021 budget be modified and transfer of funds be made as follows:

FROM:

A3110.510010	Full Time Salary	\$30,000
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TO:

A3110.540070	Car Maintenance	\$30,000
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ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 293-21 *AMEND 2021 BUDGET
APPROPRIATION OF FUNDS
AMERICAN RESCUE PLAN ACT
BUDGET OFFICE REQUEST 2021-001*

WHEREAS: On March 11th, 2021 the State and Local Coronavirus Fiscal Recovery Fund legislation, part of the American Rescue Plan Act, hereinafter referred to as ARPA, was signed into law, awarding Tioga County \$9,362,868 in fiscal recovery funds, half of the funds were received in 2021, and the other half are to be received in 2022; and

WHEREAS: On May 10th, 2021 the U.S. Department of Treasury released guidance as to how the fiscal recovery funds are to be spent in the response effort against the COVID-19 pandemic including support of the public health response, replacement of public sector revenue losses, and water & sewer infrastructure; and

WHEREAS: The Tioga County Legislature has identified internal departments and external agencies that would greatly benefit from the provision of the ARPA funds, that also meet the treasury's guidelines for use and provide the greatest benefit to Tioga County residents; and

WHEREAS: Upon the successful receipt and review of the One Time ARPA request form(s), both the Legislative Chair and the ARPA Fund Administrator have granted their approval of the form, and have submitted the request to the Tioga County Legislature for final review and approval; and

WHEREAS: Amending of the 2021 Budget and appropriation of Fiscal Recovery Funds require Legislative Approval; therefore be it

RESOLVED: That the 2021 Budget be amended, and funds be appropriated as follows:

TO: A1325 540429 M7674 ARPA Outside Support	\$100,000.00
VID: 936 Tioga County Local Development Corporation	
ARPA Category: 2.11 Aid to Tourism, Travel, Hospitality	
Manual Check Payment to Tioga County Tourism	
TO: A3410 540140 M7674 ARPA Contracted Services	\$63,500.00
VID: 4446 Center for Governmental Research	
ARPA Category: 6.10 Provision of Governmental Services	
Appropriation for EMO/Ambulance Study (Public Safety)	
TO: A1325 540429 M7674 ARPA Outside Support	\$500,000.00
VID: 7009 Tioga County Property Development Corporation	
ARPA Category: 3.10 Housing Support: Affordable Housing	
Manual Check Payment to TCPDC (Land Bank)	
TO: A1680 520270 M7674 ARPA Telephone Equipment	\$40,000.00
VID: 645 All Mode	
ARPA Category: 6.10 Provision of Governmental Services	
Appropriation for ShoreTel Hardware/Cyber Security Upgrade	
TO: A1325 540429 M7674 ARPA Outside Support	\$250,000.00
VID: 829 Catholic Charities	
ARPA Category: 3.10 Housing Support – Affordable Housing	
Manual Check Payment “A Place to Call Home” Housing Project	
TO: A1680 540140 M7674 ARPA Contracted Services	\$192,368.00
VID: 1399 Pictometry International Corporation	
ARPA Category: 6.10 Provision of Governmental Services	
Appropriation for GIS Imagery Service (Emergency Response)	
TO: A1460 540140 M7674 ARPA Contracted Services	\$8,250.00
VID: 7014 Jettner Information Services	
ARPA Category: 6.10 Provision of Governmental Services	
Appropriation for Records Management Consultation Service	

Chair Sauerbrey spoke. “This is the first act of the American Recovery Funds. This Legislature met and designated funds to go out to those areas and this is the first process for a limited amount of projects and more will follow. We

will be making a statement of what these funds are being used for and where they are going in the future.”

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 294-21 *AUTHORIZE ACCEPTANCE OF STATEWIDE
INTEROPERABLE COMMUNICATIONS
“FORMULA” GRANT (SICG 20)
APPROPRIATION OF FUNDS &
MODIFY 2021 BUDGET
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Emergency Management applied for and was awarded a Homeland Security Statewide Interoperable Communications “Formula” Grant 2020 in the amount of \$429,140. The grant will be used for upgrading the radio communications in the county with no local share associated with said grant; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM: A3415 433063 IO20F – State Aid Interop Comm Grant \$429,140

TO:	A3415 540140 IO20F	Contracted Services	\$100,000
TO:	A3415 540180 IO20F	Dues	\$ 950
TO:	A3415 520130 IO20F	Equipment (Not Car)	\$328,190

And be it further

RESOLVED: Appropriation be re-established for the remaining unspent balance as of year-end until project is completed.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 295-21 *AUTHORIZE ACCEPTANCE OF THE FLOYD HOOKER FOUNDATION GRANT AND MODIFY 2021 BUDGET*

WHEREAS: The Probation Department applied and was awarded the Floyd Hooker Foundation grant in the amount of \$7,500.00; and

WHEREAS: This funding is for the Juvenile/Youth at Probation; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this grant; and be it further

RESOLVED: That the 2021 budget be modified to reflect this grant and that this funding be receipted with the following accounts:

Revenue Account: A3140 427050 \$7,500.00

Expense Account: A3140 540487 \$7,500.00

And be it further

RESOLVED: Appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

Legislator Standinger spoke. "Our new Probation Director applied for this grant because he is concerned about the youth that may experience criminal behavior and I am sure that Mr. Hooker would be pleased that some of his money is going to that effort. Brian Cain, I give him a shout out for applying for this grant and being concerned about the youth of the County."

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 296-21 *RESOLUTION TO RENEW CONSULTANT
CONTRACT FOR HAZARD MITIGATION PLAN
COORDINATOR FOR 2022*

WHEREAS: Per resolution 193-12 and resolution 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department continues to lack existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2022 budget to cover these expenses, in the amount of \$20,000 from Planning Appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2022, not to exceed \$20,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 297-21

ENTER INTO CONTRACT WITH TWIN TIERS DRUG & ALCOHOL TESTING, LLC FOR CDL DRUG AND ALCOHOL TESTING

WHEREAS: Federal law requires random drug and alcohol testing of CDL drivers performing “safety sensitive” tasks; and

WHEREAS: Tioga County has coordinated with towns and villages within Tioga County to have testing done by an outside agency; and

WHEREAS: Tioga County has received a proposal from Twin Tiers Drug & Alcohol Testing, LLC to perform this service; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a one-year contract for 2022 with Twin Tiers Drug & Alcohol Testing, LLC to perform this service at the rates indicated:

Complete DOT/Non-DOT Random Testing Program:

- Random Selection of Employees Calculated Quarterly (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests performed quarterly on-site
- Record Management

- DOT Audit Assistance
- Regulatory Updates
- MIS Reports
- Collection Site Management
- Supervisor Training
- Laboratory and MRO Set-up with own Laboratory Account
- Online Access to Reporting 24 hours a day
- Online Order of Pre-employment, Follow-up, or Return to Duty Testing
- Training to Navigate Online Portal
- Assistance with Mediation Between MRO and DER
- Over 50 years of collective DOT knowledge

Additional Charges: Pre-employment, post-accident, reasonable suspicion, follow-up, or return to duty tests:

Normal Business Hours:

- | | |
|--|-----------------------|
| • Quest Diagnostics/Medical Facilities, Hospitals, etc.: | \$65.00 per test |
| • Breath alcohol test (in office or on-site): | \$40.00 per test |
| • Drug Test On-site: | \$60.00 per test |
| • Scheduled On-site fee | \$150.00 one-time fee |

Emergency and After Hours:

- | | |
|--------------------------|---------------------------------|
| • Emergency On-site fee: | \$150.00/hr. with 2 hr. minimum |
| • After hours fee: | \$25.00 per test |
| • Holiday fee: | \$25.00 per test |
| • Shy Bladder fee: | \$1.00 per minute |
| • Wait fee: | \$1.00 per minute |

Split Specimen Testing (re-test of positive specimen by another SAMHSA certified lab) Includes shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification: \$200.00 per test

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 298-21 *RESOLUTION TO CONTINUE APPROVAL FOR CONTRACT BETWEEN THE TIOGA COUNTY PROBATION DEPT. AND CAYUGA COUNSELING SERVICE, INC.*

WHEREAS: Raise the Age mandates and changes made to 9 NYCRR 356 and 9 NYCRR 359 require Probation Departments to offer a variety of Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth based on their risk level. The services provided must be proven evidence based services or promising evidence based services; and

WHEREAS: Tioga County Probation would like to continue to contract with Cayuga Counseling Service, Inc. to provide promising evidence based services to Probation involved youth. This program will provide both Alternative to Detention programming and Pre-Dispositional Supervision programming for youth in Youth Part Court, Family Court or Intake and Diversion Services at Probation; and

WHEREAS: In 2020, the County Legislature approved a contract with Cayuga Counseling Service, Inc. to provide 8 slots of juvenile specialized supervision to reduce the County's need for expensive specialized secure detention, secure and non-secure detention and the newly mandated Pre-Dispositional Supervision; and

WHEREAS: The cost of the contact is \$72,509.81 for twelve months. The County received RTA funding for this program for 2020 and the Probation Department will list the program in the next application for Raise the Age funding when it is available; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to continue to contract with Cayuga Counseling Service, Inc. in 2022 to provide Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 299-21 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & THE FAMILY AND CHILDREN'S COUNSELING SERVICES TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES IN THE JOURNEY PROJECT*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2019; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile offender assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; therefore be it

RESOLVED: That the Probation Director is approved to contract in 2022 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 300-21 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA COUNTY PROBATION DEPT. AND ASCENTEC HOLDINGS LLC*

WHEREAS: The Legislature has previously approved a contract between the Probation Department and Ascentec Holdings, LLC company for the use of Electronic Monitoring Mobile App and Services called vCheck24 to be used with youth and adults as an alternative to incarceration or an alternative to detention; and

WHEREAS: The Probation Department initiated a contract for electronic monitoring mobile app and services from Ascentec Holdings, LLC at the cost of \$0.75 per day per client, and this contract may be auto-renewed yearly per the written contract; and

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every county to create Alternative to Detention programming and Tioga County Probation has utilized Electronic Monitoring as an Alternative to Detention and is part of Tioga's STSJP funding request to NYS OCFS and part of the Tioga County Raise the Age Comprehensive Plan that such services should be available to youth; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services in the amount of \$4,000 in account number A3142 540140; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with Ascentec Holdings, LLC to use their mobile app called vCheck 24 to provide Electronic Monitoring for adults and juveniles to the Probation Department as part of the County's Alternative to Incarceration and Alternative to Detention programming.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 301-21 *RESOLUTION TO APPROVE STSJP CONTRACT FOR SFY 2021-2022 PROBATION AS LEAD AGENCY FOR APPLICATION FOR FUNDING VIA STSJP*

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every County to create Alternative to Detention programming and since 2015 the Probation Department has been the Lead Agency for the County to apply for STSJP funding; and

WHEREAS: The funding is based on an approved OCFS contract for a maximum of \$40,000 and is set at a ratio of 62% state reimbursement – 38% county share for monies expended by the County for Alternative to Detention programming for Juvenile Delinquents. The Tioga County Legislature agrees to accept this reimbursement funding format; therefore be it

RESOLVED: That the Tioga County Legislative Chair is approved to contract with the Office of Children and Family Services for STSJP funding as follows:

Probation Department – Juvenile Delinquency Alternatives to Detention

Reminder Call, Electronic Monitoring	\$19,766.00
State Share	\$12,254.92
County Share	\$ 7,511.08

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Balliet.

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 302-21 *AUTHORIZATION TO CONTRACT
WITH PICTOMETRY INTERNATIONAL
CORPORATION – ORTHO AND OBLIQUE
GIS IMAGERY*

WHEREAS: The Tioga County Information Technology and Communication Services Department has a need to renew ortho and oblique imagery within the county Geospatial Information Systems toolset; and

WHEREAS: The Chief Information Officer would like to enter a multiple year contract with Pictometry International Corporation at a total cost of \$192,368.00 for the period of January 1, 2022 through December 31, 2026; and

WHEREAS: Funding will be provided using ARPA funds which will be allocated to account A1680.540140 (contracted services); therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and Pictometry International Corporation upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 303-21 *AUTHORIZE CONTRACT RENEWAL
CSEA EBF MEMBER PLUS*

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer vision and dental plans for CSEA and Non-Union employees, now named CSEA EBF Member Plus; and

WHEREAS: The dental and vision plans are contractual benefits for CSEA employees, and on November 9, 2021 the Tioga County Legislature ratified the CSEA contract through 2024; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA EBF Member Plus for the purpose of facilitating the dental and vision plans for the period of January 1, 2022 – December 31, 2024.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 304-21 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON NY TIOGA I, LLC AND NY TIOGA II, LLC PAYMENT IN LIEU OF TAX AGREEMENTS*

WHEREAS: NY Tioga I, LLC and NY Tioga II, LLC have submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a “Solar Energy System” with an expected total capacity of approximately 5.0 Megawatts AC and 2.2 Megawatts AC respectively; and

WHEREAS: Both projects are situated at 443 Glenmary Drive, tax map # 117.00-1-80.1, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Taxes (PILOT) Agreements with NY Tioga I, LLC and NY Tioga II, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: NY Tioga I, LLC and NY Tioga II, LLC have agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Said fifteen (15) year term shall commence on the first taxable status date selected by NY Tioga I, LLC and NY Tioga II, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by one and one half percent (1.5 %) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 15th of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Tioga, Owego Apalachin Central School District and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Tioga I, LLC and NY Tioga II, LLC, and the Town of Tioga, Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 305-21 *RESOLUTION AUTHORIZING AND APPROVING THE
RETAINAGE OF COVID-19 EMERGENCY RELIEF
LOAN PROGRAM LATE FEES BY THE TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY*

WHEREAS: By way of Resolution 96-20 the Tioga County Legislature authorized the use of revolved US Department of Housing and Urban Development for Community Development Block Grant, Small Cities program monies in the amount of \$475,000 for the establishment of a COVID-19 Emergency Relief Loan Program; and

WHEREAS: By way of the same Resolution the Tioga County Legislature authorized the Tioga County Industrial Development Agency (TCIDA) to administer said program on behalf of the County as outlined in the COVID-19 Emergency Relief Loan Program Scope of Work; and

WHEREAS: COVID-19 Emergency Relief Loan Program guidelines call for a late fee to be collected when a payment is more than ten (10) days late; and

WHEREAS: To date the TCIDA has collected a total of \$238.15 in COVID-19 Emergency Relief Loan Program late fees; and

WHEREAS: The Tioga County Legislature has received a request from the TCIDA Executive Administrator to authorize the TCIDA to retain all late fees associated with the program for the TCIDA's administration of the program on behalf of the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves TCIDA to retain all late fees collected in association with the administration of the COVID-19 Emergency Relief Loan Program.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO 306-21 *ESTABLISH RETIREE HEALTH INSURANCE
CONTRIBUTIONS*

WHEREAS: Retirees who qualified to pay 0% of individual health insurance in accordance with Section IV.B.1.c. of the Employee Handbook Policy “Orientation/ Exit Interviews / Recruitment/ Retirement” (formerly Policy # 3) are currently not contributing toward their retiree coverage; and

WHEREAS: Due to continually rising health insurance costs, property tax cap, and other factors it is no longer feasible to offer these retirees free health insurance; therefore be it

RESOLVED: That any retiree as of the date of this resolution who qualified for free individual coverage in accordance with Section IV.B.1.c. shall contribute 3.25% of the monthly individual premium or \$20/month per individual policy, whichever is greater, effective January 1, 2022.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Balliet.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 307-21 *AMEND RESOLUTION 176-94 AS AMENDED BY RESOLUTION 281-17, AS AMENDED BY RESOLUTION 276-20: MEDICARE REIMBURSEMENT*

WHEREAS: Resolution 281-17 amended Resolution 176-94 to set the Medicare Part B reimbursement rate for eligible retirees at \$115 per month for the period of February 1, 2018 through January 31, 2021 to be reviewed every three years; and

WHEREAS: Resolution 276-20 held the Medicare Part B reimbursement rate for eligible retirees at \$115 per month through January 31, 2022 to be reviewed in 2021; and

WHEREAS: The 2022 Medicare Part B premium that retirees will pay is an increase of approximately 27% since 2017; and

WHEREAS: Tioga County will achieve substantial savings with the 2022 retiree Medicare health insurance plan change; therefore be it

RESOLVED: That the Medicare Part B reimbursement rate for eligible retirees will increase to \$148.50 per month, 2021 Part B premium, for the period of February 1, 2022 through January 31, 2025; and be it further

RESOLVED: That the Legislature will review again in 2024; and be it further

RESOLVED: That this resolution shall amend Resolution 176-94 only as to the Medicare reimbursement portion of said Resolution.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 308-21 *AUTHORIZE EXCEPTION TO EMPLOYEE HANDBOOK SECTION IV. PERSONNEL RULES – SUBSECTION J: NON-UNION VACATION*

WHEREAS: Public Health has experienced significant and ongoing staffing coverage issues working throughout the COVID-19 pandemic; and

WHEREAS: The Employee Handbook Section IV. Personnel Rules - Subsection J. Non-Union Vacation Policy dictates the rules regarding vacation accruals and carry-over for Non-Union staff; and

WHEREAS: The Policy allows for carry-over of 20 days of vacation from one anniversary to the next; and

WHEREAS: Due to the responsibilities related to the ongoing response, a TCPH non-union employee has been unable to utilize their vacation time and is in jeopardy of losing earned vacation days; and

WHEREAS: Public Health requests that during this unique and exceptional pandemic circumstance this employee be granted exception and to cash-in the vacation days in jeopardy of being lost; and

WHEREAS: Funds for this “cash-in” are available in the 2021 Public Health budget and are fully reimbursable without any County cost; therefore be it

RESOLVED: That the County Legislature hereby authorizes an exception to Employee Handbook Section IV. Personnel Rules – Subsection J. Non-Union Vacation Policy due to the current and ongoing pandemic, for Lisa McCafferty to cash-in 88 hours Vacation that are in excess of the allowable 20-day carryover on her anniversary date (December 14th) at an amount not to exceed \$4,500.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

WHEREAS: Legislative approval is required to create positions within Tioga County; and

WHEREAS: Funding requirements from New York State have resulted in the immediate need for the Tioga County Public Health Department to create a full-time position to oversee contractual Public Health Fellows providing COVID related services to the citizens of Tioga County; and

WHEREAS: The Public Health Department has provided the Personnel Department with a job description approved by New York State to fulfill said duties; and

WHEREAS: Funding for the position is through the Epidemiology and Laboratory Capacity (ELC) Public Fellows grant that is to be appropriated under Resolution 289-21 in December 2021; therefore be it

RESOLVED: That the Legislature approves the creation of a full-time Local Coordinator position at an annual salary of \$50,000 (Non-union) effective January 1, 2022; and be it further

RESOLVED: That the authorized full time head count shall increase from 30 to 31.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 311-21 *AUTHORIZE CREATION OF TEMPORARY FULL-TIME
OFFICE SPECIALIST I POSITION
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required to create positions within Tioga County; and

WHEREAS: Requirements related to COVID Pandemic from New York State have resulted in immediate need for the Tioga County Public Health Department to

create a full-time temporary administrative support position to assist with COVID related services; and

WHEREAS: The Public Health Department has provided the Personnel Department with a request to create a full-time Office Specialist I position to be filled on a temporary, two year duration; and

WHEREAS: The funding for this position is through the Epidemiology and Laboratory Capacity (ELC) grant which was appropriated by Tioga County Legislative Resolution #20-160; therefore be it

RESOLVED: That the Legislature approves the creation of a temporary, full-time Office Specialist I position at an hourly rate of \$13.20 effective January 1, 2022 through December 31, 2023.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Balliet.

REFERRED TO: INFORMATION TECHNOLOGY
PERSONNEL COMMITTEE

RESOLUTION NO. 312-21 *AUTHORIZE CREATION OF SYSTEMS ADMINISTRATOR
INFORMATION TECHNOLOGY & COMMUNICATION
SERVICES DEPARTMENT*

WHEREAS: Legislative approval is required to create positions within Tioga County; and

WHEREAS: The position of Network Administrator (\$54,937 – 64,937 Non-union) will become vacant as of January 1, 2022, due to the provisional promotion of the incumbent as Deputy Director of Information Technology & Communication Services (ITCS); and

WHEREAS: In light of this, the Chief Information Officer has met with the Personnel Officer and has identified necessary changes within his department to provide greater efficiency; therefore be it

RESOLVED: That the Tioga County Legislature authorizes to un-fund the vacant Network Administrator position and create a Systems Administrator (\$54,937-\$64,937 Non-union) position effective January 1, 2022; and be it further

RESOLVED: That the ITCS Department's 2022 authorized full-time headcount shall increase from 9 to 10; and be it further

RESOLVED: That the unfunded position of Network Administrator shall be abolished once the Deputy Director of ITCS attains permanent status in said title.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Balliet.

REFERRED TO: INFORMATION TECHNOLOGY
PERSONNEL COMMITTEE

RESOLUTION NO. 313-21 *AUTHORIZE SALARY REALLOCATION AND
APPOINTMENT OF DEPUTY DIRECTOR OF
INFORMATION TECHNOLOGY & COMMUNICATION
SERVICES*

WHEREAS: Legislative approval is required for salary reallocations and for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Deputy Director of Information Technology & Communication Services (\$52,943 – 62,943 Non-union) will become vacant as of December 31, 2021, due to a prior announced resignation; and

WHEREAS: In light of this, the Chief Information Officer has identified revisions to the current job description in order to incorporate various network administrator duties and responsibilities; and

WHEREAS: The Personnel Officer has approved said revisions and as a result of the additional responsibilities, recommends a salary reallocation within the Non-union salary range for Deputy Director of Information Technology and Communication Services; therefore be it

RESOLVED: That the Non-union salary range for Deputy Director of Information Technology and Communication Services shall increase from \$52,943 – 62,943 to \$65,000 – 75,000 effective January 1, 2022; and be it further

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Cuyler Kochin as Deputy Director of Information Technology at an annual salary of \$65,063 effective January 1, 2022, pending successful completion of civil service examination requirements.

Legislator Sullivan spoke. "I want to let everybody know that our current Deputy Director, Drew Griffin, who has served the County for many, many years will be leaving us. I personally and, on behalf of the Legislature, want to thank Drew for all of his efforts through the years and wish him the very best in the future."

Chair Sauerbrey spoke. "We all wish you the best, Drew."

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 314-21 *AUTHORIZE SALARY ABOVE CSEA BASE FOR
PROBATION OFFICER*

WHEREAS: Legislative approval is required to hire above the established CSEA salary base; and

WHEREAS: The Probation Director has identified a candidate from the current civil service eligible list for Probation Officer 1 (CSEA SG XI, \$44,572 – 45,272) with over six years of prior relevant work experience; therefore be it

RESOLVED: That Jean R. Regis is hereby appointed to the title of Probation Officer 1 at \$45,272 / year (increment stage 2 of CSEA SG XI) effective December 20, 2021.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 LEGISLATIVE WORKSESSION

RESOLUTION NO. 315-21 2022 STAFF CHANGES
 BOARD OF ELECTIONS

WHEREAS: The Board of Elections requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Vacant		Elections Clerk PT (2 positions) (\$17/hour; 28 hrs/wk)	+ \$49,504
Vacant		Driver PT (2 positions) (\$15/hour; 42 hrs/year)	+ \$1,260

and be it further:

RESOLVED: That the Board of Elections authorized part-time headcount is increased from 6 to 10.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 316-21 *2022 STAFF CHANGES*
COUNTY CLERK'S OFFICE

WHEREAS: The County Clerk requested a staffing change in the DMV Office as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Vacant		Motor Vehicle License Clerk (CSEA Grade V: \$30,965-31,965)	+ \$30,965

and be it further:

RESOLVED: That the County Clerk's Office authorized full-time headcount is increased from 14 to 15.

Legislator Standinger spoke. "As evidenced by the lack of a line looking out this door, I think our County Clerk, Andrea Klett, has done a fantastic job keeping things moving in the DMV in spite of this pandemic. To her credit, she does examine the employees and how much they do and she certainly made the case to warrant this position.

Legislator Sullivan spoke. "In addition to that, because of the good work done by all staff in that Department, the revenue coming from this Department has increased significantly because that Department has taken on a lot of the dealership work because local dealerships have been unhappy with DMV services outside of Tioga County and bring their business to Tioga County. So, not only has the revenue increased significantly, it more than pays for this position. So, kudos to Andrea and the entire DMV Department."

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:	ED&P COMMITTEE
	PUBLIC WORKS COMMITTEE
	PERSONNEL COMMITTEE
	LEGISLATIVE WORKSESSION

RESOLUTION NO. 317-21	<i>2022 STAFF CHANGES</i>
	<i>ED&P DEPARTMENT/</i>
	<i>PUBLIC WORKS DEPARTMENT</i>

WHEREAS: The Public Works and Economic Development & Planning Departments requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
E. Pratt	Sustainability Manager (Public Works Dept)		Abolish
E. Pratt		Sustainability Manager (ED&P Department)	Create

and be it further:

RESOLVED: That the Public Works Department's authorized full-time headcount is decreased from 39 to 38 and the Economic Development & Planning Department's headcount is increased from 8 to 9.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 318-21 *2022 STAFF CHANGES*
EMERGENCY SERVICES DEPARTMENT

WHEREAS: The Emergency Services Department requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
S. Federowicz	Asst Fire Coord PT	Salary Increase to \$5200/yr	+ \$449
D. Churchman	Asst Fire Coord PT	Salary Increase to \$5200/yr	+ \$2171

and be it further:

RESOLVED: That the Emergency Services Department headcount is unchanged and includes 1 FT and 10 PT positions.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 319-21 2022 STAFF CHANGES
LAW DEPARTMENT

WHEREAS: The Law Department requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
D. Thorpe	Safety Officer PT (Non-Union)	Safety Officer FT (Non-Union)	+ up to \$19,507

and be it further:

RESOLVED: That the Law Department's authorized full-time headcount is increased from 7 to 8 and their part-time headcount is reduced from 2 to 1.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 320-21 *2022 STAFF CHANGES
PUBLIC DEFENDER'S OFFICE*

WHEREAS: The Public Defender's Office requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
T. Cline	2 nd Assistant Public Defender	Salary Increase	+ \$5,000

and be it further:

RESOLVED: That the Public Defender's Office headcount remains unchanged.

ROLL CALL VOTE

Yes – Legislators Standing, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 LEGISLATIVE WORKSESSION

RESOLUTION NO. 321-21 2022 STAFF CHANGES
 VETERANS' SERVICES AGENCY

WHEREAS: The Veterans' Services Agency requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Vacant		Veterans Service Officer PT (\$17.81/hour; 17 hrs/wk)	+ \$15,741

and be it further:

RESOLVED: That the Veterans' Service Agency's authorized part-time headcount is increased from 1 to 2.

Chair Sauerbrey spoke. "The Veterans Service Agency is another one of our outstanding Departments that have made big progress under the guidance

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Public Defender	Rhonda Pasto	7	07/06/21 – 12/31/21	N	11

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the fourteenth day of December, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this fourteenth day of December, 2021

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on December 14, 2021 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at 56 Main Street, Owego, NY

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Roberts, and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "Thank you to the Department Heads that showed up today to support your outgoing Legislators. This is very much appreciated. Thank you to the outgoing friends and allies that have worked on this Legislature for many years. It has been a pleasure working with all of you. We bumped heads, we disagreed, we argued, we came to a resolution, and we did our best in government and it is very, very much appreciated. I think that I may be calling you to pick your brains in the future because we work as a team to make good government for Tioga County. I have to say these have been the proudest years of my service, as well. Thank you, again."

The meeting was adjourned at 1:01 P.M.

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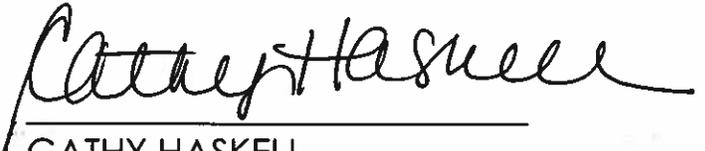
CERTIFICATE OF CHAIR AND CLERK

STATE OF NEW YORK)
)
COUNTY OF TIOGA)

We, MARTHA SAUERBREY, Chair, and CATHY HASKELL, Clerk of the Tioga County Legislature, do hereby certify that this pamphlet and volume of the Proceedings of said Legislature, at its monthly and special sessions held in said County during the year 2021, is correct and is printed by authority and direction of said Legislature and pursuant to Section 211 of the County Law.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed the Seal of said Legislature at Owego, County of Tioga, State of New York.


MARTHA SAUERBREY
CHAIR


CATHY HASKELL
CLERK

Dated: December 30, 2021