


<p>Agenda</p> 	<p style="text-align: center;">TIOGA COUNTY LEGISLATURE</p> <p style="text-align: right;">3/14/2023 12:00 PM EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827</p>	
<p>Meeting called by:</p>	<p>Chair Martha Sauerbrey</p>	
<p>Type of meeting:</p>	<p>3rd Regular</p>	
<p>Attendees:</p>	<p>Legislator Brown Legislator Ciotoli Legislator Flesher Legislator Monell Legislator Mullen Legislator Roberts Legislator Sauerbrey Legislator Standinger Legislator Weston</p>	
<p>Agenda topics</p>		
<p>Invocation Pledge of Allegiance STATE OF THE COUNTY ADDRESS Recognition Resolutions (2) Proclamation (1) Privilege of the Floor Approval of Minutes</p>	<p>Legislator Roberts Legislator Roberts Chair Sauerbrey Anne Davis, Law Department Bill Ostrander, GIS Public Health Week (April 3-9, 2023) February 14 and 23, 2023</p>	

<p>Petitions, Communications & Notices Appointments/Reappointments Reports Standing Committees</p>		
<p>RESOLUTIONS</p>	<ol style="list-style-type: none"> 1. Appoint Fair Housing Officer 2. Re-Appointment of County Historian 3. Re-Appoint Director Soil & Water Conservation District 4. Re-Appoint Member to Board of Ethics 5. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 6. Urging Governor Hochul to Reconsider Ban of Gas Stoves and Other New Fossil Fuel Heating Equipment 7. Resolution Calling on Governor Hochul to Remove Part M of Article VII Revenue Bills from the 2024 Executive Budget 8. Erroneous Assessment Town of Barton 9. Erroneous Assessment Town of Candor 10. Designate Calculation to Determine Disbursement of Occupancy Tax 11. Authorize 2023 Request for Inclusion of Lands in Agricultural Districts 12. Enter into Contract with Catamount Consulting for Audiograms 13. Award Contract Hazard Mitigation Plan 14. Authorize Execution of Cooperative Agreements between the Law Department, ITCS, Sheriff, DSS, Public Health, and Mental Hygiene 15. Extension of ELC COVID Enhanced Detection Grant – Public Health Dept. 16. Authorize Grant Application to Department of Health and Human Services Centers for Disease Control and Prevention 	

17. Authorize Multi-Year Prepayment of Subscription to Achieve Savings – KnowBe4 Security Awareness Training
18. Authorize Multi-Year Prepayment of Subscription to Achieve Savings – Barracuda Message Archiver
19. Approve Funding 2023 Youth Bureau Program Funding
20. Appropriation of Funds Authorize the Acceptance of the FY2022 Domestic Terrorism Prevention Grant – Office of Emergency Services
21. Modify 2023 Budget and Appropriation of Funds - Office of Emergency Services
22. Amend Budget and Appropriation of Funds – Public Health
23. Establish New Budget Line, Modify 2023 Budget and Transfer Funds – Records Management
24. Establish New Budget Line, Request and Transfer Reserve Funds, and Modify 2023 Budget – Safety Office
25. Amend 2022 Budget and Transfer Funds for Employment Fund
26. Authorize Transfer of Funds for Purchase of a Laptop and Docking Station for the Economic Development & Planning Department
27. Transfer Funds and Purchase Server Host Hardware
28. Amend 2022 Capital Budget and Transfer Funds
29. Amend Capital Budget and Transfer Funds for Heavy Equipment Lifts – Public Works
30. Amend Capital Budget and Transfer Funds for Tandem Truck Box Upgrades– Public Works

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| | <ol style="list-style-type: none">31. Appoint Secretary to the 1st Assistant County Attorney – Law Department32. Authorize Backfill Part-Time Assistant Fire Coordinator – Emergency Services33. Create and Fill Two (2) Highway Worker (Seasonal) Positions – Public Works34. Authorization to Abolish One Vacant Communication e-Services Coordinator Position, Create and Fill One Director of Patient Services Position – Public Health35. Authorize Salary Above CSEA Base (DSS)36. Approve Salary Above Hiring Base Deputy Sheriff Position – Sheriff's Office37. Amend Employee Handbook: Section III. Financial Rules Subsection E. Grants Procedure38. Amend Employee Handbook: Section IV. Personnel Rules; Subsection V. Leave Time39. Amend Employee Handbook: Section VII. Purchasing and Payment Policy; Subsection XII. Procedure to be Used When Competitive Bidding Not Required, Paragraph B. and Addition of New Subsection XVII. Section 3 Procurement Policy40. Amend Employee Handbook: Add New Policy to New Section XIII. Entitled Fair Housing Plan | |
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REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 RECOGNITION OF ANNE DAVIS'
34 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY

WHEREAS: Anne Davis began her career as a Senior Typist in the Probation Department on September 18, 1989 and on September 14, 1994 was appointed Secretary to the Director of Probation; and

WHEREAS: On August 18, 2000 Anne Davis was appointed Secretary to the Senior Assistant Attorney in the Department of Social Services Legal Office, and was appointed Secretary to the 1st Assistant County Attorney on September 1, 2007, where she has proudly served the citizens of Tioga County and has been instrumental to the Law Department; and

WHEREAS: Anne Davis has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 34 years earning the respect of all who have had the privilege to work with her; and

WHEREAS: Anne Davis will be retiring on March 31, 2023; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Anne Davis for her 34 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 person, Anne Davis.

REFERRED TO: ITCS COMMITTEE

RESOLUTION NO. -23 RECOGNIZE WILLIAM OSTRANDER'S
15 YEARS OF DEDICATED SERVICE TO
INFORMATION TECHNOLOGY AND
COMMUNICATION SERVICES DEPARTMENT

WHEREAS: Bill began his career with the Tioga County Information Technology and Communication Services Department on July 16, 2007, as the Geographic Information Systems Manager; and

WHEREAS: Bill Ostrander has been a dedicated and loyal employee in the performance of his duties; and

WHEREAS: Bill Ostrander has shown the highest levels of reliability, trust, loyalty, and competence in the performance of his duties; and

WHEREAS: Bill Ostrander will retire on April 7, 2023; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Bill Ostrander for his fifteen years of dedicated and loyal service to the Tioga County Information Technology and Communication Services Department; 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, William Ostrander.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The residents 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: 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 one of us needs to do our part by taking personal responsibility to improve behaviors by following public health recommendations, such as: abstaining from tobacco use; prioritizing sleep; staying up-to-date on vaccinations; making time for regular, safe 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, providing services for children with developmental delays, ensuring safe living conditions, enforcing environmental health regulations, providing dental services to underserved families, and preventing lead poisoning; and

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of April 3 – 9, 2023 as:

PUBLIC HEALTH WEEK

and urges all residents to take steps to educate themselves on and recognize the role of public health in our community.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE

RESOLUTION NO. -23 APPOINT FAIR HOUSING OFFICER

WHEREAS: Tioga County desires to ensure compliance with Title 1, of the Housing and Community Development Act of 1974, as amended, and the Fair Housing Act (Public Law 90-284, 42 USC 3601-20), and the Human Rights Law of the State of New York (Executive Law, Article 15); and

WHEREAS: Tioga County has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

WHEREAS: Tioga County has made assurances that they will:

1. Post Fair Housing and Affirmative Action posters in County buildings.
2. Post Fair Housing Information on the County's website.
3. Document housing discrimination complaints on a standard form.
4. Forward all copies of all complaints to and, when appropriate, consult with the Fair Housing/Equal Opportunity Division Office of the HUD Office in Buffalo and/or the New York State Division of Human Rights in Rochester.
5. Compile information about fair housing-related services available to County residents.

And

WHEREAS: The Chair of the Legislature seated in 2004 appointed the position of County Attorney to serve as the Fair Housing Officer for Tioga County as documented in the minutes of the Ninth Regular Meeting of the Legislature on September 14, 2004, and this position has been responsible to act in this capacity ever since; therefore be it

RESOLVED: That the County Attorney or their designee shall continue to be designated as the Fair Housing Officer for Tioga County; and be it further

RESOLVED: That the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NY Division on Civil Rights, to inform those agencies of said appointment as Fair Housing Officer and request Fair Housing Information; and be it further

RESOLVED: That the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance; and be it further

RESOLVED: That Tioga County will publish in the local newspaper of record and post at the municipal hall (or county administration building) a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 RE-APPOINTMENT 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, 2023 and Ms. Sedore is willing and able to serve another two-year term; therefore be it

RESOLVED: That Emma Sedore is hereby re-appointed County Historian for a two-year term from April 1, 2023 until March 31, 2025.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -23 RE-APPOINT DIRECTOR
SOIL & WATER CONSERVATION DISTRICT

WHEREAS: Mark Kwiatkowski, Pomona Grange Representative to the Tioga County Soil and Water Conservation District, term expires March 31, 2023; and

WHEREAS: Mark Kwiatkowski has agreed to serve another term; and

WHEREAS: The Pomona Grange has recommended Mark Kwiatkowski, farm operator in Owego, NY, to fill said new term; therefore be it

RESOLVED: That Mark Kwiatkowski is hereby re-appointed the Pomona Grange Representative to the Tioga County Soil & Water Conservation District for the term of April 1, 2023 through March 31, 2026.

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

RESOLUTION NO. -23 RE-APPOINT MEMBER TO BOARD OF ETHICS

WHEREAS: John Hitchings term on the Board of Ethics expires March 31, 2023;
and

WHEREAS: John Hitchings has expressed an interest and willingness to serve
another term on the Ethics Board; therefore be it

RESOLVED: That John Hitchings is hereby re-appointed to the Board of Ethics
for a term of April 1, 2023 through March 31, 2026.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -23 RE-APPOINT MEMBER TO THE
TIOGA COUNTY LOCAL DEVELOPMENT
CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Joan Case, will expire as of March 31, 2023; and

WHEREAS: Joan Case has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Joan Case for another three-year term of 4/1/23 – 3/31/26.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -23 URGING GOVERNOR HOCHUL TO
RECONSIDER BAN OF GAS STOVES AND OTHER
NEW FOSSIL FUEL HEATING EQUIPMENT

WHEREAS: Governor Hochul's State of the State Address contained a proposal to prohibit the sale of new fossil fuel powered heating systems by 2030 for smaller buildings and by 2035 for larger buildings; and

WHEREAS: Governor Hochul is further calling for all new construction to be fully sustainable with no on-site fossil fuel combustion by 2025 for smaller buildings and by 2028 for larger buildings; and

WHEREAS: President Biden and the White House have come out against any prohibition of gas stoves; and

WHEREAS: The Governor's ban is intended to help address climate change, but this government mandate is more of a burden on our County's working class residents and will have a devastating effect on our local businesses if they are required to convert to all electric; and

WHEREAS: The conversion to electric will create an unnecessary financial burden and hardship for homeowners resulting in a cost between \$20,000 - \$50,000 per household and would not provide a backup system in the event power outage; and

WHEREAS: The proposed ban on natural gas appliances and water heaters is not feasible during times of inclement weather and potential power outages; and

WHEREAS: Electrical appliances have more moving parts and are expensive to maintain and repair and have shown to be less efficient and more costly to generate the same amount of heat as natural gas fed appliances; and

WHEREAS: Mandating the purchase of electrical appliances is an unnecessary burden we are placing on our homeowners at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS: With the higher costs, energy bills will increase significantly for our residents further exacerbating the recent spikes in food, transportation, and general merchandise; and

WHEREAS: This government mandate will likely lead to an increased strain on our State's electrical grid; and

WHEREAS: The costs to bury power lines, increase renewable energy infrastructure, and increase the capacity of transformers will be passed on directly to consumers in the form of increased energy costs; and

WHEREAS: Individual homes, especially those in older housing stock like Tioga County, will be forced to conduct in-home electrical panel upgrades to accommodate the increased demand from their appliances; therefore be it

RESOLVED: That the Tioga County Legislature urges the Governor to reconsider her plan to ban natural gas heating and appliances and to fully examine the real-life impact this will cause to the residents of Tioga County and all of New York State; and be it further

RESOLVED: That the Clerk of the Legislature will forward certified copies of this resolution to Governor Hochul, Senator Thomas F. O'Mara, Assemblyman Christopher S. Friend, NYSAC, and any other party deemed necessary and proper.

REFERRED TO: FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 RESOLUTION CALLING ON GOVERNOR HOCHUL TO REMOVE PART M OF ARTICLE VII REVENUE BILLS FROM THE 2024 EXECUTIVE BUDGET

WHEREAS: On February 1, 2023 the Governor of New York State announced New York State's Fiscal Year 2024 Executive Budget; and

WHEREAS: The Budget includes Article VII Revenue Bills; and

WHEREAS: Article VII Revenue Bills includes Part M, adding a new section 989 of the Real Property Tax Law (RPTL) titled "Distribution of surplus in tax enforcement proceedings"; and

WHEREAS: The proposed budget legislation seeks to require municipalities governed by Article 11 of the Real Property Tax Law to determine for each parcel whether the auction realized funds in excess of the prior owner's indebtedness and then attempt to return those funds to the prior owner of record; and

WHEREAS: This proposed budget legislation should be removed from the Governor's FY 2024 Budget for numerous reasons, including: (1) it is unconstitutional since Article VIII, Section 1 of the NYS Constitution restricts a county from giving any money to or in aid of any individual, private corporation or association or private undertaking; (2) it is unfair to lien holders since all liens are cut off by Section 1131 of Article 11 of the RPTL at the time an interested party fails to redeem or answer, which time occurs prior to the County taking title and selling the parcel; (3) it is practically impossible for a county to accurately account for all administrative costs associated with enforcement of taxes for numerous parcels during the multi-year process which involves staff from multiple departments; (4) it is unclear whether litigation costs incurred in enforcement under Article 11 are included; (5) the number of unpaid, delinquent parcels are likely to increase with owners knowing that they do not have to pay lien holders and others by allowing the property to go to foreclosure sale; (6) the proposed budget legislation does not address the common circumstance where there is no "prior owner" who responds or the prior owner is deceased with no estate to accept any surplus payment; and (7) the proposed budget legislation is unfair to the majority of property owners in the County who timely pay their taxes and/or properly sell their homes when they no longer desire to own; therefore be it

RESOLVED: That the Tioga County Legislature calls upon the Governor to remove Part M of the Revenue Bills from the FY 2024 Executive Budget; and be it further

RESOLVED: That a certified copy of this resolution be sent to Governor Kathy Hochul, Senator Thomas F. O'Mara, Assemblyman Christopher S. Friend, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stoke, Assembly Minority Leader William Barclay, New York State Association of Counties, and any other party deemed necessary and proper.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -23 ERRONEOUS ASSESSMENT
TOWN OF BARTON

WHEREAS: An Application for Corrected Tax Roll for the year 2023 indicates that parcel #111.00-2-23.112, account #12481 in the Town of Barton assessed to Michael Austin on the 2023 tax roll of the Town of Barton is erroneous in that the parcel does not exist; and

WHEREAS: An application for Refund or Credit of Real Property Taxes was filed requesting a refund of property taxes levied by Tioga County and Town of Barton for the years 2020-2022; therefore be it

RESOLVED: That a refund for the 2020, 2021 and 2022 taxes be issued to Michael D. Austin by the Tioga County Treasurer's Office as follows:

2020 Town & Co Bill	Original Bill #1687	Corrected Bill #1687
County	\$559.48	\$0.00
Recycle	\$32.13	\$0.00
Townwide	\$124.28	\$0.00
Lockwood Fire	\$70.02	\$0.00
Penalties	\$41.40	\$0.00
Interest	\$66.18	\$0.00
Total	\$893.49	\$0.00

2021 Town & Co Bill	Original Bill #1693	Corrected Bill #1693
County	\$607.17	\$0.00
Townwide	\$131.15	\$0.00
Lockwood Fire	\$72.86	\$0.00
Total	\$811.18	\$0.00

2022 Town & Co Bill	Original Bill #1701	Corrected Bill #1701
County	\$601.04	\$0.00
Townwide	\$136.58	\$0.00
Lockwood Fire	\$71.81	\$0.00
Penalties	\$42.57	\$0.00
Interest	\$59.64	\$0.00
Total	\$911.64	\$0.00

And be it further

RESOLVED: That the 2020-2023 Town and County tax bills for Parcel #111.00-2-23.112 be null and void

2023 Town & Co Bill	Original Bill #1696	Corrected Bill #1696
County	\$615.87	\$0.00
Townwide	\$142.72	\$0.00
RETURN SCHOOL	\$1061.48	\$0.00
Lockwood Fire	\$74.04	\$0.00
Total	\$1894.11	\$0.00

And be it further

RESOLVED: That that erroneous county tax of \$2383.56 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$32.13 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous town tax of \$534.73 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous fire tax of \$288.73 be charged back to the Lockwood Fire District; and be it further

RESOLVED: That the erroneous Penalties of \$83.97 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Interest of \$125.82 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous School Tax of \$1061.48 be charged back to the proper account in the records of the County Treasurer.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -23 ERRONEOUS ASSESSMENT
TOWN OF CANDOR

WHEREAS: An application for Corrected Tax Roll for the year 2023 indicates that parcel #333.00-1-3.10 acct#3011, parcel #333.00-1-3.30 acct#2947 and parcel 333.00-1-3.40 acct#3050 in the Town of Candor assessed to State of New York on the 2023 tax roll of the Town of Candor is erroneous in the fact that County Taxes were paid; therefore be it

RESOLVED: That new 2023 tax bills be issued by the Tioga County Treasurer's Office to State New York for parcel 333.00-1-3.10, parcel #333.00-1-3.30 and parcel 333.00-1-3.40 as follows:

333.00-1-3.10	Original Bill #2910	Corrected Bill #2910
County	9.98	0.00
Townwide	6.98	6.98
Part Town	.98	.98
Candor Fire	1.75	1.75
Total	19.69	9.71

333.00-1-3-30	Original Bill #2911	Corrected Bill #2911
County	6.85	0.00
Townwide	4.79	4.79
Part Town	.68	.68
Candor Fire	1.20	1.20
Total	13.52	6.67

333.00-1-3-40	Original Bill #2912	Corrected Bill #2912
County	6.95	0.00
Townwide	4.86	4.86
Part Town	.69	.69
Candor Fire	1.22	1.22
Total	13.72	6.77

And be it further

RESOLVED: That the erroneous County tax \$23.78 be charged back to the proper accounts of the Tioga County Treasurer's Office.

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 DESIGNATE CALCULATION TO DETERMINE
DISBURSEMENT OF OCCUPANCY TAX

WHEREAS: The Tioga County Legislature is responsible for setting the rate of Occupancy Tax to be charged to visitors to Tioga County; and

WHEREAS: The purpose of the collection of said tax is to enhance the general economy of Tioga County, its towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities; and

WHEREAS: The Legislature annually designates a Tourism Promotion Agency ("Tourism Office") by way of resolution; and

WHEREAS: Occupancy Tax is to be allocated at the discretion of the Tioga County Legislature for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent (5%) of such revenue to defer the necessary expenses of the County in administering such tax, per County Local Law; therefore be it

RESOLVED: That the Tioga County Legislature designates an allocation of five percent (5%) of the annual occupancy tax be retained by the County, in the proper accounts of the Treasurer's Office, for the expenses associated with administration and collection; and be it further

RESOLVED: That twenty-five percent (25%) of the remaining funds shall be applied to the proper account of Economic Development, for the economic development services related to tourism provided to Tioga County; and be it further

RESOLVED: That seventy-five percent (75%) of the remaining funds shall be applied to offset the budgeted Outside Agency ("Tourism Office") expense; and be it further

RESOLVED: That any funds more than the budgeted Outside Agency ("Tourism Office") expense of that year shall be restricted to the established occupancy tax account; and be it further

RESOLVED: That in the event the seventy-five percent (75%) is less than the budgeted Outside Agency ("Tourism Office") expense, restricted funds from the established occupancy tax account shall be used.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO -23 AUTHORIZE 2023 REQUEST 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 landowners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received one request for inclusion of land in agricultural districts located within the Spencer Agricultural District #1 totaling 397.72 acres, and prepared the required report listing this request; 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 New York State Agriculture & Markets 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 2023 request for inclusion of land listed in said report into the Spencer Agricultural District #1; 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 this inclusion to the Spencer Agricultural District #1 effective immediately.

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

RESOLUTION NO. -23 ENTER INTO CONTRACT WITH
CATAMOUNT CONSULTING FOR AUDIOGRAMS

WHEREAS: Occupational Safety and Health Administration (OSHA) requires annual audiograms and hearing conservation training for county employees whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels measured on the A scale (slow response) or, equivalently, a dose of fifty percent; and

WHEREAS: Tioga County has obtained three quotes for audiogram testing and hearing conservation trainings; and

WHEREAS: The proposal from Catamount Consulting, to perform this service, is the most cost effective; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a one-year contract for 2023 with Catamount Consulting to perform this service at the rates indicated:

Cost of Business Terms:

Catamount Consulting will complete the Onsite Audiometric Testing at a cost of \$1750.00 total with a deposit or PO of \$875.00. Cost includes input of prior hearing test results and new employees, and all travel costs for the technician.

Scope of Services:

- Baseline & Annual Audiogram testing for up to 40 people. Any additional employees over the contracted 40 will be charged a fee to be determined.
- Testing will take place at the Department of Public Works, 477 Rt. 96, Owego, NY 13827.
- Group testing of 6 employees every 40 minutes with hearing video.
- Test administration by computerized technology with same day results and full record-keeping package within 10 business days.
- Test performed by CADHC Certified Technicians.
- All tests verified by an Audiologist.
- All testing is OSHA/MSHA Compliant.

REFERRED TO: PUBLIC SAFETY COMMITTEE
ED&P COMMITTEE

RESOLUTION NO. -23 AWARD CONTRACT
HAZARD MITIGATION PLAN

WHEREAS: Tioga County's Multi-Jurisdictional Multi-Hazard Mitigation Plan expires on August 12, 2024; and

WHEREAS: FEMA requires that said document be updated every five years; and

WHEREAS: A Request for Proposal was issued to hire a consultant to prepare the plan and the Tioga County Hazard Mitigation Plan Steering Committee has met to review the four submissions received and has recommended that Barton & Loguidice, DPC be selected to prepare said plan at a cost not to exceed \$90,000; and

WHEREAS: There are sufficient funds in the amount of \$90,000 in account A3360.540140.HMP23 Hazardous Mitigation – Contracting Services; therefore be it

RESOLVED: That Barton & Loguidice, DPC is hereby selected to prepare Tioga County's Multi-Jurisdictional Multi-Hazard Mitigation Plan Update of 2024 and the Chair of the County Legislature is authorized to execute a contract between Tioga County and Barton & Loguidice, DPC setting forth the rights and obligations of the parties consistent with the RFP and the proposal submitted by Barton & Loguidice, DPC upon review by the County Attorney.

REFERRED TO: LEGAL/FINANCE COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE
PUBLIC SAFETY COMMITTEE
HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. -23 AUTHORIZE EXECUTION OF
COOPERATIVE AGREEMENTS BETWEEN THE
LAW DEPARTMENT, ITCS, SHERIFF, DSS, PUBLIC
HEALTH, AND MENTAL HYGIENE

WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; and

WHEREAS: It may be necessary for the Budget Officer to make budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the ITCS Department and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

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 budget adjustments to reflect the budgeted amounts and year end actuals in the cooperative agreements between ITCS and DSS, Public Health and Mental Hygiene and to reflect the budgeted amount in the cooperative agreement between the Sheriff and DSS.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 EXTENSION OF ELC COVID
ENHANCED DETECTION GRANT
PUBLIC HEALTH DEPARTMENT

WHEREAS: Resolution #246-20 authorized the creation and fill of two (2) temporary, full time Public Health Educators through June 30, 2022 via the Epidemiology and Laboratory Capacity (ELC) Enhanced Detection grant that was appropriated via Resolution #160-20; and

WHEREAS: This funding period was extended until March 31, 2023 and the extension approved via Resolution #113-22; and

WHEREAS: Tioga County Public Health (TCPH) has received notification that the funding has been extended again through December 31, 2023; and

WHEREAS: TCPH has a need for only one (1) temporary, full-time Public Health Educator position; and

WHEREAS: TCPH has funds remaining in the appropriated award to continue the position; therefore be it

RESOLVED: That the Public Health Department be authorized to extend one (1) temporary, full-time Public Health Educator position from March 31, 2023 through December 31, 2023, at an hourly rate of \$22.65.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. - 23 AUTHORIZE GRANT APPLICATION TO
DEPARTMENT OF HEALTH AND HUMAN
SERVICES CENTERS FOR DISEASE CONTROL
AND PREVENTION

WHEREAS: The White House Office of National Drug Control Policy (ONDCP) and Centers for Disease Control (CDC) have collaborated an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene is seeking authorization to apply for Federal Funding for the Drug Free Communities Grant in partnership with Trinity CASA, Tioga County Advocacy, Support and Prevention (TC ASAP) Community Coalition; and

WHEREAS: The Department deems it to be in the best interest of the community and youth of Tioga County to apply for this grant funding; and

WHEREAS: The grant will be awarded annually from 9/30/2023 through 9/29/2028 and this funding is designated for specific program deliverables; and

WHEREAS: Application of grants require Legislative approval; therefore be it

RESOLVED: That the Director of Community Services is authorized to apply for and sign the application for grant.

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 AUTHORIZE MULTI-YEAR PREPAYMENT OF
SUBSCRIPTION TO ACHIEVE SAVINGS –
KNOWBE4 SECURITY AWARENESS TRAINING

WHEREAS: The County Information Technology and Communication Services (ITCS) Department regularly pays multiple service contracts, maintenance contracts and software subscriptions annually; and

WHEREAS: The ITCS Department has identified cost savings and discounts that are available if the County agrees to pre-pay these agreements in advance; and

WHEREAS: The ITCS Department has identified the following agreement meeting the criteria of eligibility for multi-year cost savings:

- KnowBe4 Security Awareness Training Subscription Diamond – 3 Year Renewal

And

WHEREAS: A one-year subscription for these services would cost \$11,633.22; and

WHEREAS: A three-year pre-paid subscription would cost \$27,920.73, saving the County \$6,978.93; therefore be it

RESOLVED: That \$27,920.73 be paid upfront for the KnowBe4 Security Awareness Training subscription and \$9,306.91 be charged to account A1680 540620 annually for the length of the subscription renewal (2023 through 2025); and be it further

RESOLVED: That the Chief Information Officer shall track the savings achieved for reporting as requested.

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 AUTHORIZE MULTI-YEAR PREPAYMENT OF
SUBSCRIPTION TO ACHIEVE SAVINGS –
BARRACUDA MESSAGE ARCHIVER

WHEREAS: The County Information Technology and Communication Services (ITCS) Department regularly pays multiple service contracts, maintenance contracts and software subscriptions annually; and

WHEREAS: The ITCS Department has identified cost savings and discounts that are available if the County agrees to pre-pay these agreements in advance; and

WHEREAS: The ITCS Department has identified the following agreement meeting the criteria of eligibility for multi-year cost savings:

- Barracuda Message Archiver Appliance 450 Instant Replacement – 3 Years
- Barracuda Message Archiver Appliance 450 Energize Updates – 3 Years

And

WHEREAS: A one-year subscription for these services would cost \$6,920.70; and

WHEREAS: A three-year pre-paid subscription would cost \$17,899.17, saving the County \$2,862.93; therefore be it

RESOLVED: That \$17,899.17 be paid upfront for the Barracuda Message Archiver Appliance subscription and \$5,966.39 be charged to account A1680 540620 annually for the length of the subscription renewal (2023 through 2025); and be it further

RESOLVED: That the Chief Information Officer shall track the savings achieved for reporting as requested.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 APPROVE FUNDING
2023 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: Youth Sports and Education Opportunity Funding (23-OCFS-LCM-02) has been awarded to the Tioga County Youth Bureau from the Office of Children and Family Services; and

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

RESOLVED: That funding be appropriated as follows:

From: A7310.438200 State Aid – Youth Programs	\$15,220.00
To: A7310.541540 Reimbursements	\$15,220.00

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 APPROPRIATION OF FUNDS
AUTHORIZE THE ACCEPTANCE OF THE
FY2022 DOMESTIC TERRORISM
PREVENTION GRANT
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services applied for and was awarded a FY2022 Domestic Terrorism Prevention Grant in the amount of \$172,413 to prevent targeted violence and domestic terrorism; and

WHEREAS: The funding will be utilized for the development of comprehensive domestic terrorism plans utilizing Threat Assessment and Management (TAM) teams; and

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

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award and authorizes the Chair of the County Legislature to sign any and all grant related paperwork upon review of the County Attorney; and be it further

RESOLVED: That the 2023 budget be appropriated as follows:

FROM: A3361-433060-DT22 State Aid-Homeland Security \$172,413

TO: A3361-540140-DT22 Contracting Services \$172,413

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

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

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

WHEREAS: The Office of Emergency Services has a need to transfer monies from the E911 Surcharge Revenue account to continue to fund the Radio Tower Project; therefore be it

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

FROM:	A3021.411401	E911 Surcharge Upgrade	\$312,169.30
TO:	A3021.520130.E911	Equipment not Car	\$312,169.30

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

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

WHEREAS: Tioga County Public Health has received additional funding for the 'Creating Healthy Schools & Communities', which is a partnership between Broome and Tioga County's Public Health departments; and

WHEREAS: The original award amount was appropriated via Resolution 278-22; 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	\$ 15,000
To: A4053 540640	Public Health: Supplies	\$ 15,000

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

RESOLUTION NO: -23 ESTABLISH NEW BUDGET LINE,
MODIFY 2023 BUDGET AND TRANSFER FUNDS
RECORDS MANAGEMENT

WHEREAS: The Director of Assets and Records Management has a need for an additional desktop monitor for processing fixed assets in MUNIS; and

WHEREAS: The ITCS Department recommended that the County Clerk purchase a Hewlett Packard FHD Monitor through Amazon business at a cost of \$149.99 plus \$5.99 shipping, total price \$155.98; and

WHEREAS: Legislative approval is required for budget amendments; and

WHEREAS: Computer equipment must be purchased using a Computer expense line 520090 and the 2023 Records budget does not have this established line; therefore be it

RESOLVED: That the Director of Assets and Records Management be authorized to purchase the additional computer monitor and the following funds be transferred for said purchase:

From:			
A1460	540070	Car Maintenance	\$ 60.00
A1460	540480	Postage	\$ 50.00
A1460	540485	Printing/Paper	<u>\$ 50.00</u>
			\$ 160.00
To:			
A1460	520090	Computer	\$ 160.00

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 ESTABLISH NEW BUDGET LINE,
REQUEST AND TRANSFER RESERVE FUNDS,
AND MODIFY 2023 BUDGET
SAFETY OFFICE

WHEREAS: Chapter 497 of the New York State Law of 1999 requires every county to establish a separate accessible parking education program with the purpose of providing education to increase the awareness of accessible parking laws; and

WHEREAS: Implementation of this plan is dependent upon revenue generated from a mandatory thirty-dollar accessible parking fine surcharge which the New York State Law of 1999 requires will be used for activities such as public service announcements, public education and awareness campaigns, distribution of literature and other activities with such purpose; and

WHEREAS: There was no budgeted advertising line item in the Safety Office 2023 budget for these expenditures and Legislative approval is needed to access funds from a reserve account as well as to modify the budget; therefore be it

RESOLVED: That the Safety Office budget be modified with the newly established budget line C18042 540010 Advertising and that funds to cover the cost of two public service announcements be transferred and allocated as follows:

From: A388904 Reserve for Handicapped Parking Education	\$254.00
To: C18042 540010 Advertising	\$254.00

REFERRED TO: FINANCE COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -23 AMEND 2022 BUDGET AND TRANSFER FUNDS
FOR EMPLOYMENT FUND

WHEREAS: The 2022 general fund budget for interfund transfers has been exceeded by \$30,582.22; and

WHEREAS: The Employment fund is funded by Federal Aid, passed through Broome-Tioga Workforce NY; and

WHEREAS: A delay in claims and receipt of funds have caused an unanticipated need for interfund transfers for the total of \$116,773.00; and

WHEREAS: The liability fund's interfund transfer account has \$86,190.78 of available budget in 2022; and

WHEREAS: Additional funds will need to be transferred from the Tioga County Contingency account in the amount of \$30,582.22; and

WHEREAS: Amending of the 2022 Budget and the appropriation of Contingency accounts require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the budget transfer as follows:

FROM: CI1910.450310	Interfund Transfers-Liability	\$86,190.78
TO:CD6293.450310	Interfund Transfers Employment	\$86,190.78

And be it further

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

FROM: A1990.540715	Contingency	\$30,582.22
TO: A9901.590715	Interfund Transfers-General Fund	\$30,582.22
TO:CD6293.450310	Interfund Transfers Employment	\$30,582.22

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 AUTHORIZE TRANSFER OF FUNDS FOR
PURCHASE OF A LAPTOP AND
DOCKING STATION FOR THE
ECONOMIC DEVELOPMENT & PLANNING
DEPARTMENT

WHEREAS: The Economic Development & Planning Department has a need for a laptop and docking station; and

WHEREAS: The Economic Development & Planning Department would like to purchase a laptop and docking station and has received the recommended quote from the ITCS Department; and

WHEREAS: The Economic Development computer expense account, A6422-520090 has no funds available; and

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

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

From: A6422 - 540733 Training	\$923.00
To: A6422 - 520090 Computer	\$923.00

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 TRANSFER FUNDS AND
PURCHASE SERVER HOST HARDWARE

WHEREAS: The County Information Technology and Communication Services (ITCS) Department has determined the existing server host hardware devices have reached the end of their operational life; and

WHEREAS: The ITCS Department has determined, after investigating several vendors and server host devices; the Dell PowerEdge R640 device as the recommended hardware to replace existing server host hardware; and

WHEREAS: The Dell PowerEdge R640 server hosts will increase the stability and resilience posture of Tioga County Information Systems through the included hardware and software warranties and support; and

WHEREAS: The purchase will be funded utilizing ITCS Capital Reserve funds which will be allocated to account H1680 521090; and

WHEREAS: The purchase of seven (7) Dell PowerEdge R640 server hosts will be made using the PEPPM Cooperative Purchasing Program using contract number 528262-009; and

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

WHEREAS: The Information Technology and Communication Services Department needs to place the funds into the appropriate account; therefore be it

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

FROM:	H87805 Capital Hardware Reserve	\$50,982.75
TO:	H1680 521090 Computer	\$50,982.75

And be it further

RESOLVED: That the Tioga County Legislature authorizes the purchase of seven (7) Dell PowerEdge R640 server hosts from CXtec, 5404 South Bay Road, Syracuse, NY 13212 not to exceed \$50,982.75, to be paid out of the following account:

H1680 521090	Computer	\$50,982.75
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REFERRED TO: FINANCE COMMITTEE
PUBLIC WORKS COMMITTEE

RESOLUTION NO. -23 AMEND 2022 CAPITAL BUDGET AND
TRANSFER FUNDS

WHEREAS: Tioga County Public Works was approved \$1,000,000.00 in ARPA funds in the 2022 budget for building construction for the new truck wash facility; and

WHEREAS: The Compact Track Loader was purchased for the new truck wash facility; and

WHEREAS: The Compact Track Loader needs to be reclassified from Buildings (Operation of Plant) expense category to Machinery and Equipment (H5130) for record keeping purposes; and

WHEREAS: Legislative approval is needed to amend 2022 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: H1620.520994.M7674	Building Construction	\$70,903
To: H5130.520920.M7674	Loader	\$70,903

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR HEAVY EQUIPMENT LIFTS
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has identified a need for an additional lift for the heavy equipment garage; and

WHEREAS: The Commissioner of Public Works has received a quote for a drive-on style lift and there are insufficient funds for this purchase in the current budget; and

WHEREAS: There are funds available in another 2023 Capital Budget line; and

WHEREAS: Legislative approval is needed to amend 2023 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: H1620.520994.BG001	Truck Wash Building	\$25,000.00
To: H5130.521902	Auto Shop Equipment/Reno	\$25,000.00

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -23 AMEND CAPITAL BUDGET AND TRANSFER
FUNDS FOR TANDEM TRUCK BOX UPGRADES
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has determined that a Tarco Body upgrade on a Tandem Truck would extend the useful life of the truck; and

WHEREAS: The Commissioner of Public Works has received a quote for three upgraded truck bodies and there are insufficient funds for this purchase in the current budget; and

WHEREAS: There are funds available in another 2023 Capital Budget line; and

WHEREAS: Legislative approval is needed to amend 2023 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: H1620.520994.BG001	Truck Wash Building	\$120,000.00
To: H5130.521908	Tandem Axle Truck	\$120,000.00

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 APPOINT SECRETARY TO THE
1ST ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

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

WHEREAS: Due to the announced retirement of the current Secretary to the 1st Assistant County Attorney as of March 31, 2023, the County Attorney has implemented a succession plan which includes the current Secretary to the 1st Assistant County Attorney training her replacement for a period of time in order to transition duties; and

WHEREAS: Resolution 86-23 was passed temporarily increasing the County Attorney's authorized full-time headcount to recruit and train said replacement and to offer the employee benefits; and

WHEREAS: The 1st Assistant County Attorney has recruited for a replacement and after interviewing a satisfactory candidate has been identified; therefore be it

RESOLVED: That the County Attorney is hereby authorized to provisionally appoint Erin Riddle to the title of Secretary to the 1st Assistant County Attorney retroactive to March 13, 2023, pending successful completion of the of civil service requirements at an annual Management/Confidential salary of \$48,310.00.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 AUTHORIZE BACKFILL PART-TIME
ASSISTANT FIRE COORDINATOR
EMERGENCY SERVICES

WHEREAS: Tioga County Emergency Services has a need to backfill an Assistant Fire Coordinator (PT) position, which has been vacant since June 2020; and

WHEREAS: The Emergency Services Director has identified a qualified candidate who has been found to meet the qualifications of the Assistant Fire Coordinator (PT) classification; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appointment of Curtis Hammond to fill the vacant 17 hr/wk Assistant Fire Coordinator (PT) position effective March 15, 2023 at an annual salary of \$13,260.

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23

CREATE AND FILL TWO (2)
HIGHWAY WORKER (SEASONAL) POSITIONS
PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ two (2) Highway Workers (Seasonal) for 2023; 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 two (2) temporary full-time Highway Worker (Seasonal) positions effective April 10, 2023 through October 6, 2023 at an hourly rate of \$14.86 (equivalent to CSEA Grade 9), not to exceed \$20,000.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 AUTHORIZATION TO ABOLISH ONE
VACANT COMMUNICATION e-SERVICES
COORDINATOR POSITION,
CREATE AND FILL ONE DIRECTOR OF
PATIENT SERVICES POSITION
PUBLIC HEALTH

WHEREAS: Legislative approval is required to abolish and create positions within Tioga County; and

WHEREAS: The Public Health Department has reviewed the organizational structure of the Department and would like to make improvements; and

WHEREAS: The Interim Public Health Director has determined that the return of a Director of Patient Services position to oversee all programs with patients is the most appropriate and worked with the Personnel Department toward this. The return of the Director of Patient Services position should also improve the recruitment of a qualified nurse in the position; and

WHEREAS: The Board of Health agrees with this strategy; and

WHEREAS: The Director of Patient Services position in the Public Health Department was abolished in 2014 via Resolution #190-14; and

WHEREAS: The funding of the position will be covered by the abolished Communications e-Services Coordinator position and additional savings from other 2023 vacancies. Future funding of the position will come from additional State Aid awarded to Public Health; therefore be it

RESOLVED: That one vacant Management/Confidential position of Communication and e-Services Coordinator (\$46,567 - \$56,567) be abolished effective close of business March 14, 2023; and be it further

RESOLVED: That one Management/Confidential position of Director of Patient Services (\$68,186 - \$78,186) be created and approved to fill effective March 15, 2023.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. - 23 AUTHORIZE SALARY ABOVE CSEA BASE (DSS)

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

WHEREAS: The Commissioner of Social Services appointed Jennifer Park as a Caseworker (CSEA SG XI, \$47,516 – 48,516) at an annual salary of \$47,516 on February 27, 2023; and

WHEREAS: Jennifer Park has five years of prior relevant work experience; therefore be it

RESOLVED: That Jennifer Park is hereby appointed to the title of Caseworker at \$48,516/year (increment stage 2) retroactive to February 27, 2023; and be it further

RESOLVED: That Jennifer Park will be eligible for an increment upon completion of her seventh year of service.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 APPROVE SALARY ABOVE HIRING BASE
DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE

WHEREAS: Resolution 211-99 requires Legislative approval for any appointments made above an established base salary amount; and

WHEREAS: As of March 3rd, 2023, there is one full-time Deputy Sheriff position vacant; 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: The Sheriff has received approval from the Tioga County Law Enforcement Association to hire a new Deputy Sheriff, who has over three years of police experience, at an annual salary rate reflecting three years of experience per the current union contract, or \$61,290; and

WHEREAS: Caleb Scepaniak, a transfer candidate with over 3 years of Police Officer experience, has applied and has been found both eligible and willing to accept a transfer from the Binghamton Police Department to a Deputy Sheriff vacancy in Tioga County; therefore be it

RESOLVED: That the Sheriff is hereby authorized to backfill the vacant, full-time Deputy Sheriff position with Caleb Scepaniak at an annual salary of \$61,290 effective April 10, 2023.

REFERRED TO: LEGISLATIVE WORKSESSION
RESOLUTION NO. -23 AMEND EMPLOYEE HANDBOOK:
SECTION III. FINANCIAL RULES,
SUBSECTION E. GRANTS PROCEDURE

WHEREAS: Section III. Financial Rules, Subsection E. Grants Procedure Policy in the Employee Handbook is the original policy and is in need of revision for further clarification and up-to-date information; and

WHEREAS: This policy revision will incorporate current practices approved by the Legislature, as well as ensure compliance with the County's Munis Financial Management Accounting System as defined by the County; therefore be it

RESOLVED: That Section III. Financial Rules, Subsection E. Grants Procedure Policy is hereby amended in its entirety.

**e. GRANTS PROCEDURE
(FORMERLY POLICY #47)**

TIOGA COUNTY GRANTS PROCEDURE POLICY

PURPOSE:

This policy is designed to outline the process for grant application, notification, award, and administration of funding to ensure compliance with Federal, State, County, and Local requirements.

DEFINITIONS:

Grant Notification – Document provided to participant stating grant has been awarded.

Grant – Funding issued from various governmental and institutional sources, including State and Federal pass-through funds by way of application and award process for a specific purpose.

Cash Match – A percentage of funds (Federal, State, County, or Local) required to offset the grant award.

APPLICATIONS:

All grant applications written for the County and/or by the County on behalf of a municipality or entity require a resolution and Chair of the Legislature signature including:

- Matching cash and/or in-kind contribution coming from the County.
- Grant source requires approval from governing body and/or signature from the Chief Elected Official, including contract/agreement execution.
- Resolution and application must be reviewed and approved by County Attorney prior to Legislature adoption and before obtaining Chair of the Legislature signature.
- Retroactive resolutions are permissible providing the timing of the grant announcement and the grant submission deadline is a short turnaround and does not fall with the timeframe of the Legislative meetings. In this case, Department Heads are required to obtain Chair of the Legislature AND Legislative Standing Committee Chair approval to proceed with the application and present the resolution at the next available Legislature meeting.

Resolution must include:

- Project/Grant description, expected outcome benefit to the County, listing of all grant subrecipients and their obligations and in accordance with the County's current Strategic Plan.
- Total project/grant budget and the project/grant term.
- Required cash match or in-kind contribution (if applicable) and identification of cash match and in-kind sources.
- If County cash match, account number must be included in the RESOLVED statement.
- If County in-kind contribution, the position, equipment, office space, etc. involved and value thereof.
- If the term of the project/grant extends past the current year, an additional RESOLVED statement must be included to carry forward the remaining unspent funds.

**All this must be done before any grant application is submitted by its due date.*

ACCEPTANCE:

If a grant involves a cash match or in-kind contribution:

- Resolution of acceptance is required by the Legislature to establish appropriate accounts for all County grants. Contact the Budget Officer or Chief Accountant in the Treasurer's Office to get (if new) or verify account numbers that must be included in the RESOLVED statement of the resolution.

- If a grant is awarded on behalf of a municipality or entity, resolution must list all subrecipients and any and all obligations on behalf of the County and authorization to execute a contract or agreement with the grantor.
- Acceptance contract must be reviewed and approved by County Attorney before Chair of the Legislature signature and must include all requested supporting documentation.
- Departments cannot order goods or render services until grant award is appropriated by resolution. Departments are required to follow the County's Purchasing and Procurement Policy, as well as any other fiscal requirements identified in the grant to ensure compliance.

If no cash award is involved:

- Department Head can sign grant acceptance paperwork, unless otherwise specified by the grant source, but still must follow the resolution requirement for all in-kind service and review by the County Attorney prior to presentation of resolution for Legislature consideration.

ACCOUNTING:

- All approved grants are required to be entered in Munis Contracts Module (Contract Entry) with all supporting documentation, including authorizing resolution.
- All approved grants are required to be submitted to the Budget Officer/Chief Accountant noting the following information: grant period, grant identification number, claiming periods and formulas (i.e. advance request or reimbursement).
- The Budget Officer/Chief Accountant will assign all new grant account numbers, therefore, any resolutions pertaining to grants must follow the resolution protocol of submission to the Legislative Clerk, who in turn, will send to the Budget Officer and Chief Accountant for review and then to the Legislature and County Attorney. This must be done prior to Department Heads presenting the resolution to their respective Legislative Standing Committee for consideration and adoption at a Legislative meeting.
- When claiming reimbursement or requesting a draw down, the paperwork should be submitted to the Treasurer's Office to be signed. All claims should be entered into Munis as a general bill and the signed claim attached. Claims that do not require the Treasurer's Office signature need to be attached in Munis to the general bill.
- All funds are to be payable to the Tioga County Treasurer, not the individual Department. When funds are received either by check or electronically, the Department is responsible for entering in Munis.

- When a grant is covering all or a portion of an employee's salary, a memo must be written, signed by the employee's supervisor, and sent to the Department that is the source of the grant funds with a copy to the Treasurer's Office and must include the following information:
 - The name of the employee(s).
 - The hourly rate, hours worked, and total dollar amount to be charged.
 - The grant account or other account number the payment is to be made.
 - The two Departments/parties involved will mutually determine periodic intervals in which charge-back requests will be sent to the Treasurer's Office for processing.

REPORTING:

- Departments are responsible for communicating grant updates to their Legislative Standing Committee.
- Any requested periodic progress reports may be signed by the Department Head, unless otherwise specified by the grant source (i.e., Chief Elected Official signature).
- All accounting procedures listed in the above section must be followed for any reimbursement or draw down request associated with a progress or final report.
- After the grant is closed out, Departments must provide an update at their Legislative Standing Committee and to be noted in the minutes on how the grant benefited the County and how it forwarded the implementation of the County's current Strategic Plan.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -23 AMEND EMPLOYEE HANDBOOK:
SECTION IV. PERSONNEL RULES;
SUBSECTION V. LEAVE TIME

WHEREAS: Resolution 95-23 adopted on February 14, 2023 amended Section IV. Personnel Rules: Subsection V. Leave Time with the revision of Paragraph C. and the addition of Paragraphs E. and F.; and

WHEREAS: The paid and unpaid leave time benefit referenced in each of these paragraphs specifically states all County employees (full-time, temporary, or permanent) are allowed up to a certain number of hours of paid and unpaid leave time; and

WHEREAS: Since all County employees are allowed the paid and unpaid leave time referenced, it is not necessary to specify employment status (full-time, temporary, or permanent), therefore, the wording of "full-time, temporary, or permanent" will be removed from Subsection V. Leave Time, Paragraphs C., E., and F.; therefore be it

RESOLVED: That Section IV., Personnel Rules, Subsection V. Leave Time, Paragraph C. related to cancer screening is hereby amended to read as follows:

- C. In accordance with Section 159-b of the Civil Service Law (amended as of March 18, 2018, all County employees are allowed up to four (4) hours of paid leave time per calendar year annually for cancer screening(s). Leave time for cancer screening(s) is not cumulative and expires at the close of business on the last day of each calendar year. Travel time to and from the screening(s) is included in the four hours. Absence beyond the four hours must be charged to other leave time. Employees who undergo the screening(s) outside their regular work schedule do so on their own time. Employees are not granted compensatory time off for cancer screening(s) that occur on days off or holidays. Employees are required to provide satisfactory medical documentation that their absence was for the purpose of screening for cancer. The documentation should be attached to the employee's time sheet or presented to the Department Head.

And be it further

RESOLVED: That Section IV., Personnel Rules, Subsection V. Leave Time, Paragraph E. related to blood work donation is hereby amended to read as follows:

- E. In accordance with Section 202-j of the New York State Labor Law all County employees are allowed up to three (3) hours of unpaid leave time per calendar year annually for the purpose of donating blood. Leave time for blood donation(s) is not cumulative and expires on the last day of each calendar year. Travel time to and from blood donation sites is included in the three hours. Leave taken by employees at a county-designated donation alternative (such as an employer-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, or other leave time. Employees are required to give reasonable notice of at least three working days prior to the day of their intended use of leave time. Documentation should be attached to the employee's time sheet or presented to the Department Head.

And be it further

RESOLVED: That Section IV., Personnel Rules, Subsection V. Leave time, Paragraph F. related to bone marrow donation is hereby amended to read as follows:

- F. In accordance with Section 202-a of the New York State Labor Law all County employees are allowed unpaid leaves of absence to undergo a medical procedure to donate bone marrow. The length and duration of leave must be determined by a physician, but the combined leaves may not exceed twenty-four (24) hours per each request for the purpose of donating bone marrow, unless agreed to by the Department Head. This leave is available only to the extent that it conflicts with the employee's work schedule. Leave may be taken in increments of either full or partial days, and may include any necessary travel time, medical testing, or further procedures to determine bone marrow compatibility, medical procedure, and recovery time. Employees must provide suitable verification from a physician regarding the purpose and length of each leave. Documentation should be attached to the employee's time sheet or presented to the Department Head.

And be it further

RESOLVED: That the remainder of the Section IV. Personnel Rules: Subsection V. Leave Time Policy remains unchanged.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -23 AMEND EMPLOYEE HANDBOOK:
SECTION VII. PURCHASING AND PAYMENT
POLICY: SUBSECTION XII. PROCEDURE TO BE
USED WHEN COMPETITIVE BIDDING NOT
REQUIRED, PARAGRAPH B. AND ADDITION OF
NEW SUBSECTION XVII. SECTION 3
PROCUREMENT POLICY

WHEREAS: The County Attorney has reviewed the Employee Handbook for compliance with State and Federal Law and has identified the need to amend Section VII. Purchasing and Payment Policy, Subsection XII. Procedure to be Used When Completeive Bidding Not Required, with the revision of Paragraph B.; and

WHEREAS: The Tioga County Section 3 Plan requires adding Section 3 language to all RFPs, procurement documents, bid offerings; and

WHEREAS: Tioga County does not have Section 3 language in its Purchasing and Payment Policy; and

WHEREAS: The County Attorney has written and proposed new subsection entitled XVII: Section 3 Procurement Policy; therefore be it

RESOLVED: That Section VII. Purchasing and Payment Policy, Subsection XII. Procedure to be Used When Competitive Bidding Not Required, Paragraph B. is hereby amended to read as follows:

- B. In the event procurement is determined to be exempt from competitive bidding and its costs are \$3000.00 and over, the following procedure shall be followed:
 1. At least two (2) proposals or quotations for goods or services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of General Municipal Law Section 104-B.
 2. Upon award of a contract, the following shall be entered into the Procurement Log:
 - a. The date of procurement;
 - b. The goods or services procured and the cost thereof;
 - c. The basis for the determination that the procurement is exempt from competitive bidding;

- d. All alternative quotations or proposals secured together with the name of the source of each quotation or proposal.
3. In the event a contract is awarded to other than the lowest dollar offeror, it shall be set forth with justification and reasons such an award furthers the purposes of the County of Tioga's Purchasing and Payment Policy.

And be it further

RESOLVED: That Section VII. Purchasing and Payment Policy is hereby amended with the addition of new Subsection XVII. Section 3 Procurement Policy to read as follows:

XVII: Section 3 Procurement Policy

- A. As part of Awardees' and their Subs' commitment to Section 3, all procurement processes for construction and labor must prioritize the contracting of Section 3 Businesses. Section 3 requirements do not apply to Material Supply Contracts.
- B. All calls for contractors and subcontractors must include this language: "This is a HUD Section 3 Project with contracting priorities for businesses that hire or are owned by low-income persons and/or public housing and Section 8 residents."
- C. Preference in the awarding of contracts shall be given to otherwise qualified Section 3 Businesses and/or businesses that demonstrate a clear commitment and capacity to create economic opportunities for low-income individuals and Section 3 Businesses. Due diligence must be performed to ensure that the contractor and subcontractor do not have any Section 3 violations in their past.
- D. When U.S. Department of Housing and Urban Development funding assistance for construction or rehabilitation projects create a need for new employment, contracting, or training opportunities subject to Section 3 (as defined in 24 CFR § 135.5) requirements, Tioga County shall integrate Section 3 requirements as detailed in Tioga County Section 3 Plan.

And be it further

RESOLVED: That the remainder of the Section VII. Purchasing and Payment Policy remains unchanged.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -23 AMEND EMPLOYEE HANDBOOK:
ADD NEW POLICY TO NEW SECTION XIII.
ENTITLED FAIR HOUSING PLAN

WHEREAS: Tioga County hereby supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law; and

WHEREAS: Tioga County further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by the Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Humans Rights Law; and

WHEREAS: Tioga County does not have its own Fair Housing Plan; and

WHEREAS: The County Attorney has written and proposed new plan entitled Fair Housing Plan; and

WHEREAS: As required by the Community Development Block Grant program, Tioga County needs to adopt a Fair Housing Plan that will promote fair housing and the Fair Housing Law; therefore be it

RESOLVED: That the Tioga County Legislature authorizes adoption and implementation of the Fair Housing Plan for Tioga County; and be it further

RESOLVED: That the Employee Handbook is hereby amended to add a new policy to new Section XIII. entitled Fair Housing Plan.

Fair Housing Plan Tioga County



Signed by:

**Martha Sauerbrey
Tioga County Legislative Chair
Date:**

Adopted by Resolution: Resolution No.

Fair Housing Plan

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Tioga County Fair Housing Policy

Tioga County, including its employees, is committed to following the letter and spirit of the Federal Fair Housing law by respecting the diversity and differences within our customer base by providing equal professional service to all, without regard to race, color, religion, sex, handicap, familial status, national origin or other protected status.

Tioga County, including its employees, is also committed to following the letter and spirit of The Fair Housing Act of 1968 and Fair Housing Plan, by respecting the diversity and differences within our customer base by providing equal professional service to all, without regard to race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, pregnancy-related condition, predisposing genetic characteristics, prior arrest or conviction record, familial status, and gender identity.

Tioga County is committed to keeping informed about fair housing laws and practices and will not tolerate non-compliance. This commitment will be demonstrated through the general practices of Tioga County and through advertising and the media that everyone is welcome, and no one is excluded. Tioga County will additionally inform our clients and customers about their rights and responsibilities under the fair housing laws.

Non-discrimination Statement

Tioga County complies with the letter and spirit of the Fair Housing Act, the Fair Housing Act of 1968 state that prohibits housing discrimination to certain persons under each law. No qualified person will be denied housing or otherwise discouraged from obtaining housing at Tioga County because of their status under these laws.

Selection of Fair Housing Officer

In accordance with Title VIII, Civil Rights Act of 1968, as amended, the Fair Housing Officer below has been designated to handle fair housing complaints and activities:

County Attorney or their designee
56 Main Street
Owego, New York 13827
607-687-8553

The Fair Housing Officer is responsible for the intake and processing of all housing complaints as well as implementation of the Fair Housing Plan

activities and actions. While not expected to be an “expert” in Fair Housing Laws, at a minimum the officer will be familiar with the complaint process and federal and state laws, which address Fair Housing. Records will show the date, time, nature of complaint and decisions made, and the complaint process will be fully documented. A separate file will maintain a record of all housing discrimination complaints and follow-up actions.

Complaint Process

Housing discrimination complaint forms such as Forms HUD-903 and HUD-903A (Spanish Version) from HUD, as well as a summary of actions which may constitute housing discrimination, and instructions for completing and filing housing discrimination complaints will be made available to citizens at the Ronald E. Dougherty County Office Building located at 56 Main Street, Owego, New York 13827. Complaints need not be made on official forms to be valid.

Forms will also be distributed to lenders, realtors, and at other public places such as libraries periodically.

The Fair Housing Officer will reasonably assist the complainant in submitting the complaint to the appropriate body by providing assistance in explaining the form and/or contacting the appropriate office and allowing the use of county phones for communication.

The individual(s) filing the complaint will then be advised of the option of filing directly with the U.S. Department of Housing and Urban Development (HUD) within one year after the alleged violation, The Connecticut Commission on Human Rights and Opportunities (CHRO) by filing a notarized complaint within 180 days of the alleged violation, or the Equal Employment Opportunity Commission or with all agencies simultaneously. The individual should also be advised of the option of filing suit at their expense in Federal District Court or State Court within two years of the alleged violation. The individual should be further advised that if they cannot afford an attorney, the Court may appoint one and that a suit may be commenced even after filing a complaint, if the individual has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual punitive damages and attorney's fees and costs.

Implementation and Action Steps

Tioga County will take specific action steps and implantation activities over the next three-year period following the guidelines provided by the Department of Housing.

1. Tioga County will adopt annually a Fair Housing Policy Statement and a Fair Housing Resolution as an indication of its commitment to Fair Housing Month during the month of April.
2. Tioga County will display its fair housing policies/procedures and ADA policies and grievance procedure on its website.
3. Tioga County will display Fair Housing posters identifying the County's Fair Housing Office, title, address, email, and phone number in prominent locations. In addition, fair housing information will be distributed outside of traditional municipal locations including local realtors and banks.
4. All advertising of residential real estate owned by Tioga County for sale, rent or financing will contain the Fair Housing logo, equal opportunity slogan as a means of educating the home seeking public that the property is available to all persons without regard to race, creed, color, national origin, sexual orientation, military status, sex, age, marital status, domestic violence victim status, disability, pregnancy-related condition, predisposing genetic characteristics, prior arrest or conviction record, familial status, and gender identity, or lawful source of income. All bid advertisements by Tioga County sponsored programs must include the phrase "Equal Opportunity/Affirmative Action Employer." The type of logo, statement or slogan will depend on the type of media being used (visual or auditory). All logos/statements must appear at the end of the advertisement.

Analysis of Impediments

Tioga County will cooperate and assist the state with its periodic Analysis of Impediments and conduct a review of policies, practices and procedures that affect the availability and accessibility of housing.

Amendments

Tioga County shall amend and revise this Plan as required to keep current with state/federal affirmative action and equal opportunity policies and procedures and local actions and activities to further the purposes of this Plan.