

Agenda



TIOGA COUNTY LEGISLATURE

11/15/2022

12:00 PM

EDWARD D. HUBBARD AUDITORIUM

Ronald E. Dougherty County Office Building

56 Main Street

Owego NY 13827

Meeting called by: Chair Martha Sauerbrey

Type of meeting: 11th Regular

Attendees:
 Legislator Brown
 Legislator Ciotoli
 Legislator Hollenbeck
 Legislator Monell
 Legislator Mullen
 Legislator Roberts
 Legislator Sauerbrey
 Legislator Standinger
 Legislator Weston

Agenda topics

Moment of Silence

Jay Wilber, Assistant Public Defender

Invocation

Legislator Brown

Pledge of Allegiance

Legislator Brown

Recognition Resolutions (2)

F. John "Bud" Waite, Former District 4 Legislator,
 posthumously

Doreen Stoughton, County Clerk's Office

<p>Proclamations (2)</p> <p>Privilege of the Floor</p> <p>Approval of Minutes</p> <p>Petitions, Communications & Notices</p> <p>Appointments/Reappointments</p> <p>Reports Standing Committees</p>	<p>Adoption Awareness Month</p> <p>Hunting Safety Month</p> <p>October 11 and 20, 2022</p> <p>Employee Retention & Incentive Committee</p> <ul style="list-style-type: none"> • Chair Sauerbrey • Legislator Brown • Legislator Mullen • Personnel Officer Parke • Commissioner of Social Services Yetter
<p>RESOLUTIONS:</p>	<ol style="list-style-type: none"> 1. Appoint Member to Critical Incident Stress Debriefing Team – Office of Emergency Services 2. Appoint Member to Critical Incident Stress Debriefing Team – Office of Emergency Services 3. Acceptance of the Application for Ryan Telfer and Kyle Telfer to the Tioga County Fire Investigation Team 4. Re-Appoint Member to the Tioga County Planning Board 5. Re-Appoint Member to the Tioga County Planning Board 6. Re-Appoint Member to the Tioga County Planning Board 7. Re-Appoint Member to the Broome-Tioga Local Workforce Development Board 8. Re-Appoint Member to the Broome-Tioga Local Workforce Development Board 9. Re-Appoint Member to the Tioga County Agricultural and Farmland Protection Board 10. Re-Appoint Stuart Yetter, Jr. to the Tioga County Property Development Corporation Board 11. Re-Appoint Martha C. Sauerbrey to the Tioga County Property Development Corporation Board 12. Re-Appoint David Astorina to the Tioga County Property Development Corporation Board 13. Re-Appoint Ralph Kelsey to the Tioga County Property Development Corporation Board 14. Re-Appoint Lesley Pelotte to the Tioga County Property Development Corporation Board

15. Affirming Support for the Second Amendment to the United States Constitution and Opposing the Recently Enacted "Concealed Carry Improvement Act" of 2022
16. Support the Increase of the Snowmobile Trail Development and Maintenance Fund
17. Filing of an Application for DEC Municipal Waste Reduction and Recycling (MWRR) Program
18. Authorize Capital Project American Rescue Plan Act (ARPA) Capital Appropriation Request 002
19. Authorize Chair of Legislature to Sign Application for Grant Funds – Department of Social Services
20. Adopt State Equalization Reports
21. Mortgage Tax Distribution
22. Erroneous Assessment – Town of Spencer
23. Authorize Contract with Pro-Flex Administrators, LLC
24. Enter into Contract with Twin Tiers Drug & Alcohol Testing, LLC for CDL Drug and Alcohol Testing
25. Authorization to Payoff Interim Financing Associated with Village of Nichols USDA Grant
26. Authorize the Sale and Transfer of Property from Tioga County to the Tioga County Property Development Corporation
27. Authorize Purchase of a HIPEPLUS/PZ Metal Detector using American Rescue Plan Act (ARPA) Funds
28. Authorize the Acceptance of Statewide Interoperable Communications "Formula" Grant (SICG 21) Appropriation of Funds & Modify 2022 Budget – Office of Emergency Services
29. Award 2022 Emergency Management Planning Grant (EMP22)- Office of Emergency Services
30. Accept Grant Award for Clean Energy Projects, Appropriate Funds and Modify 2022 Budget – Solid Waste
31. Resolution to Approve a Grant Award from NYS Division of Criminal Justice for County Pre-Trial Services
32. Accept the Burke Group Classification and Compensation Study Recommendations
33. Amend Budget & Transfer of Funds
34. Amend 2022 Budget & Transfer Funds – Public Health
35. Amend Capital Budget and Transfer Funds for Pickup Truck – Public Works

36. Amend Capital Budget and Transfer Funds for Heavy Equipment Lifts – Public Works
37. Transfer Funds Self-insurance Plan
38. Request Transfer of Contingency Funds and Modify 2022 Budget – Assigned Counsel
39. Appropriation of Funds 2022-2023 NYS STOP DWI High Visibility Engagement Grant – STOP DWI
40. Appropriation of Funds 2022 Homeland Security Grant (SHSP) Modify 2022 Budget – Office of Emergency Services and Sheriff's Office
41. Appropriation of Funds Modify 2022 Budget Senator's Grant 2010 Refund – Office of Emergency Services
42. Appropriation of Funds and Amend 2022 Budget – Social Services
43. Appointment of Democratic Election Commissioner
44. Authorize Appointment of Benefits Manager Trainee – Personnel Department
45. Authorize Appointment of Civil Service Assistant – Personnel Department
46. Authorize Appointment of Director of Real Property Tax Services
47. Authorize Appointment to Title of Assistant Public Defender – Public Defender's Office
48. Authorize Part-Time Assistant Fire Coordinator and Increase Hours of Deputy Director – Office of Emergency Services
49. Authorize Salary Increase – Personnel and Civil Service Dept.
50. Authorize Salary Increase for Administrative Coroner
51. Authorize Salary Adjustment for Economic Development & Planning
52. Amend Employee Handbook; Section IV: Personnel Rules – Subsection N. County Hours of Operation
53. Amend Employee Handbook; Section X: Building and Vehicle Procedures – Subsection C. Assignment & Use of County Vehicles

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 RECOGNITION RESOLUTION
RECOGNIZING FRANK JOHN "BUD" WAITE
POSTHUMOUSLY

WHEREAS: Frank John "Bud" Waite passed away on October 21, 2022; and

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

WHEREAS: Bud was elected to the position of Tioga County District #4 Legislator on January 1, 1986, and served for 16 years until leaving office on December 31, 2001; and

WHEREAS: During his 16-year Legislative career, Bud was extremely dedicated and loyal in the performance of his duties and responsibilities as a Legislator. He accomplished many achievements serving as Chair of several Legislative Standing Committees, but it was as Chair of Public Works/Solid Waste that he was very instrumental in developing the curbside recycling program in Tioga County; and

WHEREAS: Bud also served many years as a Legislative Representative on the Tioga County Soil and Water Conservation District Board of Directors; and

WHEREAS: Bud was proud to be an 8th generation dairy farmer on the Waite Farm on the Southside of Owego, NY and a dedicated member of his community and church; and

WHEREAS: Bud is survived by his wife, Lois and three children; Christopher, Wendy, and Laurie; six grandchildren; Rebecca, John, Corey, Joshua, Stephanie, and Shelbilyn; and nine great-grandchildren; Alexandra, Gavin, Aidan, Evelynne, Edward, Annabelle, Blake, Hudson, and Hunter; 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 Frank John "Bud" Waite 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 Frank John "Bud" Waite.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: -22 RECOGNITION OF DOREEN STOUGHTON'S
34 YEARS OF DEDICATED SERVICE TO THE
TIOGA COUNTY CLERK'S OFFICE

WHEREAS: On May 16, 1988, Doreen Stoughton was hired by then Tioga County Clerk Charles Blackman as a Clerk/Typist; she was promoted to Account Clerk/Typist on November 6, 1989; and on January 1, 2012, her position was re-titled to Recording Clerk and it is from this position that she is retiring after 34 years of exemplary service to the people of Tioga County; and

WHEREAS: Doreen was instrumental in the acquisition and implementation of the COTT System currently in use at the County Clerk's Office that allows the general public to search and access County Clerk records via the Internet; and

WHEREAS: Doreen has been a loyal, conscientious, and professional employee in the performance of her duties and responsibilities during her years of service in the Clerk's Office; and

WHEREAS: Doreen has always been ready, willing, and able to apply her many years of experience to assist with training new employees and providing expert assistance to whatever task needed to be done; and

WHEREAS: Doreen will retire on November 19, 2022; 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 Doreen 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 employee, Doreen Stoughton.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

This November marks the 32nd annual National Adoption Month. November 19, 2022 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County finalized two adoptions this year to date. Tioga has six children freed for adoption, four placed with adoptive homes and two 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.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Hunting is an American tradition, and among the most popular forms of outdoor recreation; and

WHEREAS: Tioga County is rich in wooded land, making it highly suitable for hunting; and

WHEREAS: During the 2020-2021 sporting season, 16,294 sporting licenses were sold to residents and non-residents in Tioga County, an increase of almost 5,000 in the previous two years; and

WHEREAS: Hunting may include the harvesting of big and small game animals by firearm, bow-and-arrow and trapping. A total of 7,208 deer, 583 turkey and 13 bear were harvested in Tioga County in 2020 and 2021; and

WHEREAS: Hunting is typically an enjoyable sport, but tragically in 2019 there was an accidental shooting related to hunting in Tioga County, that was preventable; and

WHEREAS: 2021 had the lowest number of hunting-related shooting incidents ever recorded in NYS, but efforts to reduce hunting accidents and promote safe hunting must continue; and

WHEREAS: Every new hunter must take a hunter education course, that teaches future hunters how to be safe, responsible and ethical in the field; and

WHEREAS: Every hunter, whether new or experienced should always follow basic hunter safety standards: let someone know where you will be hunting and when you plan to return, practice shooting and check all equipment to ensure it's in good condition, wear hunter orange or pink in the field, treat every firearm as if it's loaded at all times, identify your target before shooting; and

WHEREAS: Check if maintenance is needed on tree stands in advance, wear a safety harness if hunting from a tree, know the limitations of your physical ability and your equipment and do not push them; and

WHEREAS: Hunting is a privilege, and all hunters have a responsibility to know the laws and regulations, but also have a duty to keep themselves and their fellow hunters safe; now therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of November as

HUNTING SAFETY MONTH

and urges all those who hunt to participate in hunter safety education and follow basic hunter safety standards to prevent hunting-related accidents and deaths.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -22 APPOINT MEMBER TO
CRITICAL INCIDENT STRESS DEBRIEFING TEAM
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services has a need for additional members to be appointed to the Critical Incident Stress Debriefing Team; and

WHEREAS: The Director of Emergency Services would like to appoint Lauren Primm to the Critical Incident Stress Debriefing Team; therefore be it

RESOLVED: That Lauren Primm be hereby appointed to the Critical Incident Stress Debriefing Team effective November 15, 2022.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -22 APPOINT MEMBER TO
CRITICAL INCIDENT STRESS DEBRIEFING TEAM
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services has a need for additional members to be appointed to the Critical Incident Stress Debriefing Team; and

WHEREAS: The Director of Emergency Services would like to appoint Ronald Holbrook to the Critical Incident Stress Debriefing Team; therefore be it

RESOLVED: That Ronald Holbrook be hereby appointed to the Critical Incident Stress Debriefing Team effective November 15, 2022.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -22 ACCEPTANCE OF THE APPLICATION FOR
RYAN TELFER AND KYLE TELFER TO THE
TIOGA COUNTY FIRE INVESTIGATION TEAM

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

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

WHEREAS: Ryan Telfer and Kyle Telfer are current Trainee members of the FIT team and they have completed State and National certifications and desire to transition from Trainee to a full membership of the County Fire Investigation Team; and

WHEREAS: Ryan Telfer and Kyle Telfer currently possess training and skills needed by the Tioga County Fire Investigation Team to work on the Team; therefore be it

RESOLVED: That Ryan Telfer and Kyle Telfer be added to the Tioga County Fire Investigation Team effective November 15, 2022.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Doug Chrzanowski's position on the Tioga County Planning Board representing the Town of Tioga expires on 12/31/2022; and

WHEREAS: The Town of Tioga Board has nominated Doug Chrzanowksi 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 Doug Chrzanowski to the Tioga County Planning Board for another three-year term of 1/1/23 – 12/31/25.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Bryan Goodrich's position on the Tioga County Planning Board as an alternate expires on 12/31/2022; and

WHEREAS: Bryan Goodrich is willing and able to serve another three-year term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Bryan Goodrich to the Tioga County Planning Board for another three-year term of 1/1/23 – 12/31/25.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Grady Updyke's position on the Tioga County Planning Board representing the Town of Barton expires on 12/31/2022; and

WHEREAS: The Town of Barton Board has nominated Grady Updyke 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 Grady Updyke to the Tioga County Planning Board for another three-year term of 1/1/23 – 12/31/25.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
BROOME-TIOGA LOCAL WORKFORCE
DEVELOPMENT BOARD

WHEREAS: LeeAnn Tinney's position on the Broome-Tioga Local Workforce Development Board representing the Public Sector is up for re-appointment for a three-year term; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint LeeAnn Tinney to the Broome-Tioga Local Workforce Development Board for a three-year term effective January 1, 2023 through December 31, 2025.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
BROOME-TIOGA LOCAL WORKFORCE
DEVELOPMENT BOARD

WHEREAS: Shawn Yetter's position on the Broome-Tioga Local Workforce Development Board representing the Private Sector is up for re-appointment for a term of 3 years; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Shawn Yetter to the Broome-Tioga Local Workforce Development Board for a three-year term effective January 1, 2023 through December 31, 2025.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MEMBER TO THE
TIOGA COUNTY AGRICULTURAL AND
FARMLAND PROTECTION BOARD

WHEREAS: John Lacey's term on the Agricultural and Farmland Protection Board as a representative of an organization dedicated to agricultural land preservation expires as of 12/31/2022; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and said Board member is willing and able to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint John Lacey to the Agricultural and Farmland Protection Board, for the four-year term of 1/1/23 – 12/31/26.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT STUART YETTER, JR.
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Stuart Yetter, Jr., 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 a two-year term until 12/31/22; 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: Stuart Yetter, Jr. is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Stuart Yetter, Jr., 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 1/1/23 – 12/31/24.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT MARTHA C. SAUERBREY
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Martha C. Sauerbrey, as Chair of the Tioga County Legislature, was appointed as a Tioga County Property Development Corporation (TCPDC) Board Member conditioned by her holding of that office for which her term expires on 12/31/2022; and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Martha C. Sauerbrey is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Martha C. Sauerbrey to the Tioga County Property Development Corporation Board as a Board Member for a three-year term of 1/1/23 – 12/31/25.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT DAVID ASTORINA
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: David Astorina, 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 an unexpired term until 12/31/22; 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: David Astorina is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints David Astorina, as a member of a County Agency within Tioga County, to the Tioga County Property Development Corporation Board as a Board Member for a two-year term of 1/1/23 – 12/31/24.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT RALPH KELSEY TO THE
TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Ralph Kelsey, as a resident of Tioga County, was appointed At Large Representative Board Member to the Tioga County Property Development Corporation (TCPDC) for an unexpired term until 12/31/22; and

WHEREAS: The TCPDC Bylaws allows for consecutive terms; and this re-appointment is conditioned upon the board member remaining a resident of Tioga County; and

WHEREAS: Ralph Kelsey is willing and able to continue to serve in this At Large Representative position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Ralph Kelsey, as an At Large Representative Board Member to the Tioga County Property Development Board Corporation for a three-year term of 1/1/23 – 12/31/25.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 RE-APPOINT LESLEY PELOTTE
TO THE TIOGA COUNTY PROPERTY
DEVELOPMENT CORPORATION BOARD

WHEREAS: Lesley Pelotte, 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) to fill an unexpired term until 12/31/22; 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: Lesley Pelotte is willing and able to continue to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoints Lesley Pelotte, 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 1/1/23 – 12/31/24.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. -22

AFFIRMING SUPPORT FOR THE
SECOND AMENDMENT TO THE
UNITED STATES CONSTITUTION AND
OPPOSING THE RECENTLY ENACTED
“CONCEALED CARRY IMPROVEMENT ACT”
OF 2022

WHEREAS: Every person possesses inalienable rights, among these are life, liberty, property, and the right to keep and bear arms in defense of these inalienable rights; and

WHEREAS: The Supreme Court of the United States has begun restoring the Rights of the People to keep and bear arms in decisions including *District of Columbia v. Heller* and *McDonald v. City of Chicago* which held there is an individual right to keep and bear arms for use in traditionally lawful purposes, including self-defense within the home; and

WHEREAS: The Supreme Court's most recent decision in *New York Rifle and Pistol Association, Inc. et. Al. v. Kevin P. Bruen*, struck down New York State's unconstitutional “proper-cause requirement” to have and carry a pistol or revolver; and

WHEREAS: The “*Bruen*” decision specifically affirms the presumptively valid, inalienable right to carry arms in public for self-defense; and

WHEREAS: In response to the “*Bruen*” decision, the New York State Legislature and Governor passed S51001 the “Concealed Carry Improvement Act” with a spurious message of necessity and no public debate; and

WHEREAS: New York State ignored both the letter and spirit of the “*Bruen*” decision by:

- Amending the State's licensing process to include requirements for poorly defined “good moral character”;
- Expanding the list of “sensitive places” firearms are restricted exponentially, and most chillingly;
- Requiring a search of applicants' private, personal social media accounts for “character and conduct”;

And

WHEREAS: As a result of this decision, New York sprang into action, passing a range of laws on July 1, 2022 during a special legislative session that, among other things, set forth many sensitive locations where a person is not allowed to carry a firearm. The effect of this that there can no longer be 21 Gun Salute at a Military Funeral or Memorial Day event as we recognize and honor those who fought for our freedom. Black Powder Guilds are restricted from demonstrating the long-standing tradition of history at fairs, reenactments and community events; and

WHEREAS: People who created these laws rushed to a decision and did not consider the significance of how this would affect communities across NYS. These restrictive gun laws take away our freedoms and our honored customs; and

WHEREAS: The New York State Sheriff's Association recognized these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment rights"; and

WHEREAS: The Tioga County Legislature has a long history of opposing New York State's infringements on the inalienable right to self-defense including Resolution No. 45-13 "Opposing the Process of Enactment and Certain Provisions Contained within the New York Safe Act, and Resolution No. 111-13 Support of Sensible Gun Control and Addressing New York State-Level and Federal-Level Actions; therefore be it

RESOLVED: That the Tioga County Legislature strongly supports the inalienable right to self-defense, the inalienable right to keep and bear arms, and the First, Second, Fourth, and Fourteenth Amendments to the United States Constitution; and be it further

RESOLVED: That the Tioga County Legislature stands in opposition to the Concealed Carry Improvement Act and any other unconstitutional infringements of liberty in defiance of the United States Supreme Court ruling in *NYSRPA v. Bruen*; and be it further

RESOLVED: That the Tioga County Legislature calls upon the New York State Legislature to immediately and fully repeal the Concealed Carry Improvement Act and replace it with a permitting process that fully complies with both the spirit and letter of the "*Bruen*" decision; and be it further

RESOLVED: That the Tioga County Legislature is committed to pursue all legislative and legal remedies to overturn any unconstitutional infringements

on the right to keep and bear arms, including joining pending litigation; and be it further

RESOLVED: That a certified copy of this resolution be provided to Tioga County's State and Federal Representatives, Speaker of the New York State Assembly, Temporary President of the New York State Senate, Governor of the State of New York, and New York State Association of Counties.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 SUPPORT THE INCREASE OF THE
SNOWMOBILE TRAIL DEVELOPMENT AND
MAINTENANCE FUND

WHEREAS: Snowmobiling is a key contributor to Tioga County's winter tourism industry, bringing significant spending by snowmobiling supporting our restaurants and small businesses, and is contributing up to \$868 million annually to the Upstate New York economy; and

WHEREAS: Tioga County snowmobile clubs maintain over 174 miles of trails throughout the county, and 10,500 miles of trails statewide; and

WHEREAS: The maintenance of the snowmobile trails in Tioga County is completed entirely by volunteers who are members of snowmobile clubs; and

WHEREAS: We must ensure that Tioga County's snowmobile trail infrastructure is in a condition to welcome snowmobilers and that the trails are as safe and well maintained as they can be; and

WHEREAS: Since 1987, the New York State Snowmobile Trail Development and Maintenance Fund has been utilized by municipalities and their snowmobile club partners to properly groom and maintain their local snowmobile trails, including through the purchase of necessary equipment; and

WHEREAS: The Snowmobile Trail Development and Maintenance Fund is fully funded through the registration of snowmobilers participating in the sport, and has no general assessment on taxpayers; and

WHEREAS: The snowmobile community, including the New York State Snowmobile Association, and the clubs in Tioga County have requested an increase in the snowmobile registration fees to support trail maintenance; and

WHEREAS: There has not been a registration fee increase for snowmobiles since 2005, while there have been registration fee increases in surrounding states; and

WHEREAS: There is significant inflation throughout the country, including on critical machinery needed to maintain the trails; and

WHEREAS: Tioga County supports the snowmobiling community and the economic impact that snowmobiling has on our businesses and people; therefore be it

RESOLVED: That the Tioga County Legislature respectfully requests that the Governor and Legislature support increases to snowmobile registration fees that will in turn create more financial support for the Snowmobile Trail Development and Maintenance Fund, the utilization of which supports critical winter tourism in Tioga County; and be it further

RESOLVED: That a certified copy of this resolution be provided to the NYS Governor and the New York State Legislature, and all others deemed necessary and appropriate.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 FILING OF AN APPLICATION FOR DEC
MUNICIPAL WASTE REDUCTION AND
RECYCLING (MWRR) PROGRAM

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

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

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

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application via Grants Gateway for grant upon approval by the County Attorney.

REFERRED TO: ITCS COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 AUTHORIZE CAPITAL PROJECT
AMERICAN RESCUE PLAN ACT (ARPA)
CAPITAL APPROPRIATION REQUEST 002

WHEREAS: The Chief Information Officer has identified a need and made a recommendation to the Tioga County Legislature for the improvement of Security facilities by means of a Security Camera System Upgrade at 56 Main St in Owego NY; and

WHEREAS: American Rescue Plan Act "ARPA" funds have been budgeted in the Tioga County 2022 Capital Budget for use specifically as designated by the Tioga County Legislature for Security Improvements to both the HHS Building and 56 Main St; 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: The Tioga County Legislature shall oversee and authorize all ARPA expenditures whether budgeted or not; therefore be it

RESOLVED: That invoices related to the Security Upgrades for 56 Main St in Owego NY to be paid with ARPA funds are to be appropriated from the following account for no more than the amount requested:

From: **H1620 520911 M7674** **56 Main Renovations** **\$121,500.00**

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -22 AUTHORIZE CHAIR OF LEGISLATURE
TO SIGN APPLICATION FOR GRANT FUNDS
DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Tioga County is submitting a request for grant funds to the NYSDOT, pursuant to Section 5311, Title 49 United States Code, for a project to provide Mobility Management Services for Tioga, Broome, Chenango, Delaware, and Otsego Counties through an agreement with Rural Health Network of South-Central New York for the 2023-2024 fiscal years and has committed the local share; and

WHEREAS: Tioga County and the State of New York have entered a continuing agreement which authorizes the undertaking of the project(s) and reimbursement of the Federal and applicable State Shares; and

WHEREAS: Tioga County is contracting with a third-party subcontractor for the project(s) described above; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of Tioga County to sign the application and progress and complete the above-named project(s); and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the public transportation project(s), subject to the approval of the County Attorney.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -22 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.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: -22 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2022 to September 30, 2022 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)	\$ 53,517.54
Berkshire (Town)	9,264.34
Candor (Town)	37,670.96
Candor (Village)	5,646.65
Newark Valley (Town)	18,489.14
Newark Valley (Village)	6,764.88
Nichols (Town)	21,179.61
Nichols (Village)	3,552.34
Owego (Town)	198,505.56
Owego (Village)	18,715.22
Richford (Town)	5,985.10
Spencer (Town)	22,379.63
Spencer (Village)	1,996.39
Tioga (Town)	62,194.60
Waverly (Village)	<u>29,994.52</u>
	\$495,856.48

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -22 ERRONEOUS ASSESSMENT
TOWN OF SPENCER

WHEREAS: An application for Corrected Tax Roll for the years 2020, 2021, and 2022 indicates that parcel #68.12-2-24, account #176 in the Town of Spencer assessed to Shane Grover on the 2020, 2021, and 2022 tax roll of the Town of Spencer is erroneous in that there was an error in essential fact-the property was assessed with an improvement (house) and there was no improvement, the parcel is and has always been vacant land thereby reducing the taxable value from \$136,000 to \$5,000; 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 Spencer for the years 2020-2022; therefore be it

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

2020 Town & Co Bill	Original Bill #125	Corrected Bill#125
County	\$1,102.41	\$47.93
Town Wide	\$398.60	\$17.33
Recycle	\$63.31	\$2.75
Total	\$1,564.32	\$68.01

2021 Town & Co Bill	Original Bill #124	Corrected Bill #124
County	\$1,182.38	\$43.47
Town Wide	\$457.65	\$16.83
Total	\$1,640.03	\$60.30

2022 Town & Co Bill	Original Bill #122	Corrected Bill #122
County	\$1,203.67	\$44.26
Town Wide	\$481.27	\$17.69
Total	\$1,684.94	\$61.95

And be it further

RESOLVED: That the erroneous County Tax of \$3352.80 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous Town Tax of \$1285.67 be charged back to the Town of Spencer; and be it further

RESOLVED: That the Solid Waste Tax of \$60.56 be charged back to the proper account in the records of the County Treasurer.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE CONTRACT WITH
PRO-FLEX ADMINISTRATORS LLC

WHEREAS: The Personnel Department currently handles COBRA (Consolidated Omnibus Budget Reconciliation Act) administration offering continuing health coverage to employees, dependents, spouses, and former spouses who lose coverage due to a qualifying event; and

WHEREAS: COBRA laws are constantly changing, and employers can be subject to significant monetary penalties for violations; and

WHEREAS: Pro-Flex Administrators LLC will handle billing and payment collection for any individuals who elect COBRA; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Pro-Flex Administrators LLC, subject to review by the County Attorney, for COBRA administration at an annual cost not to exceed \$3,000.00 effective February 1, 2023 through January 31, 2028; and be it further

RESOLVED: That the cost of this contract will be paid out of 2023 Personnel budget account A1430 (540140) contracting services.

REFERRED TO: FINANCE, LEGAL & SAFETY

RESOLUTION NO. -22 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 obtained three quotes for random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The proposal from Twin Tiers Drug & Alcohol Testing, LLC, 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 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.: \$70.00 per test
- Breath alcohol test (in office or on-site): \$45.00 per test
- Drug Test On-site: \$65.00 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: \$1.25 per minute
- Wait fee: \$1.25 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: \$250.00 per test

REFERRED TO: ED&P COMMITTEE
PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. – 22 AUTHORIZATION TO PAYOFF INTERIM
FINANCING ASSOCIATED WITH
VILLAGE OF NICHOLS USDA GRANT

WHEREAS: The Legislature authorized by way of Resolution #139-21, the submission and administration of a United States Department of Agriculture (USDA) Communities 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; and

WHEREAS: USDA has approved the Direct Loan and Grant in same amounts; and

WHEREAS: There have been delays in closing on the grant portion of the USDA award that have resulted in the need to obtain interim financing from the County in the amount of \$186,200.63 to pay off the unpaid balance for the shared equipment; and

WHEREAS: The unpaid balance has associated finance charges that will continue to accrue until the closing on the USDA grant funds; and

WHEREAS: The Tioga County Legislature is agreeable to paying off the unpaid balance out of the Tioga County Public Works Capital Account; and

WHEREAS: The Village of Nichols will reimburse the Tioga County Public Works Capital Account in the same amount upon the receipt of the USDA grant funds; and

WHEREAS: A Memo of Understanding is required and will be executed between Tioga County and the Village of Nichols, as approved by the County Attorney, outlining the terms of the agreement to pay off the interim financing provided by the County; and

WHEREAS: Capital account H5130-521945 Sweeper-Road has no available funds; and

WHEREAS: The Amending of Budget and Transfer of Funds between capital accounts requires Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the payoff of the unpaid balance in the amount of \$186,200.63; and be it further

RESOLVED: That budget be transferred as follows:

From:	H1620-520994-BG001	Truck Wash Building	\$186,200.63
To:	H5130-521945	Sweeper- Road	\$186,200.63

And be it further

RESOLVED: That upon payback of the interim financing to Tioga County the budget is to be transferred back to the original account H1620-520944-BG001; and be it further

RESOLVED: That if the Village of Nichols closes on the USDA grant prior to the County issuing payment of the unpaid balance in the amount of \$186,200.63, this Resolution shall be deemed no longer valid, and the Memo of Understanding will not be required.

REFERRED TO: ED&P COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE THE SALE AND TRANSFER OF PROPERTY
FROM TIOGA COUNTY TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION

WHEREAS: The County has been approached by The Tioga County Property Development Corporation, which has made an offer to purchase a property acquired by Tioga County for nonpayment of taxes in the Village of Owego; and

WHEREAS: Tioga County has agreed to sell and transfer the following property in the Village of Owego, NY within Tioga County to the Tioga County Property Development Corporation for One Dollar (\$1.00) "as is"; and

WHEREAS: The acquisition includes the following property:

94 Spencer Avenue Village of Owego, NY #128.08-3-37

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 to the Tioga County Property Development Corporation.

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

RESOLUTION NO. --22 AUTHORIZE PURCHASE OF A
HIPEPLUS/PZ METAL DETECTOR USING
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

WHEREAS: The 56 Main Street Safety Committee has identified a need and submitted a recommendation to the Tioga County Legislature for the improvement of security at the Ronald E. Dougherty County Office Building located at 56 Main Street, Owego, New York; and

WHEREAS: The 56 Main Street Safety Committee has determined, after receiving quotes from State approved vendors, that a HIPEPLUS/PZ Metal Detector with antenna is the recommended metal detector to improve building security; and

WHEREAS: American Rescue Plan Act (ARPA) funding, in the amount of \$30,691.60, has been allocated from Account H1620 520911 M7674 - 56 Main Renovations by way of Resolution 267-22. This American Rescue Plan Act funding includes \$2,580.60 to be used to purchase a HIPEPLUS/PZ Metal Detector with antenna model number SS101 720mm; and

WHEREAS: The Department of Public Works will purchase the HIPEPLUS/PZ Metal Detector with antenna SS101 720mm; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of a HIPEPLUS/PZ Metal Detector w/antenna SS101 720mm not to exceed \$2,580.60 from Ceia USA, 2202 Lakeside Blvd., Edgewood, MD 21040 respectively to be paid out of the following account: H1620 520911 M7674 - 56 Main Renovations.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AUTHORIZE ACCEPTANCE OF STATEWIDE
INTEROPERABLE COMMUNICATIONS
"FORMULA" GRANT (SICG 21)
APPROPRIATION OF FUNDS &
MODIFY 2022 BUDGET
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Management applied for and was awarded a Homeland Security Statewide Interoperable Communications "Formula" Grant 2021 in the amount of \$680,299. 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 2022 budget be modified and funds be appropriated to the following accounts:

FROM: A3415 433063 IO21F – State Aid Interop Comm Grant \$680,299

TO: A3415 540140 IO21F Contracted Services \$ 80,299

TO: A3415 520130 IO21F Equipment (Not Car) \$ 600,000

And be it further

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AWARD 2022 EMERGENCY MANAGEMENT
PLANNING GRANT (EMP22)
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$24,278 by the New York State Division of Homeland Security and Emergency Services (NYSDHSES); and

WHEREAS: The matching grant will be used to offset \$24,278 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2022 Emergency Management Planning Grant in the amount of \$24,278 and appropriate it to account A3640.443050.EMP22 Federal Aid-Civil Defense.

REFERRED TO: ED&P COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -22 ACCEPT GRANT AWARD FOR
CLEAN ENERGY PROJECTS,
APPROPRIATE FUNDS AND
MODIFY 2022 BUDGET
SOLID WASTE

WHEREAS: Tioga County Solid Waste received \$5,000 for clean energy projects such as upgrading building lights to LEDs; converting gasoline powered lawn equipment to electric lawn equipment; installation of smart thermostats; lighting sensors etc. for County buildings; and

WHEREAS: This funding must be accepted and appropriated; and

WHEREAS: The Solid Waste Budget does not have an established equipment line; and

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

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

RESOLVED: That the Tioga County Legislature authorizes the modification of the Solid Waste 2022 Budget by establishing a new budget line (A8160 520280) and appropriate funds as follows:

From: A8160 421890 Other Home & Community Svcs	\$5,000.00
To: A8160 520280 Large Power Tools	\$649.98
A8160 542640 Supplies (Not Office)	\$4,350.02

And be it further

RESOLVED: That any of the original \$5,000 funds that remain unspent as of 12/31/2022 will be carried forward into the 2023 Budget.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 RESOLUTION TO APPROVE A
GRANT AWARD FROM NYS
DIVISION OF CRIMINAL JUSTICE FOR
COUNTY PRE-TRIAL SERVICES

WHEREAS: The Probation Department received a Grant Award from the New York State Division of Criminal Justice Services for the County Pre-Trial Services in the amount of \$60,000; and

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

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

RESOLVED: That the 2022 Budget be modified and funds be appropriated to the following accounts:

FROM:	A3140-433100 CPS01 State Aid Probation	\$60,000
TO:	A3140 520060 CPS01 Car/Truck	\$40,000
	A3140 540487 CPS01 Program Expenses	\$20,000

And be it further

RESOLVED: That appropriations be re-established for the remaining unspent balance as of year-end until projects are completed.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. ACCEPT THE BURKE GROUP
CLASSIFICATION AND COMPENSATION STUDY
RECOMMENDATIONS

WHEREAS: Tioga County adopted Resolution 215-22 authorizing a contract with the Burke Group to conduct a Classification and Compensation Study for all salaried Management/Confidential employees to review and update its compensation and job classifications; and

WHEREAS: The Burke Group has presented its recommendations to the Tioga County Legislature for review; and

WHEREAS: The Tioga County Legislature agreed to accept the Burke Group's recommendation at the minimum level for the 21 titles that have been identified; therefore be it

RESOLVED: That the Tioga County Legislature accepts the Burke Group Classification and Compensation Study recommendations at the minimum level for the 21 identified titles; and be it further

RESOLVED: That the Chair of the Legislature authorizes the Budget Officer to incorporate these new salaries into the 2023 County Budget.

REFERRED TO: FINANCE COMMITTEE
HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. -22 AMEND BUDGET & TRANSFER OF FUNDS

WHEREAS: The cost of Community College has increased, along with an increase of enrollment numbers; 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 2022; and

WHEREAS: The Budget Office identified available funding in the Public Health Handicapped Education account; and

WHEREAS: Tioga County Public Health agrees with transferring the available funds to the Community College account; and

WHEREAS: Tioga County Public Health appears to have the funds available at this time, may need additional funds to cover late in year invoices of 2022 services to be paid in 2023; and

WHEREAS: Budget Amendments and Transfer of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

FROM: A2960.540590	Handicapped Ed: Services Rendered	\$450,000
TO: A2490.540487	Community College Tuition	\$450,000

And be it further

RESOLVED: That the appropriated revenue in A2960.434600 be reduced by \$450,000; and be it further

RESOLVED: That in the event additional funds are needed by Tioga County Public Health to cover end of year invoices, Budget Officer is authorized to transfer funds as needed from the County Contingency Account.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AMEND 2022 BUDGET & TRANSFER FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County has need for chairs at the Ronald E. Dougherty County Office Building (RDCOB); and

WHEREAS: TCPH has discussed and agreed with both the Commissioner of Public Works and the Chair of the Legislature, a plan to purchase new chairs and transfer their current chairs to RDCOB; and

WHEREAS: TCPH has funding that will partially reimburse the cost of new chairs if purchased by and for TCPH: and

WHEREAS: TCPH has funds available for this purchase in their 2022 budget, yet requires transfer to appropriate budget lines; and

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

RESOLVED: That funding be transferred and appropriated as follows:

From: A4011 540640	Public Health: Supplies	\$ 2,000
A4044 540487	Public Health: Program Expense	\$ 4,000

To: A4011 520070	Public Health: Equipment/Chairs	\$ 6,000
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REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR PICKUP TRUCK
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a pickup truck within the 2022 Capital Budget; and

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

WHEREAS: Cost savings was achieved in another 2022 Capital Budget line and Legislative approval is needed to authorize all Capital Reserve expenses; 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: H5130.520918	Flail Mower	\$10,000.00
To: H1620.520917	3/4 Ton 4X4 Pickup	\$10,000.00

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AMEND CAPITAL BUDGET AND
TRANSFER FUNDS FOR HEAVY
EQUIPMENT LIFTS
PUBLIC WORKS

WHEREAS: The Commissioner of Public Works has identified a need for 2 additional lifts for the heavy equipment garage; and

WHEREAS: The Commissioner of Public Works has received a quote for the 2 additional lifts and there are insufficient funds for this purchase in the current budget; and

WHEREAS: Cost savings was achieved in another 2022 Capital Budget line and Legislative approval is needed to authorize all Capital Reserve expenses; 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: H5130.520918	Flail Mower	\$35,000.00
To: H5130.521902	Auto Shop Equipment/Reno	\$35,000.00

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 TRANSFER FUNDS SELF-INSURANCE PLAN

WHEREAS: In 2021 the Tioga County Self-Insurance Plan agreed to settle a claim after the 2022 budget process was complete; and

WHEREAS: The Section 32 settlement was approved by the NYS Workers' Compensation Board in January 2022 and paid out of the Tioga County Self-Insurance Plan's compensation awards budget line on January 24, 2022; and

WHEREAS: The Tioga County Self-Insurance Plan has biweekly indemnity payments on other workers' compensation claims that must be paid for the remainder of 2022; and

WHEREAS: The account used to pay compensation awards only has a balance of \$5,289.80; therefore be it

RESOLVED: That the following sums be transferred:

From: Workers' Compensation Account S1722.40 (540270)	\$49,629.00
To: Workers' Compensation Account S1720.40 (540101)	\$49,629.00

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. - 22 REQUEST TRANSFER OF CONTINGENCY FUNDS
MODIFY 2022 BUDGET
ASSIGNED COUNSEL

WHEREAS: The Assigned Counsel budget has had a high number of large vouchers for 2022 and the Assigned Counsel account will not have sufficient funds for the remainder of 2022; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account to accommodate the increase in costs for 2022; therefore be it

RESOLVED: That the Tioga County Legislature authorize a transfer as follows:

From: A1990 540715 Contingency Account	\$50,000
To: A1172 540030 Assigned Counsel	\$50,000

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 APPROPRIATION OF FUNDS
2022-2023 NYS STOP DWI
HIGH VISIBILITY ENGAGEMENT GRANT
STOP DWI

WHEREAS: The NYS STOP-DWI Foundation Board has awarded a High Visibility Engagement grant of \$17,500 to Tioga County STOP-DWI; and

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

RESOLVED: That the 2022-2023 NYS STOP DWI High Visibility Engagement grant be appropriated as follows:

FROM: A3315-445890-CRK22 Federal Aid-Other Transp NPSP \$17,500

TO: A3315-540590-CRK22 Services Rendered-STOP DWI \$17,500

And be it further

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 APPROPRIATION OF FUNDS
2022 HOMELAND SECURITY GRANT (SHSP)
MODIFY 2022 BUDGET
OFFICE OF EMERGENCY SERVICES
SHERIFF'S OFFICE

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has been awarded a grant of \$59,750 to the Tioga County Office of Emergency Management; and

WHEREAS: 70% (\$41,825) of said grant will be appropriated to Emergency Management and 30% (\$17,925) will be appropriated to the Sheriff's Office; and

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

RESOLVED: That the 2022 NYS Homeland Security grant be appropriated as follows:

FROM: A3360.443050 SHS22 Federal Aid – Civil Defense	\$41,825
TO: A3360.540140 SHS22 Homeland Security Grant–Contracting Services	\$24,000
H3360.521060 SHS22 Car & Computer Equipment	\$17,825

And

FROM: A3361.443050 SHS22 Federal Aid – Civil Defense	\$17,925
TO: A3361.520130 SHS22 Homeland Security Grant–Equipment (not Car)	\$17,925

And be it further

RESOLVED: That the 2022 Emergency Management budget and the Sheriff's Office budget be modified to reflect the above changes and that appropriation be re-established for the remaining unspent balance as of year end until the project is complete.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 APPROPRIATION OF FUNDS
MODIFY 2022 BUDGET
SENATOR'S GRANT 2010 REFUND
OFFICE OF EMERGENCY SERVICES

WHEREAS: The NYS Senator's Grant awarded \$15,000 to the Office of Emergency Services and was used to purchase tables and chairs for the Sheriff's Multi-Purpose Room; and

WHEREAS: The tables became defective after one year and were unable to be replaced as they were discontinued; and

WHEREAS: The vendor refunded \$2,000 to the Office of Emergency Services for repairs of said tables and the NYS Senator's Grant fiscal office said we were not obligated to return such monies as the grant obligations were satisfied; and

WHEREAS: The Chief Accountant requested a resolution be done to request that the \$2,000 refund be appropriated and the 2022 budget be modified; therefore be it

RESOLVED: That the \$2,000 be appropriated as follows:

FROM: A3410-427010-SEN10 Refund of Prior Year	\$2,000
TO: A3410-520130 Equipment not Car	\$2,000

And be it further

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. - 22 APPROPRIATION OF FUNDS AND
AMEND 2022 BUDGET
SOCIAL SERVICES

WHEREAS: Resolution 103-22 appropriated a Pandemic Emergency Assistance Fund (PEAF) allocation the Tioga County Department of Social Services received to provide financial assistance for the cost of diapers for children under the age of three, to provide food assistance to multi-generational households with older family members, and to provide financial assistance to victims of domestic violence and their families in paying reasonable costs associated with relocation; and

WHEREAS: The actual funds distributed exceeded the appropriated amount of \$145,580; and

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

RESOLVED: That funding be appropriated as follows:

From: A6109.446090 Federal Aid: Family Assistance	\$ 32,690
To: A6109.540487 Family Assistance Program Expense	\$ 32,690

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 APPOINTMENT OF DEMOCRATIC
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That James Wahls be and hereby is appointed Election Commissioner for the Democratic Party from January 1, 2023 through December 31, 2024.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE APPOINTMENT OF
BENEFITS MANAGER TRAINEE
(PERSONNEL DEPARTMENT)

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

WHEREAS: Due to the announced retirement of the current Benefits Manager, Resolution 248-22 created the position of Benefits Manager Trainee; and

WHEREAS: The Personnel Officer has conducted a recruitment search and has identified a desirable candidate; therefore be it

RESOLVED: That the Personnel Officer is authorized to provisionally appoint Alexander Freyvogel to the title of Benefits Manager Trainee, pending successful completion of civil service examination requirements at an annual, Management/Confidential salary of \$48,168 effective November 21, 2022; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Freyvogel shall be eligible for any authorized 2023 Management/Confidential salary increase effective May 21, 2023, following a successful six-month evaluation.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE APPOINTMENT OF
CIVIL SERVICE ASSISTANT
(PERSONNEL DEPARTMENT)

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

WHEREAS: Due to promotion, the position of Civil Service Assistant became vacant as of September 12, 2022, within the Personnel Department; and

WHEREAS: The Personnel Officer has conducted a recruitment search and has identified a desirable candidate; therefore be it

RESOLVED: That Karen Weston is provisionally appointed to the title of Civil Service Assistant, pending successful completion of civil service examination requirements, at an annual, Management/Confidential salary of \$31,930.00 effective November 21, 2022; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits Policy, Ms. Weston shall be eligible for any authorized 2023 Management/Confidential salary increase effective May 21, 2023, following a successful six-month evaluation.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE APPOINTMENT OF
DIRECTOR OF REAL PROPERTY TAX SERVICES

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

WHEREAS: Resolution 125-22 authorized the creation and filling of a temporary Acting County Director of Real Property Tax Services for a duration not to exceed December 31, 2022 at an annual salary of \$65,000; and

WHEREAS: Resolution 125-22 also resolved that following the qualification review by the NYS ORPTS and no later than December 2022, Steven Palinosky shall be further considered for appointment to the title of County Director of Real Property Tax Services; and

WHEREAS: NYS ORPTS concluded their qualification review and determined Steven Palinosky meets the minimum qualification standards for County Director, as documented in a letter to the Chair of the Legislature dated November 7, 2022; and

WHEREAS: The County Legislature would like to appoint Mr. Palinosky as the Director of Real Property Tax Services for a six-year term; therefore be it

RESOLVED: That Steven Palinosky is hereby appointed as Director of Real Property Tax Services to fill the current six-year term cycle effective November 16, 2022 through September 30, 2025, and the temporary Acting Director of Real Property Tax Services will be abolished effective November 16, 2022; and be it further

RESOLVED: That Mr. Palinosky may receive an increase after 6 months contingent upon a satisfactory evaluation, per the Management/Confidential benefits policy.

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE APPOINTMENT TO
TITLE OF ASSISTANT PUBLIC DEFENDER
PUBLIC DEFENDER'S OFFICE

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

WHEREAS: The position of Assistant Public Defender (PT) became vacant on October 14th, 2022; and

WHEREAS: 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 Kristin Riddell to the title of Assistant Public Defender on a part-time basis at an annual Management/Confidential salary of \$37,139, effective November 21, 2022; and be it further

RESOLVED: That Ms. Riddell may receive an increase after 6 months contingent upon a satisfactory evaluation, per the Management/Confidential benefits policy.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE PART-TIME
ASSISTANT FIRE COORDINATOR AND
INCREASE HOURS OF DEPUTY DIRECTOR
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Tioga County Office of Emergency Services has identified a need to increase the hours of Deputy Director of Emergency Services, and a need to create a part-time Assistant Fire Coordinator position due to the reassignment of current staff and department needs; and

WHEREAS: The additional funds were allocated in the 2023 Budget; and

WHEREAS: The Emergency Services Director has identified a qualified candidate who has been found to meet the minimum qualifications of the part-time Assistant Fire Coordinator title; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation of one, part-time Assistant Fire Coordinator, to be filled by Robert P. Williams, effective January 1, 2023, at an annual Management/Confidential salary of \$5,434.00; and be it further

RESOLVED: That the Deputy Director of Emergency Services position be increased to a full-time position at an annual Management/Confidential salary of \$60,000, effective January 1, 2023.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. - 22 AUTHORIZE SALARY INCREASE
PERSONNEL AND CIVIL SERVICE DEPARTMENT

WHEREAS: Legislative approval is required for Management/Confidential midyear salary adjustments; and

WHEREAS: On September 10th, 2022, the Civil Service Administrator retired; and

WHEREAS: On September 12th, 2022, the position of Civil Service Administrator was abolished; and

WHEREAS: The Personnel Officer accordingly has redistributed the technical aspects of the Civil Service Program workload to Nancy Henry, Civil Service Technician; and

WHEREAS: The Personnel Officer would like to compensate Nancy Henry for taking on additional duties; therefore be it

RESOLVED: That Nancy Henry, Civil Service Technician, shall receive a salary increase of \$3,370 retroactive to September 12, 2022, increasing her 2022 salary to \$47,878, bringing the salary to the top of 2022 salary range.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE SALARY INCREASE FOR
ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Legislature annually appoints an Administrative Coroner and since January 1, 2010 this position has been held by Coroner W. Stewart Bennett; and

WHEREAS: The Administrative Coroner is responsible for performing supervisory duties of budget management, accounts payable, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner has been instrumental in working closely with the contracted pathologists and local physicians to control additional costs to the County; and

WHEREAS: The number of cases continues to increase with the Administrative Coroner handling a majority of them, therefore, increasing the time needed to complete the State's newly imposed reporting requirements; and

WHEREAS: The Administrative Coroner is respectfully requesting an additional increase of \$5,000 to the already established \$5,000 stipend in the County budget to offset the time required for the additional caseload and workload; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Administrative Coroner be given an annual stipend of \$10,000 effective January 1, 2023 to be paid out of A1185.510050.

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE SALARY ADJUSTMENT FOR
ECONOMIC DEVELOPMENT & PLANNING

WHEREAS: Brittany Woodburn's hire date was December 28, 2015 as an Economic Development Specialist at the base salary range rate of \$39,779; and

WHEREAS: Brittany Woodburn was promoted to Deputy Director of Economic Development and Planning in March of 2019 with a corresponding increase to annual salary to \$54,943; and

WHEREAS: The approved salary range of the Deputy Director of Economic Development and Planning is defined as \$54,144-\$64,199; and

WHEREAS: Brittany Woodburn's current salary is \$58,851; and

WHEREAS: Brittany Woodburn acts as the Project Manager for a large number of grants including the Village of Owego Downtown Revitalization Initiative, Restore NY projects in the Villages of Owego and Waverly, Community Development Block Grant Neighborhood Depot, Appalachian Regional Commission Workforce Development, New York Main Street programs in Owego and Candor, and others; and

WHEREAS: Brittany Woodburn accepted additional duties within her Economic Development and Planning Deputy Director responsibilities including direct oversight, training and mentoring of staff; and

WHEREAS: Brittany Woodburn has taken on additional responsibilities as part of the County approach to training and advancing internal candidates as identified in the 2018 Succession Planning; and

WHEREAS: The portion of the proposed 2022 salary increase would be covered under Economic Development budget and the proposed 2023 salary increase would be included in the 2023 County budget plan; therefore be it

RESOLVED: That due to the existing duties coupled with the increase in responsibilities taken on by Brittany Woodburn, the Tioga County Legislature agrees to adjust her annual salary to \$64,199 effective December 5, 2022.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. -22

AMEND EMPLOYEE HANDBOOK;
SECTION IV: PERSONNEL RULES –
SUBSECTION N. COUNTY HOURS OF OPERATION

WHEREAS: Court Annex security is provided by the State's Office of Court Administration from 8:30 a.m. – 4:30 p.m. and the building is open to the public during said time; and

WHEREAS: The County's current policy states County offices are open from 9:00 a.m. – 5:00 p.m., with the exception of the County offices located at Court Street who entrance hours to the public are 9:00 a.m. – 4:30 p.m.; therefore be it

RESOLVED: That Section IV: PERSONNEL RULES, Subsection N., County Hours of Operation be revised to read as follows:

County Offices are open 9:00 a.m. to 5:00 p.m., with the exception of the County Offices located in the Court Annex Building whose entrance hours to the public are 8:30 a.m. – 4:30 p.m.

And be it further

RESOLVED: That the remainder of the County Hours of Operation policy remains unchanged.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 AMEND EMPLOYEE HANDBOOK; SECTION X:
BUILDING AND VEHICLE PROCEDURES –
SUBSECTION C. ASSIGNMENT & USE OF
COUNTY VEHICLES

WHEREAS: Resolution 109-22 adopted on March 15, 2022 revised Section X: Building and Vehicle Procedures – Subsection C. Assignment & Use of County Vehicles; and

WHEREAS: Section V: POLICY, paragraphs F.1. and G.2. require further revision to include the vehicle assigned to the Director of Emergency Services; therefore be it

RESOLVED: That Section V: POLICY, paragraphs F.1. and G.2. be revised to read as follows:

F.1. The first two letters preceding the serial number will identify County departments (e.g., PW: Public Works; SH: Sheriff's Office; MH: Mental Hygiene; PH: Public Health; FC: Fire Coordinator; PR: Probation; SS: Social Services; TR: Treasurer; EPD and EPA: Economic Development & Planning and ES: Emergency Services).

G.2. Vehicles are assigned to the following individuals:

- a. Commissioner of Public Works
- b. Deputy Commissioner of Public Works
- c. Commissioner of Social Services
- d. Director of Public Health
- e. Sheriff
- f. Undersheriff
- g. Director of Emergency Services

And be it further

RESOLVED: That the remainder of the Building and Vehicle Procedures policy remains unchanged.