

Agenda



TIOGA COUNTY LEGISLATURE

3/9/2021

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: 3rd Regular

Attendees:
 Legislator Balliet
 Legislator Hollenbeck
 Legislator Monell
 Legislator Mullen
 Legislator Roberts
 Legislator Sauerbrey
 Legislator Standing
 Legislator Sullivan
 Legislator Weston

Agenda topics

Invocation	Legislator Standing
Pledge of Allegiance	Legislator Standing
Recognition Resolution (1)	Recognizing Frank S. Lopke posthumously
Proclamation (1)	Rabies Prevention & Awareness Month
Institute for Advancement Graduation	
STATE OF THE COUNTY ADDRESS	Chair Sauerbrey
Privilege of the Floor	

Approval of Minutes Petitions, Communications & Notices Appointments/Reappointments Reports Standing Committees	February 4, 9, 18, 2021	
RESOLUTIONS:	<ol style="list-style-type: none"> 1. Appoint Members Alternatives to Incarceration Advisory Board 2. Appoint Member to the Broome-Tioga Workforce Development Board 3. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 4. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 5. Re-Appoint Member to the Tioga County Local Development Corporation (TCLDC) 6. Set Public Hearing for Grant Application to NYS HCR OCR CDBG for 2020 Program Year 7. Authorize 2021 Requests for Inclusion of Lands in Agricultural Districts 8. Adopt Tioga County Pandemic Operations Plan 9. Requesting the Rescinding of the New York State Fiber Right-of-Way Fee 10. Authorize the Submission of the 2020-2021 PSAP Operations Grant 11. Authorize Increase in Administering Mortgage Tax by the Tioga County Clerk as Approved by New York State Department of Taxation and Finance 12. Erroneous Assessment Town of Tioga 13. Erroneous Assessment Town of Spencer 14. Erroneous Assessment Town of Barton 15. Transfer of Funds - Social Services 16. Appropriation of Funds and Amend 2021 Budget - Social Services 17. Resolution Apportioning Forfeiture of Crime Proceeds for Drug Enforcement Activities 18. Re-Establish Prior Year 2020 Capital for 2021 Budget for Fire/EMO 19. Re-Establish Prior Year 2020 Capital Equipment Funds Amend 2021 Budget – Sheriff's Office 20. Re-Establish Prior Year 2020 Capital Equipment Funds Amend 2021 Budget – Public Health 21. Re-Establish Prior Year 2020 Bucket Loader Budget 	

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| | <ul style="list-style-type: none">22. Approve Supplemental Agreement For West Creek Road Bridge - Construction Support and Inspection Services23. Authorize and Fund Microsoft SQL Server Database Licenses with Appropriation from Capital Software Reserve Account24. Amend Employee Handbook; Rules of the Legislature and Financial Rules – Fixed Assets25. Reappointment of County Historian26. Authorize Waiver of 90-Day Hiring Delay – Board of Elections27. Authorize Waiver of 90-Day Hiring Delay - Department of Social Services28. Authorize Waiver of 90-Day Hiring Delay and Approve Salary Above Hiring Base Deputy Sheriff Position – Sheriff's Office |
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REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -21 RECOGNITION RESOLUTION RECOGNIZING
FRANK S. LOPKE POSTHUMOUSLY

WHEREAS: Frank S. Lopke passed away on January 29, 2021; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Lopke for his long-standing accomplishments as a Tioga County businessman, life-long community member, and generous benefactor to countless people and organizations; and

WHEREAS: Mr. Lopke purchased his first dump truck, discovered his entrepreneurial spirit, and started on the path of many successful business ventures with his wife, Barbara. Over the years, Mr. Lopke added more trucks to his fleet and started his first company known as F.S. Lopke Contracting, Inc. Today, with a fleet of over 50 trucks, Mr. Lopke's company proudly serves customers across the area; and

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

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

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

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

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

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

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

**County of Tioga
EXECUTIVE PROCLAMATION**

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

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

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

WHEREAS: With animal vaccination, rabies is preventable; and

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

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

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

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

RABIES PREVENTION & AWARENESS MONTH

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

WHEREAS: The Broome-Tioga Workforce Development Board is requesting the new appointee represent the Private Sector, specifically the manufacturing field; and

WHEREAS: Robert Messler, Senior Vice President and General Manager for Voigt and Schweitzer Galvanizing LLC, has agreed to serve for a four-year term on the Broome-Tioga Workforce Development Board; therefore be it

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

REFERRED TO: ED&P COMMITTEE

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

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

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

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

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

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

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

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

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

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -21 ADOPT TIOGA COUNTY
PANDEMIC OPERATIONS PLAN

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

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

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

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

REFERRED TO: ED&P COMMITTEE
INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. -21 REQUESTING THE RESCINDING OF THE
NEW YORK STATE FIBER RIGHT-OF-WAY FEE

WHEREAS: The 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right-of-way and authorized the New York State Department of Transportation (NYSDOT) to enter fee-bearing permits with fiber optic installers; and

WHEREAS: In 2020 organizations, businesses, legislators, and residents of Tioga County became aware of the fee because NYSDOT started charging the fee; and

WHEREAS: In Tioga County it is virtually impossible to install fiber optic cables for any distance without utilizing or crossing a State right-of-way; and

WHEREAS: The coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so that rural residents may engage in everyday activities; and

WHEREAS: Governor Andrew M. Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition; and

WHEREAS: The Governor said, "Without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere, and in New York, we will make sure it is."; and

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

WHEREAS: Legislation has been introduced in the Legislature to repeal these counterproductive sections of law that prevent the expansion of affordable

broadband services in unserved and underserved communities across New York; therefore be it

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

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

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

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

WHEREAS: County Policy Section 9 (e) (former policy #47) requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Sheriff's Office had to submit an application for this funding by February 24, 2021; therefore be it

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

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

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

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

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

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -21 ERRONEOUS ASSESSMENT
TOWN OF TIOGA

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

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

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

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

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. -21 ERRONEOUS ASSESSMENT
TOWN OF SPENCER

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

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

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

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

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

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

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

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

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

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. -21

ERRONEOUS ASSESSMENT
TOWN OF BARTON

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

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

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

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

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

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

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

RESOLVED: That the erroneous returned school tax of \$933.09 be charged back to the Waverly School District; and it be further

RESOLVED: That the erroneous County Penalty of \$65.32 be charged back to the proper account in the records of the County Treasurer.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. - 21 TRANSFER OF FUNDS
SOCIAL SERVICES

WHEREAS: Resolution 55-21 re-established prior year funds in the amount of \$191,228 to account A6010.540487 Program Expense; and

WHEREAS: It was determined that the funds should have been re-established to A6123.540487 JD Program Expense; and

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

RESOLVED: That funding be transferred as follows:

From: A6010.540487 Program Expense	\$ 191,228.00
To: A6123.540487 JD Program Expense	\$ 191,228.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. - 21 APPROPRIATION OF FUNDS AND
AMEND 2021 BUDGET
SOCIAL SERVICES

WHEREAS: Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

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

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Administration	\$ 25,000
To: A6010.540487 Program Expense	\$ 10,000
To: A6010.540140 Contracting Expenses	\$ 15,000

REFERRED TO: FINANCE/LEGAL COMMITTEE

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

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

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

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

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

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

RESOLVED: That funding be appropriated as follows:

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

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

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

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

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

Capital Equipment

A3410 520215	Personal Protective Equipment	\$ 6,000.00
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REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
SHERIFF'S OFFICE

WHEREAS: Police vehicles were ordered in 2020 for the Sheriff's Office utilizing 2020 budgeted monies. Due to COVID production delays, the vehicles will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$64,040.62 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H3110 521060 be re-established with 2020 money in the amount of \$64,040.62 and the 2021 budget be increased accordingly.

H3110 521060	Capital Equipment Cars	\$64,040.62
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REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -21 RE-ESTABLISH PRIOR YEAR 2020
CAPITAL EQUIPMENT FUNDS
AMEND 2021 BUDGET
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) ordered a vehicle in 2020 for TCPH utilizing 2020 budgeted monies. Due to COVID production delays, the vehicle will not be received prior to the closing of the budget year 2020; and

WHEREAS: 2020 Capital Equipment funds need to be re-established in the amount of \$18,000.61 and the 2021 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Cars account H4011 520060 be re-established with 2020 money in the amount of \$18,000.61 and the 2021 budget be increased accordingly.

H4011 520060 Capital Equipment Cars	\$18,000.61
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REFERRED TO:

PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -21

RE-ESTABLISH PRIOR YEAR 2020
BUCKET LOADER BUDGET

WHEREAS: Prior Year Projects Fund needs to be re-established for the remaining unspent balance as of year-end 2020 for purchase or completion in 2021; therefore be it

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

<u>Capital Equipment</u>	<u>Amount to Re-Establish</u>
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H5130 521920 Bucket Loader

\$ 7,046.05

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -21 APPROVE SUPPLEMENTAL AGREEMENT
FOR WEST CREEK ROAD BRIDGE –
CONSTRUCTION SUPPORT AND
INSPECTION SERVICES

WHEREAS: Tioga County was awarded funding through NYSDOT 2018 Bridge NY program for a bridge project, West Creek Road over West Branch Owego Creek, BIN 3335200; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 27-19; and

WHEREAS: There is a need for Construction Support and Inspection Services to provide Engineering Services for the project; and

WHEREAS: Delta Engineers, Endwell, NY has submitted a supplemental agreement proposal of \$162,172.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support and Inspection Services not to exceed an extra \$162,172.00, for a new total of \$396,191.00 to be paid out of the following account:

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. -21 AUTHORIZE AND FUND MICROSOFT SQL
SERVER DATABASE LICENSES WITH
APPROPRIATION FROM CAPITAL SOFTWARE
RESERVE ACCOUNT

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: The County utilizes Microsoft SQL software for critical daily operations; and

WHEREAS: The ITCS Director has evaluated the current Microsoft licensing needs; and

WHEREAS: A need to purchase new versions of Microsoft SQL database software for use on servers for the County's core financial application, County Clerk records system, Board of Elections software and GIS server have been identified due to recent system upgrades; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$12,379.04 to Dell, the holder of the Microsoft NYS OGS contract for software purchases from the Capital Software Reserve Fund for the purchase of Microsoft Windows SQL Server licenses; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund \$12,379.04

TO: H1680-520620 Information Technology Capital Software \$12,379.04

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. -21 AMEND EMPLOYEE HANDBOOK:
RULES OF THE LEGISLATURE AND
FINANCIAL RULES – FIXED ASSETS

WHEREAS: By Resolution No. 61-21 the Records Management and Fixed Asset Programs were moved from the Information Technology & Communication Services (ITCS) to the County Clerk's Office; and

WHEREAS: Several sections of the Employee Handbook need to be amended to reflect this change; and

WHEREAS: The Legislature is desirous of amending the Employee Handbook; therefore be it

RESOLVED: That the Employee Handbook shall be amended as follows:

1. Section I – Rules of the Legislature – Subsection 2 – Committees (11):

Administrative Services – The listing of Departments should include Records Management and Fixed Assets. The following statement should be ADDED:

(6) All matters pertaining to Records Management, including both current and archive records and physical asset inventory of County personal property.

Information Technology & Communications – The following statement should be REMOVED:

(3) All matters pertaining to Records Management, including both current and archive records and physical asset inventory of County personal property.

2. Section III – Financial Rules – Subsection c – Fixed Assets:

Amend all references to the IT Department to read County Clerk's Office.

And be it further

RESOLVED: That the remainder of the Employee Handbook is in full force and effect.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -21 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2021; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2021 until March 31, 2023.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. --21 AUTHORIZE WAIVER OF 90-DAY
HIRING DELAY- BOARD OF ELECTIONS

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

WHEREAS: The Board of Elections has had a part-time Voting Machine Technician position vacant since December 31, 2020, due to a resignation; and

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

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

RESOLVED: That the Democratic Election Commissioner is hereby granted a waiver from the 90-day hiring delay and is authorized to fill the part-time Voting Machine Technician vacancy with the appointment of Aicha Hatch effective March 10, 2021, at the established rate of \$20.00 per hour.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

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

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

WHEREAS: Effective January 19, 2021 and January 22, 2021, two Caseworker positions became vacant due to incumbent's resignations; and

WHEREAS: Said vacancies impact the CPS/Preventive unit in the Children's Services Division, therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill two Caseworker vacancies effective on or after March 10, 2021 from the appropriate civil service eligible list.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -21 AUTHORIZE WAIVER 90-DAY HIRING
DELAY AND APPROVE SALARY ABOVE
HIRING BASE DEPUTY SHERIFF POSITION
SHERIFF'S OFFICE

WHEREAS: Resolution 195-20 implemented the 90-day hiring delay for vacancies; and

WHEREAS: Effective February 13, 2021, a full-time Deputy Sheriff position became vacant due to a promotion; and

WHEREAS: In order to maintain adequate staffing levels for the Road Patrol Division, the Sheriff has an immediate need to backfill said position; and

WHEREAS: Michaela Marsh, a transfer candidate with over 10 years of law enforcement experience, has applied and has been found both eligible and willing to accept a transfer from the Ithaca Police Department to the Deputy Sheriff vacancy in Tioga County; and

WHEREAS: Resolution 211-99 requires legislative approval for any appointments made above an established base salary amount. The Sheriff has received approval from the Tioga County Law Enforcement Union to hire a new Deputy Sheriff, who has over 10 years of law enforcement experience, at an annual salary rate reflecting three years of experience per the current union contract, or \$61,290; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, full-time Deputy Sheriff position with Michaela Marsh at an annual salary of \$61,290 effective March 13, 2021.