


<p>Agenda</p> 	<p style="text-align: center;">TIOGA COUNTY LEGISLATURE</p> <p style="text-align: right;">7/12/2022 12:00 PM EDWARD D. HUBBARD AUDITORIUM Ronald E. Dougherty County Office Building 56 Main Street Owego NY 13827</p>	
<p>Meeting called by:</p>	<p>Chair Martha Sauerbrey</p>	
<p>Type of meeting:</p>	<p>7th Regular</p>	
<p>Attendees:</p>	<p>Legislator Brown Legislator Ciotoli Legislator Hollenbeck Legislator Monell Legislator Mullen Legislator Roberts Legislator Sauerbrey Legislator Standinger Legislator Weston</p>	
<p>Agenda topics</p>		
<p>Invocation Pledge of Allegiance Recognition Resolution (1) Proclamation (1) Privilege of the Floor Approval of Minutes Petitions, Communications & Notices</p>	<p>Legislator Roberts Legislator Roberts Jodi Sampey, Mental Hygiene Lyme Disease Awareness Month June 14 and 23, 2022</p>	

Appointments/Reappointments Reports Standing Committees		
RESOLUTIONS:	<ol style="list-style-type: none"> 1. Appoint At Large Board Member to the Tioga County Property Development Corporation Board 2. SEQRA Consideration for New York State Office of Parks, Recreation and Historic Preservation 2022-2023 Snowmobile Trails Grant-In-Aid Program, Phase II Application 3. Apply to the New York State Vehicle Infrastructure Grant for Municipalities 4. Filing of an Application for Designation Grant from NYSERDA Clean Communities Program 5. Authorize Acceptance of CDBG-CV CARES Act Grant Award for Racker Nonprofit Hub 6. Authorize Contract with United Health Care (UHC) for Retiree Medicare Advantage Plan/Medicare Part D Prescription Drug Coverage through Broome County Purchasing Alliance (BCPA) 7. Authorize Contract with the Burke Group for Compensation and Classification Study Services 8. Award Bid for Parking Lot at Public Safety 9. Authorize the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program-Aid Eligible Costs of a Transportation Federal-Aid Project and Appropriating Funds 10. Authorize Purchase of Former Town of Owego Highway Garage 11. Authorize Disbursement of HUD CDBG Revolving Loan Funds to Tioga County Industrial Development Agency (TCIDA) for Labrador Lumber 12. Authorize Grant Renewal Appropriation of Funds Mental Hygiene and Amend 2022 Budget 13. Approve Funding 2022 Youth Bureau Program Funding 14. Appropriation of Funds and Amend 2022 Budget – Social Services 15. Amend Budget and Appropriate Funds - Public Health 16. Amend 2022 Budget Appropriation of Funds American Rescue Plan Act Budget Office Request 2022-004 	

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| | <ol style="list-style-type: none">17. Amend Resolution #194-22 Modify 2022 Budget and Appropriation of Funds Reserve for E911- Office of Emergency Services18. Apportioning Forfeiture of Crime Proceeds for Drug Enforcement Activities19. Authorize Out of Title Pay – Public Works Department20. Authorize Continuance of Out of Title Pay – Public Works Department21. Resolution to Declare Work Day Status for Elected and Appointed Officials |
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REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -22 RECOGNITION OF JODI SAMPEY'S
OVER 23 YEARS OF DEDICATED SERVICE
TO THE TIOGA COUNTY DEPARTMENT
OF MENTAL HYGIENE

WHEREAS: Jodi Sampey was hired as a Clinical Social Worker on April 5, 1999, promoted to Senior Clinical Social Worker on February 14, 2022, and promoted to Supervising Clinical Social Worker on October 7, 2008 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Jodi Sampey has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during her years of service to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Sampey will retire on July 31, 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 Jodi Sampey for her 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, Jodi Sampey.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Public Health reminds you that as the weather gets warmer, increased outdoor activities begin taking place where ticks can be found, such as tall grass, bushes, and leaf piles; and

WHEREAS: The Black-legged tick, also known as a Deer tick, carries the bacteria *Borrelia Burgdorferi* that causes Lyme disease; and

WHEREAS: Lyme disease can be spread to humans and other mammals as ticks feed off their blood, with an increased risk of the bacteria being spread after feeding for 48 hours; and

WHEREAS: In 2021, tick-borne illnesses were the third highest reported communicable diseases in Tioga County, behind COVID-19 and sexually transmitted diseases; and

WHEREAS: Preventing Lyme disease can be done by wearing insect repellent, covering up when outdoors, showering soon after coming inside, and completing daily tick checks on yourself and your pets; and

WHEREAS: By knowing the signs of Lyme disease, treatment can be started early to avoid long-term complications of Lyme disease; and

WHEREAS: The residents of Tioga County can recognize the threat that Lyme disease has to them and their family; therefore

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

LYME DISEASE AWARENESS MONTH

and urges all residents to take steps to protect themselves, their families, and pets from Lyme disease and to take immediate action if Lyme disease is suspected.

Dated: July 12, 2022

MARTHA SAUERBREY, CHAIR
TIOGA COUNTY LEGISLATURE

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 APPOINT AT LARGE BOARD MEMBER TO THE
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: Christina Brown resigned from the Tioga County Property Development Corporation Board (TCPDC) effective April 21, 2022; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that the board member be, a public officer of a municipality within Tioga County, a member of a County Agency, or an At Large individual; and

WHEREAS: Sara Zubalsky-Peer has expressed a desire and is willing and able to serve on the TCPDC as an At Large Board Member; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Sara Zubalsky-Peer as an At Large Board Member to the Tioga County Property Development Corporation to fill Christina Brown's unexpired term of January 1, 2022 – December 31, 2024, effective July 12, 2022.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2022-2023 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to all trails in Tioga County, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 APPLY TO THE NEW YORK STATE
VEHICLE INFRASTRUCTURE GRANT
FOR MUNICIPALITIES

WHEREAS: The State of New York announced a funding opportunity for municipalities to apply for the purchase and installation of electric vehicle (EV) supply equipment by way of the New York State Vehicle Infrastructure Grant; and

WHEREAS: The number of EV vehicles purchased is increasing in Tioga County as well as across the country; and

WHEREAS: It has been found EV charging stations can be a tourist draw; and

WHEREAS: Tioga County's courthouse parking lot has 70 spots that are rarely used and said parking lot is opened to the public; and

WHEREAS: Four (4) EV charging stations, two (2) Level 2 and two (2) Level 3 (Fast Charging), would provide ample stations for the area; therefore be it

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

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 FILING OF AN APPLICATION FOR DESIGNATION
GRANT FROM NYSERDA CLEAN COMMUNITIES
PROGRAM

WHEREAS: Tioga County recently completed four high-Impact actions under NYSERDA's Clean Energy Communities program; and

WHEREAS: Through this action, Tioga County Solid Waste is eligible for a Designation Grant in the amount of \$5,000; therefore be it

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

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the application.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -22 AUTHORIZE ACCEPTANCE OF CDBG-CV CARES
ACT GRANT AWARD FOR RACKER NONPROFIT
HUB

WHEREAS: The Tioga County Legislature authorized the CDBG-CV CARES grant application to NYS Office of Community Renewal for the Racker Nonprofit Hub in the amount of \$3,000,000 via Resolution 93-22; and

WHEREAS: NYS Office of Community Renewal announced said grant award to Tioga County on June 24, 2022; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said CDBG-CV CARES grant award in an amount of \$3,000,000, and authorizes the Chair of the County Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE CONTRACT WITH UNITED HEALTH CARE (UHC) FOR RETIREE MEDICARE ADVANTAGE PLAN/MEDICARE PART D PRESCRIPTION DRUG COVERAGE THROUGH BROOME COUNTY PURCHASING ALLIANCE (BCPA)

WHEREAS: Resolution 199-21 authorized a contract with United Health Care (UHC) through the Broome County Purchasing Alliance (BCPA) electing Plan 1 Medicare Advantage and Medicare Part D Prescription Drug Benefits for Tioga County Medicare eligible retirees and their eligible spouses for the period of January 1, 2022 through December 31, 2022; and

WHEREAS: UHC offered a three year rate guarantee for 2022 through 2024 through the BCPA but allows for opting out in any given year; and

WHEREAS: Tioga County has received positive feedback from retirees regarding the UHC Plan 1, and UHC provides a team that helps Tioga County with administration of the benefits; and

WHEREAS: UHC provided the 2023 renewal letter for the Medicare Advantage Plan 1 confirming that the 2023 rate will remain the same as current rate of \$260 per policy per month; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with United Health Care, subject to review by the County Attorney, continuing with Plan 1 Medicare Advantage and Medicare Part D Prescription Drug Benefits for Tioga County Medicare eligible retirees and their eligible spouses for the period of January 1, 2023 through December 31, 2023.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE CONTRACT WITH THE
BURKE GROUP FOR COMPENSATION AND
CLASSIFICATION STUDY SERVICES

WHEREAS: Tioga County issued a Request for Proposal (RFP) for the purpose of selecting a qualified firm to review and update its compensation and job classifications for all salaried Management/Confidential employees; and

WHEREAS: The selected firm is expected to perform analysis of current job classifications, salary, and benefits structure relative to comparable positions in comparable organizations as well as internal comparison; and

WHEREAS: Three companies submitted proposals which were reviewed and narrowed down to two companies; and

WHEREAS: The sub-committee recommends the Burke Group proposal for a cost not to exceed \$9000.00; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Burke Group, subject to review by the County Attorney, to conduct a Classification and Compensation Study for all salaried Management/Confidential employees; and be it further

RESOLVED: That the cost of this contract will be paid out of A1430.540140.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -22 AWARD BID FOR PARKING LOT
AT PUBLIC SAFETY

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: On June 14, 2022 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$184,245.00
Barrett Paving, Binghamton NY	\$189,100.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$184,245.00 to be paid out of the Paving Projects Account H1620.521914.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -22

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

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program Phase 8 (FFY 2022), PIN 9754.57 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

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

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

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

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

RESOLVED: That the sum of \$285,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the

advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED: This Resolution shall take effect immediately.

REFERRED TO:

PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22

AUTHORIZE PURCHASE OF FORMER TOWN OF
OWEGO HIGHWAY GARAGE

WHEREAS: Tioga County Department of Public Works is in need of a facility to wash vehicles and equipment to prolong their service life; and

WHEREAS: The building of a new structure solely for this purpose is cost prohibitive; and

WHEREAS: The Town of Owego Highway Department has moved into a newly constructed facility; and

WHEREAS: The former Town of Owego garage will serve the needs of the Tioga County Department of Public Works; and

WHEREAS: The Tioga County Legislature has granted the utilization of American Recovery Plan Act (ARPA) Funds for the sum of \$200,000 to cover the purchase of the vacated Town of Owego Highway Facility under the ARPA Provision of Governmental Services; therefore be it

RESOLVED: That the Legislature authorizes the purchase of the vacated Town of Owego Highway Facility for the sum of \$200,000.00 to be paid out of H1620 520994 M7674.

To: H1620 520994 M7674 ARPA Building Construction \$200,000.00

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AUTHORIZE DISBURSEMENT OF HUD CDBG
REVOLVING LOAN FUNDS TO
TIOGA COUNTY INDUSTRIAL DEVELOPMENT
AGENCY (TCIDA) FOR LABRADOR LUMBER

WHEREAS: Tioga County and the Tioga County Industrial Development Agency (TCIDA) entered into a Small Cities Community Development Block Grant Program Subrecipient Agreement for a revolving loan program funded by the settlement proceeds with Howland Brothers Co., Inc. and others; and

WHEREAS: The Legislature needs to authorize the Treasurer to disburse funds from the settlement account to the TCIDA prior to each and every disbursing of loan proceeds; and

WHEREAS: The TCIDA has certified to Tioga County that the loan applicant, Labrador Lumber, has satisfied all of the requirements which are conditions precedent to the execution of loan documents and the disbursement of loan proceeds in the sum of \$400,000; and

WHEREAS: The Department of Economic Development and Planning has reviewed and approved the certification and the required checklist of conditions precedent to execution of loan documents and disbursement of funds in the sum of \$400,000; therefore be it

RESOLVED: The Legislature authorizes the Treasurer to disburse the sum of \$400,000 from the HUD CDBG account to the TCIDA to be loaned to Labrador Lumber and utilized according to the Small Cities Community Development Block Grant Program Subrecipient Agreement, contingent upon concurrence by the Tioga County Industrial Development Agency Loan Committee and Tioga County Industrial Development Agency Board; and also resolved that the funds be appropriated and the 2022 Budget be modified as follows:

2022 Budget Modification:

Revenue-CE8668-421700-CE004 Community Development Income (Labrador Lumber) \$400,000.00

Expense-CE8668-540487-CE004 Program Expense (Labrador Lumber) \$400,000.00

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AUTHORIZE GRANT RENEWAL
APPROPRIATION OF FUNDS MENTAL HYGIENE AND
AMEND 2022 BUDGET

WHEREAS: The Office of National Drug Control Policy (ONDCP) and the Centers for Disease Control and Prevention (CDC) have partnered in an effort to reduce substance abuse among youth; and

WHEREAS: Tioga County Mental Hygiene needs authorization to receive Federal Funding for the Comprehensive Addiction and Recovery Act (CARA) Grant in partnership with Trinity CASA, Tioga County Alcohol and Substance Abuse Prevention (TC ASAP) Community Coalition; and

WHEREAS: Tioga County Mental Hygiene was awarded said grant in 2021 and are awarded annually from 07/01/2021 through 06/30/2026; and

WHEREAS: The said funds need to be appropriated annually; and

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

WHEREAS: Appropriation of Funds requires Legislative approval; and

WHEREAS: Per grant award letter, unspent prior grant period funding (07/01/2021 – 06/30/2022) be expunged from the 2022 budget; therefore be it

RESOLVED: That the grant funds be appropriated and the 2022 budget be amended as follows:

From: A4213.444863.CARA	Federal Aid CARA Grant	\$ 50,000
To: A4213.540590.CARA	Services Rendered	\$ 50,000

And be it further

RESOLVED: That available funds on 12/31/22 of the original \$50,000 will be carried forward into the New Year 2023.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. -22 APPROVE FUNDING
2022 YOUTH BUREAU PROGRAM FUNDING

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

WHEREAS: The Tioga County Youth Board has reviewed 2022 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2022 be approved by the Tioga County Legislature in the amounts indicated:

Cornell Cooperative Extension 4H Summer Youth Enrichment	\$ 7,330
Northern Tioga Joint Summer Rec Program	\$ 4,400
Cornell Cooperative Extension Family Resource Center	\$ 6,400
Spencer Van-Etten Schools PAVE	\$ 1,500
Village of Waverly Summer Rec	\$ 5,000
Kali's Klub House 7 Keys to Success	\$ 4,200
Town of Owego Waterman Rec Camp	\$ 4,400
Catholic Charities YESS Program	\$ 3,900
Lions Camp Badger	\$ 5,000
Waverly Central School District Summer of Exploration	\$ 4,370
Required Youth Bureau Dues	\$ 100
Total Regular Allocation	\$46,600
Tioga County Boys & Girls Club – Youth Sports & Education Funds	\$ 6,653
GRAND TOTAL	\$53,253

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

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

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

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

RESOLVED: That funding be appropriated as follows:

From: A6010.436100 State Aid: Social Services Admin \$ 124,850

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

And be it further

RESOLVED: That available funds on 12/31/22 of the original \$124,850 will be carried forward into the New Year.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from NYSDOH; and

WHEREAS: The funding is specifically designated for Public Health efforts toward COVID-19 in Tioga County; and

WHEREAS: The budget accounts will utilize Munis project codes for county-wide reporting of COVID-19 expenses and revenues; and

WHEREAS: Funds may require future transfers to more appropriate budget lines based upon modifications and approvals from NYS & CDC; and

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

RESOLVED: That the Legislature authorizes the Budget Officer to make necessary account transfers as required for these funds, per future modifications approvals from NYS; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4011 434011-COV19 Public Health: State Aid/COVID19 \$326,535

To: A4011 540487-COV19 Public Health: Supplies/COVID19 \$326,535

And be it further

RESOLVED: That available funds on 12/31/22 of the original \$326,535 will be carried forward into the New Year.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 AMEND 2022 BUDGET
 APPROPRIATION OF FUNDS
 AMERICAN RESCUE PLAN ACT
 BUDGET OFFICE REQUEST 2022-004

WHEREAS: On March 11th, 2021 the State and Local Coronavirus Fiscal Recovery Fund legislation, part of the American Rescue Plan Act, hereinafter referred to as ARPA, was signed into law, awarding Tioga County \$9,362,868 in fiscal recovery funds, half of the funds were received in 2021, and the other half are to be received in 2022; and

WHEREAS: On May 10th, 2021 the U.S. Department of Treasury released guidance as to how the fiscal recovery funds are to be spent in the response effort against the COVID-19 pandemic including support of the public health response, replacement of public sector revenue losses, and water & sewer infrastructure; and

WHEREAS: The Tioga County Legislature has identified internal departments and external agencies that would greatly benefit from the provision of the ARPA funds, that also meet the treasury’s guidelines for use and provide the greatest benefit to Tioga County residents; and

WHEREAS: Upon the successful receipt and review of the One Time ARPA request form(s), both the Legislative Chair and the ARPA Fund Administrator have granted their approval of the form, and have submitted the request to the Tioga County Legislature for final review and approval; and

WHEREAS: Amending of the 2022 Budget and appropriation of Fiscal Recovery Funds require Legislative Approval; therefore be it

RESOLVED: That the 2022 Budget be amended, and funds be appropriated as follows:

TO: **A1325 540429 M7674 Outside Support** \$400,000.00
 VID: 58 Racker
 ARPA Category: 6.10 Provision of Governmental Services
 Funds for Disaster Recovery Center

TO: **A1680 540140 M7674 Contracted Services ARPA** \$ 71,260.00
 VID: 5683 Southern Tier Network
 ARPA Category: 6.10 Provision of Governmental Services
 Tioga County Broadband Upgrade

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. -22 AMEND RESOLUTION # 194-22
MODIFY 2022 BUDGET AND
APPROPRIATION OF FUNDS
RESERVE FOR E911
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution #194-22 modified the 2022 budget for the Office of Emergency Services in the amount of \$50,000 from the Reserve for E911 account; and

WHEREAS: Due to the Computer Aided Dispatch (CAD) upgrade in the E911 Center, it is necessary to replace the outdated laptop accessories, so they work effectively with the new system; and

WHEREAS: The Director of Emergency Services would like to request additional funds in the amount of \$35,000 from the Reserve for E911 account to purchase the laptop accessories because they are not compatible with the new laptops; therefore be it

RESOLVED: That Resolution #194-22 be amended to appropriate a total of \$85,000 from the Reserve for E911 as follows:

FROM:
A388903 Reserve for E911 \$85,000

TO:
A3021.520130 Equipment (not car) \$85,000

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 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: Tioga County has received \$21,850.00 from a drug forfeiture case; and

WHEREAS: It is agreed the funds shall be divided between the agencies involved in the investigation in accordance with Section 1349 of the Civil Practice Laws and Rules; and

WHEREAS: Distribution details are as follows:

Tioga County Sheriff's Department (Restitution of money expended to purchase controlled substances)	\$ 200.00
Tioga County District Attorney's Office (15%)	\$3,247.50
Tioga County Sheriff's Department (5%)	\$1,082.50
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$6,928.00
Tioga County Sheriff's Department (75%)	\$7,794.00
Tioga County District Attorney's Office (25%)	<u>\$2,598.00</u>
	<u>\$21,850.00</u>

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	\$ 3,247.50
	A1165-426260	Forfeiture of Crime Proceeds Restricted	\$ 9,526.00
	A3110-426250	Forfeiture of Crime Proceeds	\$ 1,282.50
	A3110-426260	Forfeiture of Crime Proceeds Restricted	\$ 7,794.00
TO:	A1165-540335	Asset Forfeiture Expense	\$ 3,247.50
	A1165-540336	Asset Forfeiture Expense-Restricted	\$ 9,526.00
	A3110-540335	Asset Forfeiture Expense	\$ 1,282.50
	A3110-540336	Asset Forfeiture Expense-Restricted	\$ 7,794.00

REFERRED TO:

PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22

AUTHORIZE OUT OF TITLE PAY
PUBLIC WORKS DEPARTMENT

WHEREAS: In accordance with the CSEA collective bargaining agreement Article 4, Section E, Legislative approval is required to authorize out of title pay; and

WHEREAS: Due to numerous absences within the Road Machinery Department there was a need for coverage within this department; and

WHEREAS: The Commissioner of Public Works assigned Automotive Mechanic II (CSEA SG 4) duties to Robert Pipher, Motor Equipment Operator I (CSEA SG 8) from February 28, 2022 through May 10, 2022 for a total of 196.5 hours, beyond 20 calendar days; therefore be it

RESOLVED: That the Legislature authorizes out-of-title pay for Robert Pipher, which is reflective of a retroactive hourly rate increase of \$3.01/hour for 196.5 hours, a total of \$591.47.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. -22 AUTHORIZE CONTINUANCE OF
OUT OF TITLE PAY
PUBLIC WORKS DEPARTMENT

WHEREAS: In accordance with the CSEA collective bargaining agreement Article 4, Section E, Legislative approval is required to authorize out of title pay; and

WHEREAS: Due to the needs of the department, the Commissioner of Public Works assigned Mechanic Working Supervisor duties to Derek Grier, Automotive Mechanic II (CSEA SG 4), as of March 10, 2022; and

WHEREAS: Out-of-title pay was granted for the period of March 10, 2022 through June 18, 2022 per Resolution #158-22; and

WHEREAS: Due to a retirement, the work of the Mechanic Working Supervisor (CSEA SG 1) position would not be done by the incumbent after June 18, 2022; and

WHEREAS: The Commissioner of Public Works will have an ongoing need to continue having Grier perform out-of-title work beyond June 18, 2022; and

WHEREAS: The position of Mechanic Working Supervisor is expected to be filled on July 9, 2022; therefore be it

RESOLVED: That the Legislature authorizes out-of-title pay for Derek Grier, which is reflective of a retroactive hourly rate increase of \$4.93/hour effective June 19, 2022; and be it further

RESOLVED: That said out-of-title pay shall continue through July 8, 2022.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. -22 RESOLUTION TO DECLARE WORK DAY
STATUS FOR ELECTED AND APPOINTED
OFFICIALS

WHEREAS: Resolutions 206-09, 127-16, 230-17, 30-18, 59-18, 308-19, and 160-19 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: Resolution 201-22 increased the full-time Director of Veterans' Service Agency from 35 hours per week to 40 hours per week effective June 18, 2022; therefore be it

RESOLVED: That effective June 18, 2022 the Tioga County Legislature hereby changes the standard work day for the Veterans' Service Agency for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, eight hour day: Director of Veterans' Service Agency
Veterans' Service Officer