

*Fourth Regular Meeting*  
April 13, 2021

The Fourth Regular Meeting of 2021 was held on April 13, 2021 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present with Legislator Roberts being absent.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we ask for your blessings to continue doing the work on behalf of our County's residents. Please bless them and help them as they struggle through the COVID-19 situation and the aftermath."

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

There were 12 people in attendance.

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

Legislator Balliet read and presented the following resolution to Linda M. Bogart, Recording Clerk, County Clerk's Office.

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

REFERRED TO                                              ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 94-21                                      *RECOGNITION OF LINDA M. BOGART'S  
35 YEARS OF DEDICATED SERVICE  
TO TIOGA COUNTY*

WHEREAS: On May 13, 1980, Linda M. Bogart began her career with Tioga County as a part-time Clerk-Typist at the Department of Social Services. Within two months, Linda was appointed to a full-time Clerk-Typist position in the County Clerk's Office and by October 4, 1982, Linda was promoted to Account Clerk-Typist. In 1989, Linda took some time off from work to stay at home with her newborn baby daughter, Jenny. On September 28, 1992, Linda went back to work for the Department of Social Services as a part-time Account Clerk-Typist. After three years with DSS, Linda returned to the County Clerk's Office as a full-time Account Clerk-Typist. As of January 1, 2012, the title of her position was reclassified to Recording Clerk, which is the position from which she is retiring after 35 years of exemplary service; and

WHEREAS: Linda has been extremely dedicated, loyal, and professional in the performance of her duties and responsibilities during her 35 years with Tioga County; and

WHEREAS: Linda is always ready and willing to assist any of her peers and the general public with genuine kindness and experience and has thus earned the respect of the County Clerk, Deputy County Clerk, colleagues, and peers throughout Tioga County; and

WHEREAS: Linda M. Bogart will retire on April 30, 2021; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Linda M. Bogart for her 35 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Linda Bogart spoke. "I have really enjoyed my time with the County. I work with a great bunch of people. Thank you for this honor."

County Clerk Klett spoke. "I just want to say to Linda that whenever we find someone to take the Recording Clerk position they will not replace you, that's for sure. They are going to have some big shoes to fill. We are going to miss you. Have a long, healthy, and happy retirement."

Chair Sauerbrey spoke. "Good luck to you Linda on your new life as a retiree."

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

Chair Sauerbrey reported this resolution would just be noted for the minutes, as Mr. Thayer, Heavy Equipment Operator I, Public Works is not in attendance. Chair Sauerbrey thanked Mr. Thayer for his service to Tioga County.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 95-21                      *RECOGNIZING CHARLES THAYER'S  
20 YEARS OF DEDICATED SERVICE  
TO TIOGA COUNTY*

WHEREAS: Charles Thayer started his employment with Tioga County as Laborer of Public Works November 6, 2000; and was promoted to MEO I on February 17, 2001; and was promoted to MEO II on June 16, 2001; and was promoted to MEO III on November 25, 2002; and was promoted to HEO I on February 22, 2010; and

WHEREAS: Charles Thayer has been a dedicated and loyal employee in the performance of his duties and responsibilities during the past 20 years to the Public Works Department. He has earned the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Mr. Thayer is retiring on April 29, 2021; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Charles Thayer for his 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have three Proclamations. Two proclamations; Public Health Week and Child Abuse Prevention Month will be noted in the minutes. Legislator Standinger will read and present the proclamation for Immunization Awareness Week in Tioga County to Public Health Educator, Laura Bennett.

Chair Sauerbrey spoke. "Public Health Week was April 5 – 11, 2021. Again, as I said in my comments to the community in my State of the County Address, our Public Health Department has done an exemplary job getting us through the COVID-19 experience and now leading us out of the COVID-19 experience. I would like to thank the Public Health Department and Public Health Director McCafferty for her leadership".

### **County of Tioga EXECUTIVE PROCLAMATION**

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Throughout the COVID-19 pandemic public health has worked diligently to minimize the burden of disease through community outreach, collaboration with community partners, contact tracing, and COVID-19 vaccination clinics; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga County without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by following basic public health recommendations, abstaining from tobacco use, prioritizing sleep, making time for regular physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, providing services for children with developmental disabilities, ensuring safe living conditions, enforcing environmental health regulations, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 5 – 11, 2021 as

### **PUBLIC HEALTH WEEK**

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

## **County of Tioga EXECUTIVE PROCLAMATION**

### **CHILD ABUSE PREVENTION MONTH PROCLAMATION**

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WHEREAS: The Tioga County Department of Social Services received 1,050 reports of alleged abuse/neglect involving 2,285 children in 2020; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like The Child Advocacy Center, Cornell Cooperative Extension, Lourdes PACT, Catholic Charities, Hillside's Regional Permanency Center, CASA-Trinity, and AspireHope NY offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2021 as

**CHILD ABUSE PREVENTION MONTH**

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to ensure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

**County of Tioga  
EXECUTIVE PROCLAMATION**

WHEREAS: The week of April 24<sup>th</sup>-30<sup>th</sup> is designated as *World Immunization Awareness Week*; and

WHEREAS: Vaccination against preventable diseases is acknowledged as one of the most effective public health missions that saves millions of lives each year; and

WHEREAS: Routine vaccinations have been negatively impacted by the COVID-19 pandemic, with immunization rates significantly declining in the adolescent and adult populations; and

WHEREAS: Following the Center for Disease Control and Prevention's Recommended Immunization Schedule for Children protects children from 14 potentially serious diseases before their second birthday; and

WHEREAS: The release of vaccinations for COVID-19 has reiterated the importance of educating the public on the benefits of vaccination to reduce rates of severe illness and/or death from the novel coronavirus; and

WHEREAS: As of March 25, 2021, approximately 20.8% of Tioga County residents have received at least one dose of the COVID-19 vaccine; and

WHEREAS: Awareness, coupled with education and outreach, on the efficacy and safety of vaccines can be utilized to improve Tioga County's routine and COVID-19 immunization rates, now therefore

The TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of April 24<sup>th</sup> – 30<sup>th</sup> as:

**IMMUNIZATION AWARENESS WEEK IN TIOGA COUNTY**

And urges residents to stay on schedule for routine immunizations and consider getting vaccinated against COVID-19 when eligible.

Legislator Standinger spoke. "As Chair of the Health & Human Services Committee, I would like to say a little about the Public Health Department. They have been very diligent with their clinics. In fact, I participate generally in the flu clinic every year without any ill effects and I have received both of my shots for COVID-19. They are very well organized and thorough in the administration of their vaccines. I appreciate the fact that we have employees that are able to step up and take care of business under Public Health Director McCafferty's directorship. I would also like to say that smallpox and polio are two that have been pretty prevalent until the vaccines came about."

Public Health Educator Laura Bennett spoke. "Hi, my name is Laura and I am a health educator at the Public Health Department. I think we can all agree that immunization is a hot topic right now, so we wanted to take this opportunity to promote routine immunizations, as well as the COVID-19 vaccine. We encourage everyone to check in with their primary care providers to see if they are up-to-date on routine immunizations and discuss receiving a COVID-19 vaccine, if you have not done so already."

"When this proclamation was written at the end of March, we were at approximately 20.8% of the County having received at least one dose of the COVID-19 vaccine and, as of today, that is up to approximately 28% so we were happy to see that."

"Thank you all for allowing us to declare April 24-30, 2021 as World Immunization Awareness Week and thank you for your support."

Legislator Weston spoke. "When Public Health receives the information on the percentage of dosages administered is that all collated within the State or does this include Tioga County residents who go to another state or county for their COVID-19 vaccinations?"

Public Health Director Lisa McCafferty spoke. "This particular data point is drawn from the New York State Immunization Information System (NYSIIS), so if you are in this system data is being recorded. However, if you go out of state to receive a COVID-19 vaccination, you are not part of NYSIIS; therefore, you are not counted in this data. The number Ms. Bennett provided today of approximately 28%, I am projecting is closer to 35% because the percentage is predicated on the total population of the county, which includes people under the age of 16 and up until last week this age group was not eligible."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of March 9, 2021, seconded by Legislator Mullen and carried.

Chair Sauerbrey made the following appointments to the **56 Main Street Building Committee:**

**56 Main Street Building Committee:**

Chair/Legislator Sauerbrey  
 Legislator Roberts, Public Works Chair  
 Public Works Commissioner Hammond  
 County Attorney DeWind  
 Safety Officer Thorpe  
 Legislative Clerk Haskell

Chair Sauerbrey reported this committee will begin meeting in May 2021 and decide on the future of 56 Main Street and how we will function as we open from the COVID-19 Virus.

Chair Sauerbrey stated all Legislative Committees, with the exception of the Public Works Committee that did not have a quorum, met this month and the minutes are or will be on file with the Clerk of the Legislature.

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

REFERRED TO:	FINANCE COMMITTEE
RESOLUTION NO. 96-21	SUPREME COURT ORDER TOWN OF OWEGO

WHEREAS: The Supreme Court of the State of New York has rendered an Order in the matter of Southern Tier Hotel, LLC v. Town of Owego, New York and its Assessor, and Board of Assessment Review and issued Stipulation of Settlement and Order, indicating a reduction of assessment as decided by the parties involved, and filed on March 17, 2021; and

WHEREAS: The Court Stipulation of Settlement and order reduces the assessment of Southern Tier Hotel's parcel 129.11-1-15 for the tax year of 2020/2021; and

WHEREAS: The 2020/2021 taxes remain unpaid at the Town of Owego, and the order stipulates a new tax bill shall be generated according to the reduced assessment; therefore be it



RESOLVED: That new bill for the unpaid 2020/2021 tax year for 129.11-1-15 be issued by the Tioga County Treasurer's Office as stipulated by the order and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's Office; and be it further

RESOLVED: That the parcel 129.11-1-15 and 129.11-1-14.1 (not challenged through judicial review) be combined for the 2021, 2022, and 2023 final assessment roll, and be it further

RESOLVED: That the combined assessment of the subject properties shall not exceed \$1,088,000 for the tax years 2021/22, 2022/23, and 2023/24.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 97-21                      *AMEND RESOLUTIONS #174-20 AND #203-20 TO CORRECT ERROR IN DATA CALCULATIONS FOR 2020 NEW YORK STATE 8-YEAR AGRICULTURAL DISTRICT REVIEWS*

WHEREAS: Pursuant to the New York State Agriculture and Markets Law Article 25AA and upon 300-day notice by the Department of Agriculture and Markets, the Tioga County Legislature completed a review of the existing Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1 to determine if it should be modified or terminated in 2020; and

WHEREAS: The Tioga County Legislature passed Resolutions #174-20 and #203-20 to approve the modifications to the Owego-Nichols Agricultural District #2 and the Spencer Agricultural District #1; and

WHEREAS: A clerical error was made in the data calculations when determining new parcels that were to be added to Agricultural Districts #1 and #2; and

WHEREAS: The clerical error resulted in the erroneous placement of two parcels in Agricultural District #1 instead of Agricultural District #2; and

WHEREAS: The clerical error also indicated that three parcels were listed as new additions to Agricultural District #1, however, they were already enrolled in Agricultural District #1 or #2; and

WHEREAS: These errors resulted in the incorrect amount of total acreage and farms in Agricultural Districts #1 and #2 listed in Resolutions #174-20 and #203-20; and

WHEREAS: As required by AML 303, the Tioga County Legislature must complete the correction of errors process by correcting any applicable resolutions and file the revised Tax Map Parcel Number List for Tioga County Agricultural District #1 and #2 with the County Clerk, the County Director of Real Property Tax Services and the Commissioner of New York State Agriculture and Markets; and

WHEREAS: The correction of these errors results in the total acreage of land in Owego-Nichols Agricultural District #2 as 27,627 total acres, 26,651 acres in farms, and 8 total new farms, and Spencer Agricultural District #1 as 49,232 total acres, with 32,184 acres in farms, and 18 total new farms; therefore be it

RESOLVED: That the Tioga County Legislature does hereby approve said proposed plan to correct the modifications to Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1; and be it further

RESOLVED: That it is intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these corrections to the Owego-Nichols Agricultural District #2 and Spencer Agricultural District #1 modifications effective immediately.

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

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

RESOLUTION NO. 98-21        *AUTHORIZE EXECUTION OF COOPERATIVE  
                                          AGREEMENTS BETWEEN THE LAW DEPARTMENT,  
                                          ITCS, SHERIFF, PUBLIC HEALTH, DSS, AND  
                                          MENTAL HYGIENE*

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

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

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

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

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

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

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

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval; and be it further

RESOLVED: That the Budget Officer is authorized to make estimated budget increases at year end from discretionary savings as needed to reflect the budgeted amounts in the ITCS cooperative agreements with DSS, PH, and MH as follows:

Account:	Amount (Increase):
Social Services A6010.530100	\$ 23,301.68
Mental Hygiene A4309.530100	\$ 19,064.71
Public Health A4011.530100	\$ 13,910.28

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 99-21 EXECUTE LEASE WITH BARTERRA PROPERTIES, LTD.  
FOR MENTAL HYGIENE SATELLITE OFFICE

WHEREAS: The County’s current lease with Barterra Properties, Ltd. for the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly, NY will expire August 31, 2021; and

WHEREAS: It appears it is in the best interest of the County to continue the Mental Hygiene satellite office located at 80 William Donnelly Parkway, Waverly, NY; and

WHEREAS: A new lease for a portion of the building (Suite 2) at 80 William Donnelly Parkway has been negotiated for a two-year term at an annual rental \$22,960.00 plus prorated utilities; therefore be it

RESOLVED: That the Chair of the Legislature is authorized and directed to sign said lease with Barterra Properties, Ltd. for a portion of the building, (Suite 2) located at 80 William Donnelly Parkway, Waverly, NY for a two-year lease term ending August 30, 2023 at the annual rental of \$22,960.00 plus prorated utilities.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 100-21 RENEW SOFTWARE MAINTENANCE AND  
EXTENDED WARRANTIES WITH DOMINION VOTING  
FOR THREE YEARS

WHEREAS: The Tioga County Board of Elections utilizes Election Management Software (EMS) and ImageCast Precinct (ICP) voting machines from Dominion Voting to run Tioga County elections; and

WHEREAS: The Board of Elections will continue to use EMS and eight ICP scanning units for the foreseeable future; and

WHEREAS: The previous three-year agreement for EMS software maintenance, ICP firmware maintenance, and ICP extended hardware warranty is up for renewal in 2021; and

WHEREAS: Budgetary quotes obtained from Dominion Voting show that compared with annual installments, paying the up-front cost of \$30,090.00 for

three years of EMS Software Maintenance plus Firmware Maintenance and Extended Hardware Warranty for eight ICP units, would save the County a total of \$1,770.00; and

WHEREAS: The Board of Elections has budgeted for annual installments to cover this expense, rather than an up-front payment; therefore be it

RESOLVED: The Board of Elections is authorized to prepay the EMS Software Maintenance, ICP Firmware Maintenance, and Extended Hardware Warranties for eight ICP units, for the term 01/01/2021 to 12/31/2023 for \$30,090.00; and be it further

RESOLVED: That \$10,030.00 for the above contract is paid from the budget line A1450 540620 yearly for three years.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 101-21      *MODIFY 2021 BUDGET AND TRANSFER FUNDS  
STATEWIDE INTEROPERABLE COMMUNICATIONS  
FORMULA GRANT 2018  
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution #44-19 awarded the Office of Emergency Services a 2018 Statewide Interoperable Communications Formula Grant in the amount of \$450,221; and

WHEREAS: The grant budget has been amended; therefore be it

RESOLVED: That the 2021 budget be modified and transfer of funds be made as below:

FROM:

A3415.520230 IO18F Radio & Equipment	\$150,000
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TO:

A3415.540140 IO18F Contracted Services	\$150,000
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ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 102-21	<i>TRANSFER OF FUNDS BUDGET MODIFICATION MENTAL HYGIENE</i>
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WHEREAS: Tioga County is required to pay the full costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: Tioga County Mental Hygiene (TCMH) has received notice that a Tioga County resident was assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

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

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From: A4310 510010 Full Time \$18,125.05  
 To: A4390 540590 Criminal Psychiatric: Services Rendered \$18,125.05

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE  
 FINANCE COMMITTEE

RESOLUTION NO. 103-21 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A PRINTER FOR THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: The Economic Development & Planning Department has a printer that is in need of replacement; and

WHEREAS: The Information Technology Department has recommended replacement; and

WHEREAS: The Economic Development and Planning printer expense account #A6422-520220 has no funds available at this time; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the printer for the Economic Development and Planning Department and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$357.01  
 To: ED&P Account A6422 - 520220 \$357.01

ROLL CALL VOTE

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





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

REFERRED TO: LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. 105-21 AMEND EMPLOYEE HANDBOOK:  
AMEND SECTION I. RULES OF THE LEGISLATURE;  
SUBSECTION 2 – COMMITTEES AND  
SUBSECTION 4 - APPOINTMENTS

WHEREAS: Section I. Rules of the Legislature, Subsection 2 – COMMITTEES and Subsection 4 – APPOINTMENTS do not reflect current titles of employees, departments, and committees due to the various changes that have occurred since policy was adopted; and

WHEREAS: Section 1. Rules of the Legislature, Subsections 2 and 4 of the Employee Handbook need to be amended to reflect these changes; and

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

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

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

Administrative Services – The following Department titles are listed incorrectly and need to be amended accordingly:

- (3) Real Property Office should be reflected as Real Property Tax Service Department.
- (4) Veterans Office should be reflected as Veterans Service Agency.
- (5) Elections Office should be reflected as Board of Elections.

Finance/Legal & Safety – The current statement needs to be amended to read as follows:

- (3) All matters pertaining to Safety and Right to Know regulations including building accommodations.

Information Technology & Communication Services – The current statement needs to be amended to read as follows:

- (2) The Chief Information Officer is the responsible person for overseeing the administrative details of Tioga County's purchasing program.

Health & Human Services - Tioga Employment Center needs to be amended to reflect their current name of Tioga Career Center and the following statement should fall under the heading of (1) Social Services:

- (5) All matters pertaining to the operation of the Tioga Career Center.

Public Safety/Probation, STOP DWI, & Coroner – The current statements need to be amended to read as follows:

- (1) Public Safety – Sheriff's Department should be reflected as Sheriff's Office.
- (2) Emergency Management Office should be reflected as Department of Emergency Services.
- (5) All matters pertaining to County Fire Safety.
- (6) STOP DWI Program – STOP DWI Office should be reflected as STOP DWI Program.

Personnel Services/Americans with Disabilities Act (ADA) & Right to Know (AKA Personnel) – The current statements need to be amended to read as follows:

- (3) Workers Compensation – All matters pertaining to Workers Compensation.
- (3) ADA and Right to Know – All employment matters pertaining to ADA.

**Section I – Rules of the Legislature – Subsection 4 – APPOINTMENTS:**

- (2) The following County positions need to be amended or deleted to reflect current titles.
  - (e) County Fire Coordinator who shall serve at the pleasure of the Legislature needs to be deleted in its entirety, as this position no longer exists.
  - (l) Director of Information Technology and Communication Systems title needs to be amended to reflect the correct title of Chief Information Officer.
  - (o) Manager of Employment & Training who shall serve according to Civil Service Law needs to be deleted in its entirety, as this position no longer exists.
  - (q) Director of Emergency Preparedness title needs to be amended to reflect the correct title of Director of Emergency Services.
- (3) The following committees, boards or positions need to be amended, deleted, or added to reflect accurate information.
  - ADA Coordinator should read ADA Coordinator (2) to reflect the two positions.
  - Tioga County Property Development Corporation (Land Bank) needs to be added.



Tioga County buildings. The purpose of the identification badge is to help alleviate possible safety concerns for employees and provide a cost efficient layer of security within all County buildings, as well as aid the public in recognizing employees while in County buildings.

**ISSUANCE & COMPLIANCE:**

1. All Tioga County employees and non-County agency employees whose offices are housed within Tioga County buildings will be issued an Identification Badge, which will contain the employee's full name, photo, Department and title of employee, and date of issuance.
2. All Tioga County employees and non-County agency employees whose offices are housed within Tioga County buildings are required to conspicuously display their identification badge at all times during their respective working hours. The County will furnish, at no cost to the employees, the initial badge and any replacement badges damaged due to normal wear and tear, name changes, and department/title changes. For all other replacements, employees may be charged a nominal fee.
3. Under no circumstances should employees loan their identification badges to other employees, visitors, or vendors for the purpose of accessing secure areas or exterior doors.
4. Employees are required to safeguard badges to the best of their ability. Employees are required to immediately report to his or her immediate supervisor the loss or theft of his or her identification badge.
5. Employees on extended leaves of thirty (30) days or more are required to turn in his or her badge to their supervisor. Upon return to work, badge will be re-activated and re-issued.
6. Badges are the property of the County and are to be returned upon separation or retirement from the County.
7. Enforcement of this policy will be the responsibility of the Department Heads. Department Heads are responsible for providing employees with a copy of this policy.

**ROLL CALL VOTE**

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

No – None.

Absent – Legislator Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 107-21 CREATE AND FILL HIGHWAY WORKER  
(SEASONAL) POSITION  
PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2021; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective April 26, 2021 through October 8, 2021 at an hourly rate of \$12.50 (minimum wage), however no more than 800 hours may be worked April 26, 2021 – October 8, 2021.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 108-21 *AUTHORIZE CREATION OF A FULL-TIME  
CLINICAL SOCIAL WORKER POSITION  
MENTAL HYGIENE*

WHEREAS: Legislative approval is required for the creation of positions within a County Department; and

WHEREAS: Due to increased caseload resulting from the COVID-19 pandemic, the Director of Community Services has a demonstrated need of creating an additional full-time Clinical Social Worker position; and

WHEREAS: Funding for this position is Fee-For-Service billable revenue; therefore be it

RESOLVED: That one full-time Clinical Social Worker (CSEA SG \$58,257) position is created effective April 14, 2021, in order for the Director of Community Services to fill said position as of April 26, 2021; and be it further

RESOLVED: The Mental Hygiene Department's headcount shall increase from 32 to 33; and be it further

RESOLVED: That funding be appropriated as follows:

From: A4310 416200	Mental Health Fees	\$60,744.24
To: A4310 510010	Full Time Salary	\$41,657.75
A4310 581088	State Retirement Fringe	\$ 3,183.61
A4310 583088	Social Security Fringe	\$ 2,716.99
A4310 584088	Workers Compensation Fringe	\$ 860.22
A4310 585588	Disability Insurance Fringe	\$ 61.69
A4310 586088	Health Insurance Fringe	\$12,255.10
A4310 588988	Eap Fringe	\$ 8.88

Legislator Standinger spoke. "As a result of the COVID-19 situation, the Mental Hygiene Department has received a lot more requests for assistance and this position will assist them in handling the problems of the citizens of this county. So, in my opinion, it is certainly justified."

Chair Sauerbrey spoke. "I agree with Legislator Standinger and I know the state of everybody's minds is really important and there is a lot of stress on not only the public, but our County employees as well. These kinds of positions and help for the community is badly needed."

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

## RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 109-21 *AMEND RESOLUTION 348-19;  
AUTHORIZATION TO FUND AND RECLASSIFY  
FULL-TIME VACANT POSITION  
INFORMATION TECHNOLOGY*

WHEREAS: Resolution 348-19 unfunded a vacant Computer Programmer (Specialist) position and Legislative approval is required to reclassify the title of a position; and

WHEREAS: In March, the Chief Information Officer (CIO) received support from his Legislative Committee to fund an existing vacant full-time position as an administrative support title providing he could identify necessary funds within the County budget; and

WHEREAS: A New Position Duties Statement was submitted to the Personnel Officer who determined that the title of Office Specialist II was the appropriate classification for work to be performed; and

WHEREAS: The CIO has been able to identify funding to include said position within the County budget; therefore be it

RESOLVED: That Resolution 348-19 be amended to fund the full-time vacant Computer Programmer (Specialist) (Non-Union base \$46,573) within the Information Technology & Communication Services (ITCS) Department and be it further



RESOLVED: That without increase to the ITCS departmental 2021 authorized headcount, said vacancy shall be reclassified to the title of Office Specialist II (CSEA SG IV, \$28,352) effective April 14, 2021; and be it further

RESOLVED: The CIO is authorized to fill this vacancy from the appropriate eligible list effective April 26, 2021; and be it further

RESOLVED: The Budget Director is authorized to utilize unexpended funds from the ITCS departmental salary line and unutilized funds from the Records Management position to fund the position for the 2021 budget year; and be it further

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

FROM:	A1410.510010 – Cty. Clk. full time payroll	\$ 9,365.75
	A 1410.581088 – Retirement	\$ 1,896.00
	A1410.583088 – Social Security	\$ 716.48
	A1410.584088 – Workers' Comp	\$ 306.25
	A1410.585588 – Disability	\$ 17.00
	A1410.586088 – Health Ins/HRA	\$ 3,149.00
	A1410.588988 – EAP	\$ 3.75
TO:	A1680.510010 – ITCS full time payroll	\$ 9,365.75
	A1680.581088 – Retirement	\$ 1,896.00
	A1680.583088 – Social Security	\$ 716.48
	A1680.584088 – Workers' Comp	\$ 306.25
	A1680.585588 – Disability	\$ 17.00
	A1680.586088 – Health Ins/HRA	\$ 3,149.00
	A1680.588988 – EAP	\$ 3.75

#### ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 110-21 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY  
MENTAL HYGIENE*

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

WHEREAS: Effective April 2, 2021, an Accounting Associate II (CSEA SG V, \$29,918) position became vacant due to an incumbent's resignation; and

WHEREAS: Said vacancy impacts the Mental Hygiene Department's financial accounts process; therefore be it

RESOLVED: That the Director of Community Services is hereby granted a waiver from the 90-day hiring delay and is authorized to provisionally fill the vacant Accounting Associate II effective April 26, 2021, pending successful appointment from a civil service eligible list.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 111-21 *AUTHORIZE WAIVER 90-DAY HIRING DELAY  
PART-TIME PUBLIC SAFETY DISPATCHER  
SHERIFF'S OFFICE*

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

WHEREAS: Effective March 30, 2021, a part-time Public Safety Dispatcher position became vacant due to a resignation; and

WHEREAS: In order to maintain adequate staffing levels for the Communications Division, the Sheriff has an immediate need to backfill said position; therefore be it

RESOLVED: That the Sheriff is hereby granted a waiver from the 90-day hiring delay and is authorized to backfill the vacant, part-time Public Safety Dispatcher position effective April 24, 2021.

ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES  
PERSONNEL COMMITTEE

RESOLUTION NO. 112-21 *AUTHORIZE WAIVER OF 90-DAY HIRING DELAY-  
DEPARTMENT OF SOCIAL SERVICES*

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

WHEREAS: Effective March 1, 2021, an Office Specialist I position became vacant due to incumbent's promotion; and

WHEREAS: Said vacancy impacts the coverage of the HHS Employment Center reception window, therefore be it

RESOLVED: That the Commissioner of Social Services is hereby granted a waiver from the 90-day hiring delay and is authorized to fill one Office Specialist I vacancy effective on or after April 26, 2021 from the appropriate civil service eligible list.

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

## RESOLUTION ADOPTED.

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

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

REFERRED TO:                                   LEGISLATIVE WORKSESSION  
PERSONNEL COMMITTEE

RESOLUTION NO. 113-21                    *ABOLISH 90-DAY HIRING DELAY*  
*ALL DEPARTMENTS*

WHEREAS: Resolution #195-20 implemented a 90-day hiring delay effective October 1, 2020 due to economic strains as a result of COVID-19 related loss of revenues compounded by the State's withholding of State reimbursement; and

WHEREAS: The Tioga County Legislature does not see a need for continuance at this time; therefore be it

RESOLVED: That the 90-Day Hiring Delay shall be abolished effective April 14, 2021.

Legislator Sullivan spoke. "This is one of the steps the Legislature put into place soon after the pandemic hit, so that we could control our costs because we recognized things may turn bad for a while, which in fact did. This, in combination of other steps taken to control our expenses, enabled us to finish fiscal year 2020 in a much better position than we had feared we would. That being the case, we decided to eliminate this hiring delay because we are in good shape right now."

## ROLL CALL VOTE

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

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:23 P.M.