Twelfth Regular Meeting December 14, 2021

The Twelfth Regular Meeting of 2021 was held on December 14, 2021 and was called to order by the Chair at 12:00 P.M. All nine Legislators were present.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for this opportunity to get together and decide the business of Tioga County residents. We pray that you will look after the survivors of the tornado in Kentucky."

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

There were 23 people in attendance.

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

Legislator Weston read and presented the following resolution to Legislator Michael A. Roberts.

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

Legislator Weston spoke. "Today, we have a resolution for a very nice person, a good gentleman, and a real good Legislator and that is Michael Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 268-21 RESOLUTION RECOGNIZING

MICHAEL A. ROBERTS

17 YEARS OF DEDICATED SERVICE TO THE

TIOGA COUNTY LEGISLATURE

WHEREAS: Michael A. Roberts was elected to the position of Tioga County Legislator on January 1, 2005 representing District #3; and

WHEREAS: Michael A. Roberts has successfully been re-elected and faithfully served as a Tioga County Legislator until his retirement effective December 31, 2021; and

WHEREAS: Michael A. Roberts has served as the Chair of the Public Works & Capital Projects Legislative Standing Committee from January 1, 2005 – December 31, 2021; and

WHEREAS: Michael A. Roberts also served on the Legislative Standing Committees of Economic Development & Planning, Information Technology & Communication Services, Public Safety, Probation, & DWI, Personnel, ADA, & Right to Know, and Finance, Legal & Safety; and

WHEREAS: Michael A. Roberts was appointed and served as a Legislative board member on the Tioga County Industrial Development Agency from March 14, 2006 - January 11, 2010; and

WHEREAS: Michael A. Roberts served as the Deputy Legislative Chair from January 1, 2007 – December 31, 2008; and

WHEREAS: Michael A. Roberts served as a Legislative representative on the Cornell Cooperative Extension of Tioga County Board from January 1, 2011 – December 31, 2011; and

WHEREAS: Michael A. Roberts served as the Republican Majority Leader of the Tioga County Legislature from January 1, 2011- December 31, 2021; and

WHEREAS: Michael A. Roberts has served on the Binghamton Metropolitan Transportation Study (BMTS) Policy Committee since 2011 and is currently the Committee's Vice-Chair; and

WHEREAS: Michael A. Roberts will be retiring as a Tioga County Legislator on December 31, 2021 to pursue his new position as Town of Owego Highway Superintendent; and

WHEREAS: Michael A. Roberts has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past seventeen years to the Tioga County Legislature. He has earned the respect of his colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Michael A. Roberts for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Michael A. Roberts.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Weston spoke. "Thank you very much. You have done a wonderful job. You have been a good companion to most of us, except every once in a while. I thank you very much and I certainly wish you the best at the Town of Owego Highway Department. I am sure things will get changed around over there just a little bit."

Legislator Roberts spoke. "I would like to thank the whole County. When I first came to the County I was new and I have learned a lot. I appreciate everybody's patience with me over the years and I truly thank you."

Legislator Monell read and presented the following resolution to Legislator Loretta A. Sullivan.

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

Legislator Monell spoke. "It is my joy and privilege to present this resolution."

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 269-21 RESOLUTION RECOGNIZING

LORETTA A. SULLIVAN'S

13 YEARS OF DEDICATED SERVICE TO THE

TIOGA COUNTY LEGISLATURE

WHEREAS: Loretta A. Sullivan was elected to the position of Tioga County Legislator on January 1, 2009 representing District #4; and

WHEREAS: Loretta A. Sullivan has successfully been re-elected and faithfully served as a Tioga County Legislator until her retirement effective December 31, 2021; and

WHEREAS: Loretta A. Sullivan served as the Chair of the Administrative Services Legislative Standing Committee representing Board of Elections, County Clerk,

Historian, Real Property, and Veterans from January 1, 2009 – December 31, 2009; and

WHEREAS: Loretta A. Sullivan served as the Chair of the Information Technology & Communication Services Legislative Standing Committee from January 1, 2010 – December 31, 2011 and then resumed this position from January 1, 2014 – December 31, 2021; and

WHEREAS: Loretta A. Sullivan served as Chair of the Finance, Legal & Safety Committee from January 1, 2012 – December 31, 2013; and

WHEREAS: Loretta A. Sullivan also served on the Legislative Standing Committees of Economic Development & Planning, Personnel, ADA, & Right to Know, Public Works & Capital Projects, Administrative Services, Health & Human Services, and Finance, Legal & Safety; and

WHEREAS: Loretta A. Sullivan was appointed and served as the Legislative representative on the Tioga County Council of Governments from January 1, 2009 – December 31, 2021; and

WHEREAS: Loretta A. Sullivan was a founding member and Co-Chair of the Tioga Investigates Natural Gas (TING) Steering Committee established in March 2009; and

WHEREAS: Loretta A. Sullivan will be retiring as a Tioga County Legislator on December 31, 2021; and

WHEREAS: Loretta A. Sullivan has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 13 years to the Tioga County Legislature. She has earned the respect of her colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Loretta A. Sullivan for her years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Loretta A. Sullivan.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Monell spoke. "I want to express that it has been my personal joy and privilege to have gotten to know this lady. She is a sweetheart. We are going to miss her on the Legislature. I have told her that several times in jest because she brings up the strangest topics sometimes and talks incessantly about them, but we are going to miss that. Sometimes the things that you bring up are what all the rest of us are thinking about, but we do not say it. We are going to miss that; I know we are. It has been my joy to meet you and get to know you."

Legislator Sullivan spoke. "For Tracy's sake, I am not going to keep this brief. I just want to say that I am very grateful for the opportunity to hold this position and represent our community. It has allowed me to play a role in trying to keep tax costs down for everybody in the County. It has given me the opportunity to participate in providing the basic services that I believe citizens need and are deserving of, such as public safety, emergency services, good roads, and good bridges. It also gave me the opportunity to meet and work with a lot of wonderful people. That includes my fellow Legislators, past and present, and countless employees of the County including Department Heads. Having represented the County on the Council of Governments, I got to meet every town supervisor and village mayor. With Tioga Investigates Natural Gas (TING), I was able to work with all of the members and staff of this committee on some of the issues that we have all been challenged with. I got to meet hundreds of people throughout the County geographically that I would not have ever had the opportunity. I am not sure if everyone is aware, but 93% of the County's budget is made up of mandated items either by the State or Federal government. I am glad having worked with the Legislature and the Departments to figure out how to pull off all these mandates without crippling our citizens with a tax burden. We were able to do that and I hope and pray that we can continue to do that. As the years go by, I am not as confident that we are going to be able to do that. In my opinion, New York State has been going down the wrong path for decades with the Federal government not too far behind. I believe a lot of their priorities and mandates are not in line with the Constitution of the United States or the Bill of Rights is not in line with God's wishes or the teachings of our Lord Jesus Christ. At the local level, we cannot stop a lot of this craziness, but we can do our best to manage it. So, I wish my fellow Legislators, new Legislators, and everyone working for the County to continue to do what you have done in the past and do the best for all of us that live in Tioga County. I thank you all and I wish you all the best. God Bless."

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 270-21 RESOLUTION RECOGNIZING

CLIFFORD BALLIET, JR.

3 YEARS OF DEDICATED SERVICE TO THE

TIOGA COUNTY LEGISLATURE

WHEREAS: Clifford Balliet, Jr. was elected to the position of Tioga County Legislator on January 1, 2019 representing District #1; and

WHEREAS: Clifford Balliet, Jr. has faithfully served as a Tioga County Legislator until his retirement effective December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. has served as the Chair of the Administrative Services Legislative Standing Committee representing the Board of Elections, County Clerk, Historian, Real Property, and Veterans from January 1, 2019 – December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. also served on the Legislative Standing Committees of Information Technology & Communication Services, Public Works & Capital Projects, Personnel, ADA, & Right to Know, and Finance, Legal, and Safety; and

WHEREAS: Clifford Balliet, Jr. was appointed as a Legislative representative on the Cornell Cooperative Extension Board of Tioga County on January 14, 2020 and served until his retirement effective December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. will be retiring as a Tioga County Legislator on December 31, 2021; and

WHEREAS: Clifford Balliet, Jr. has been extremely dedicated and loyal in the performance of his duties and responsibilities during the past three years to the Tioga County Legislature. He has earned the respect of his colleagues and peers throughout Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize

Clifford Balliet, Jr. for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Clifford Balliet, Jr.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I just wanted to say a couple of things having served on the Administrative Services Committee with Cliff. In three short years, since Cliff took over, I have seen a tremendous dedication to professionalism. Are we doing the right things for the right reasons? That is a rare commodity in this world. A lot of people do the right things, but for the wrong reasons. Cliff wants to see people doing the right things for the right reasons. He comes across as a quiet person, maybe a little unassuming, but he is that constant pressure. It's like the old Frank Sinatra song lyrics that a ram thinks he can punch a hole in the dam or that an ant thinks he can move that rubber tree plant. Right here is your ant. You have done a great job and it is my pleasure to work with and witness a dignified gentleman who knew when to dig his heels in and knows when to compromise. I have said it before here in committee meetings and I will say it again, that is good governance. It has been my pleasure. Thank you, Cliff."

Legislator Balliet spoke. "It is one of those things in life when you go along and out of the blue someone says 'Hey, how would you like to run for the Legislature'. I had no clue. I must say that these past three years have been some of the most interesting and a lot of ways satisfying, educational, flabbergasting, and all the things that go into this governmental structure that we are a part of. But, I have been so impressed by this group of Legislators, as unique of a group I have ever seen in my life to work with, that somehow in spite of our conflicting opinions and views, we get it done. I really appreciated that. It is remarkable in this age to see that happening. The more I learned about what was happening at the Federal and State level, I was even more proud of what we do and what many of you all here do for the citizens of Tioga County. We are the boots on the ground. We are where the rubber hits the road. Especially

the Departments represented under the Administrative Services Committee, as they deal with the public and work for the benefit of the County. It has been a pleasure and an honor to work with these Departments. I will say that when you get to be a little more mature and experiencing all of this, it says this is the way it should be done. I thank all the members of our local County government for doing what they do and how well they do it and that is not always easy. I have discovered another way to get into trouble, so I will be serving on the Tioga County Historical Society Board. I hope it is more historical than hysterical. Thank you very much."

Chair Sauerbrey reported we have one Proclamation recognizing Fire Prevention Month in Tioga County.

Legislator Standinger spoke. "I have a proclamation here that I probably know a little bit about since I have been a member of the Fire Investigation Team for over 20 years."

Legislator Standinger will read and present this proclamation to Adam Ace, Environmental Health Sanitarian, Public Health Department.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Cooking and heating are the leading causes of home fires and fire injuries, and the winter months are the peak time for fire-related deaths; and

WHEREAS: Fires are a leading cause of death for children ages one to fourteen, and one death from a preventable fire is one too many; and

WHEREAS: Tioga County has 20 active fire departments that protect and serve our community; and

WHEREAS: It is crucial to promote fire prevention methods such as staying alert when cooking, keeping flammable objects away from stoves and heating sources, checking and replacing old or frayed cords, and keeping matches and lighters out of reach of children; and

WHEREAS: Ensuring smoke alarms are properly installed and working are also of the utmost importance; and

WHEREAS: Tioga County Public Health encourages citizens to develop and practice fire escape plans to protect their loved ones in the event of a house fire; now therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of December 2021 as:

FIRE PREVENTION MONTH IN TIOGA COUNTY

and urges all residents to utilize Tioga County Public Health's Healthy Neighborhoods program for home safety checks and fire prevention education.

Legislator Standinger spoke. "I want to put a plug in for fire departments because unfortunately there is a crisis developing with fire departments due to lack of volunteers, so if you know someone who wants to volunteer direct them to their local fire department. Believe me, if your house is burning you want somebody to come and put it out and if no one volunteers than it is going to keep burning and you are going to lose everything; your animals, family members, all your belongings. Prevention is probably the best thing you can do."

Environmental Health Sanitarian Adam Ace spoke. "My name is Adam Ace, I am from Tioga County Health Department and part of the Healthy Neighborhood Program. This program provides health and safety products and gets us in a home to help walk people through many things they can do. One of which is fire safety, so I would like to thank Legislator Standinger and the Legislative body for this proclamation. As far as home safety goes, we perform 200 plus safety visits in a year and more than 60% of those visits do not have adequate smoke alarms in their home. Usually what we see with fire alarms is outdated units, so they usually want updated or new units every 8-10 years. Other things we see is missing batteries from the units and most commonly they do not have adequate alarms throughout the house with the location not being right. Smoke detectors should be placed on every level and in every bedroom of the home. I would like to remind everyone to test their fire alarms monthly, replace expired alarms, and install units on every level and in every bedroom of the home. It is one of those things that often gets overlooked, but if you don't look at it, you will not know if it is up to date, whether the battery is good, and whether it is going to work. Properly installed and working smoke detectors can save your lives. I think it is an important thing that we get out and talk to people about and make sure they are reminded these are being done. I would like to say thank you again to the Legislative body, Legislator Standinger, and Public Health. Thank you."

Chair Sauerbrey reported we have one individual for privilege of the floor.

Mark Standinger, Candor, NY resident spoke. "I have never done this before, so my brother, Bill, suggested it last night at 9:00 p.m. and I said OK, why not. I feel passionate about it. This Governor Hochul, I am not sure what she is intending to do or whatever about these mask mandates, so I was on the computer last night trying to find a mask mandate from her or an Executive Order and apparently there isn't one. I do not know where she is assuming her authority from, but apparently from one of the Executive Orders; Executive Order No. 11, which most of that is parroting what the World Health Organization and some of the other people have said about a pandemic. I tried to research what a pandemic is and there is not information out there what the level is. As far as I am concerned, and I have seen, there really isn't a pandemic so I do not understand their criteria. I have been in law enforcement for a long time; over three decades between military police, Tioga County Sheriff's Office, and the NYS Department of Corrections. I retired three years ago as a Sergeant from the NYS Department of Corrections and also served in the military culminating my career as a Command Sergeant Major, so I know a little bit about control and laws. The way I read some of the announcement she has made public is that masks are now required in all indoor public places unless business or venues implement a vaccine requirement. So, if you know anything about the ends, ways, and the means apparently this is a way and a means for what end I do not know. I learned a new word when I was on the Internet last night. The word is venal. Does anyone know what that means? This word means it is motivated by the susceptibility to bribery. It appears that's what the Governor is doing. She is supposedly, with no authority, announcing that all businesses will be required to implement a vaccine requirement. So, what does that encompass? A vaccine requirement? Is that a vaccine passport? Is that per the Constitution? I do not understand where she is getting this authority to mandate all this stuff. There is no law in the penal law for NYS or the criminal procedure law. There is no law that gives her this authority other than her Executive Order No. 11 for emergency powers. This Order parroted everything about the World Health Organization and a pandemic. But, a lot of it has to do with the State finance given her authority to play around with the money and finances. I heard someone just talk about the financing and the mandates, so what is her intent? Restricting businesses is going to end up happening which has already happened with all the restrictions and lock downs, etc. Businesses have closed, so she is talking out both sides of her mouth. She is not getting the revenue from the businesses, but yet she wants to restrict them and mandate them to have vaccine passports or the Excelsior pass. So, this is a new invention of control and to control the population. This is the same thing that I, three decades of service in the prison system, did to our inmate population. Whenever we did not like what was going on we restricted their liberties, movement, mail, visitation, and everything. The masks do not even work. My mother is in Elderwood. I get robocalls stating 20 staff members are positive for COVID, but they are required to vaccinated and wear a mask, as well as the residents. So, masks do not work. How are they getting positive? It makes no sense. Thank you."

Legislator Roberts made a motion to approve the minutes of November 9 and 18, 2021, seconded by Legislator Monell and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature by the end of this week.

Chair Sauerbrey announced the establishment of the Personnel Officer Interview Committee and made the following appointments:

- Legislator Hollenbeck
- County Attorney DeWind
- Personnel Officer O'Rourke
- Commissioner of Social Services Yetter
- Legislator/Chair Sauerbrey

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 271-21 FIX TIME OF

ORGANIZATIONAL MEETING

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 a.m., Monday, January 3, 2022.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 272-21 APPOINT MEMBER TO THE

TIOGA COUNTY PROPERTY DEVELOPMENT

CORPORATION BOARD

WHEREAS: The Tioga County Legislature wishes to appoint Hannah Murray as a Board Member to the Tioga County Property Development Corporation (TCPDC) to fill a vacancy; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that the board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned upon holding the public office by their position; and

WHEREAS: Hannah Murray currently serves as a Board of Education Member for the Candor Central School District; and

WHEREAS: Hannah Murray is willing and able to serve on the TCPDC as a Board Member; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Hannah Murray to the Tioga County Property Development Corporation as a Board Member for a two-year term of 1/1/22 – 12/31/23.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 273-21 RE-APPOINT MEMBER TO THE

TIOGA COUNTY PLANNING BOARD

WHEREAS: Pam Moore's position on the Tioga County Planning Board representing the Town of Nichols expires on 12/31/2021; and

WHEREAS: The Town of Nichols Board has nominated Pam Moore to serve another three-year term as their representative, and she is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Pam Moore to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 274-21 RE-APPOINT MEMBER TO THE

TIOGA COUNTY PLANNING BOARD

WHEREAS: John Current's position on the Tioga County Planning Board representing the Town of Owego expires on 12/31/2021; and

WHEREAS: The Town of Owego Board has nominated John Current to serve another three-year term as their representative, and he is willing and able to do so: therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint John Current to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 275-21 RE-APPOINT MEMBER TO THE

TIOGA COUNTY PLANNING BOARD

WHEREAS: Chelsea Robertson's position on the Tioga County Planning Board as an alternate expires on 12/31/2021; and

WHEREAS: Ms. Robertson is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Chelsea Robertson to the Tioga County Planning Board for another three-year term of 1/1/22 – 12/31/24.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 276-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY

AGRICULTURAL AND FARMLAND PROTECTION

BOARD

WHEREAS: Howard Visscher's term on the Agricultural and Farmland Protection Board as an Active Farmer expires as of 12/31/2021; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Howard Visscher to the Agricultural and Farmland Protection Board, for the four-year term of 1/1/22 – 12/31/25.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 277-21 RE-APPOINT MEMBER TO THE TIOGA COUNTY

AGRICULTURAL AND FARMLAND PROTECTION

BOARD

WHEREAS: Pam Moore's term on the Agricultural and Farmland Protection Board as an Active Farmer expires as of 12/31/2021; and

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

RESOLVED: That the Tioga County Legislature hereby re-appoint Pam Moore to the Agricultural and Farmland Protection Board, for the four-year term of 1/1/22 – 12/31/25.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 278-21 REAPPOINT MEMBER TO THE

TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Rani Kapur-Pado, DO, on the Board of Health expires 12/31/21; and

WHEREAS: The Board of Health recommends re-appointment and Dr. Kapur-Pado has agreed to serve for another term; therefore be it

RESOLVED: That Rani Kapur-Pado, DO, be re-appointed to the Board of Health for a term of 1/1/22-12/31/27.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 279-21 REAPPOINT MEMBER TO THE

TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for William Standinger III on the Board of Health expires 12/31/21; and

WHEREAS: Legislative representatives on the Board of Health serve only the length of their elected term; and

WHEREAS: William Standinger III has agreed to serve for another term; therefore be it

RESOLVED: That William Standinger III be re-appointed to the Board of Health for a term of 1/1/22-12/31/24.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 280-21 ADOPT COUNTY BUDGET FOR 2022,

APPROPRIATIONS AND SALARY SCHEDULE

RESOLVED: That the tentative budget for Tioga County for the year 2022 submitted by the Budget Officer on November 9, 2021 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2022; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2022; and be it further

RESOLVED: That the full-time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2022.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 281-21 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 280-21 dated December 14, 2021 adopted a Budget for the fiscal year 2022 and by Resolution No. 280-21 dated December 14, 2021 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 282-21 dated December 14, 2021 levied the taxes required for the support of the Government of the several Towns: therefore be it

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$25,358,754 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	490,635.20
For School Tax Returned	3,442,457.63
For Deficits from prior years' taxes	52.86
For Reimbursement of Erroneous taxes, etc.	9,250.17

All of the forgoing being subject to

Credit for excess collection the prior year of \$3.51

Further

RESOLVED: That the County Treasurer's Office be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 282-21 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Town Tax Districts of the County on or before December 31, 2021; and be it further

RESOLVED: That the County tax rates for each of the Towns are as follows:

Barton	Out	11.130402
	In	11.130402
Berkshire	Out	9.372718
Candor	Out	9.675732
	In	9.675732
Newark Valley	Out	13.496269
	In	13.496269
Nichols	Out	34.497857
	In	34.497857
Owego	Out	13.058338
	In	13.058338

Richford	Out	7.311081
Spencer	Out	8.850522
	ln	8.850522
Tioga	Out	148.262091

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 282-21 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2022; therefore be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	5,995.00	238,397.00
Newark Valley	-	-
Nichols	1,975.00	-
Owego	-	2,230,000.00
Spencer	11,115.00	445,078.00

And be it further

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton Halsey Valley Fire Protection	20,571.26
Lockwood Fire Protection	44,523.05
Waverly Joint Fire Protection	296,916.00
, , , , , , , , , , , , , , , , , , , ,	,
Town of Berkshire	
Berkshire Fire District	155,981.00
Town of Candor	
Candor Fire District	456,314.00
	,
Town of Newark Valley	
Newark Valley Fire District	319,341.45
Town of Nichols	
Nichols Joint Fire Protection	467,046.19
Town of Owego	1 005 000 00
Apalachin Fire District	1,095,222.00
Owego Fire District Newark Valley Fire District	1,971,324.70 45,829.05
Newark valley file District	45,027.05
Town of Richford	
Richford Fire District	109,150.00
Town of Spanger	
Town of Spencer Spencer Fire Protection District	80,000.00
Speriedi illo i fotociloti Bisilici	00,000.00
Town of Tioga	
Tioga Fire District	296,339.00

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,683.00
Water District No. 4/Ext. 15	8,509.00
Water District No. 4/Ext. 17	-
Water District No. 4/Ext. 20	17,125.00
Sewer District No. 2/Ext. 14	11,623.00
Sewer District No. 2/Ext. 15	12,390.00
Lighting District No. 1	5,667.14
Lighting District No. 2	9,939.60
Lighting District No. 3	10,967.42
Lighting District No. 4A	621.00
Lighting District No. 4B	2,235.10
Lighting District No. 5	6,829.40
Lighting District No. 6	11,651.27
Lighting District No. 7	1,773.10
Lighting District No. 8	1,269.25
Lighting District No. 9	691.00
Lighting District No. 10	876.56

And be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$387,678.10; and be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$3,787.69; and be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	242,100.00	598,500.00
Berkshire	97,226.00	346,573.00
Candor	1,027,127.00	745,830.00
Newark Valley	332,740.00	414,500.00
Nichols	-	228,200.00
Owego	1,060,000.00	-
Richford	245,724.00	479,947.00
Spencer	369,172.00	307,497.00
Tioga	266,259.00	603,811.00

And be it further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 283-21 AUTHORIZE THE RE-ESTABLISHMENT OF

PRIOR YEAR 2021 GRANT FUNDS AND

CAPITAL PROJECTS FOR 2022

WHEREAS: Grant Funds and Capital Project expenditures and revenue allocations have been approved via resolution; and

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; and

WHEREAS: Prior year Capital Projects need to be re-established for the remaining unspent balance as of year-end 2021 for purchase or completion in 2022; therefore be it

RESOLVED: That the remaining unencumbered balances of active and approved Grants and Capital Projects be re-established.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 284-21 YEAR END TRANSFERS

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 285-21 AUTHORIZE TREASURER TO

ENCUMBER FUNDS

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 23, 2021 to allow proper coding of bills for payment through the Accounts Payable check run of March 3, 2022.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 286-21 RESOLUTION AUTHORIZING AND APPROVING THE

ACCEPTANCE OF ADDITIONAL ADMINISTRATIVE SERVICE FUNDS AND MODIFY THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN TIOGA COUNTY ECONOMIC DEVELOPMENT AND PLANNING AND THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION FOR THE PERIOD JANUARY 1, 2022

THROUGH DECEMBER 31, 2023

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolutions #273-18, #140-20 and #140-21 to accept Land Bank

funds and to enter into an Administrative Services Agreement for the period January 1, 2019 through December 31, 2021; and

WHEREAS: Said Administrative Services Agreement calls for TCEDP to provide the Tioga County Property Development Corporation (TCPDC) with administrative services, office space and equipment necessary for the performance of the duties of the Land Bank Director of the TCPDC through TCEDP; and

WHEREAS: The Administrative Services Agreement also calls for the TCPDC to contribute toward the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the TCPDC; and

WHEREAS: The annual amount paid by the TCPDC for 2019 through 2021 as identified in the Administrative Services Agreement was \$32,532.50; and

WHEREAS: The TCPDC and TCEDP are desirous of continuing the Administrative Services Agreement for a two-year period; and

WHEREAS: The Community Revitalization Initiative (CRI) funds, the original source of grant funds used by TCPDC to pay for the administrative services, office space and equipment use, are no longer available; and

WHEREAS: The TCPDC will continue to contribute toward the administrative services as stated in the agreement, at a reduced amount of \$25,000.00 by way of other grant sources and/or program fees; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves the acceptance of \$25,000.00 annually from the TCPDC, 56 Main Street, Owego, New York 13827 and modifying the Administrative Services Agreement to provide funding towards the cost of administration, office space and equipment for use by TCEDP staff to perform duties on behalf of the Land Bank Director of the TCPDC to include the additional year making it a two-year agreement for the period of January 1, 2022 through December 31, 2023; and be it further

RESOLVED: That the Chair of the Legislature or duly authorized representative (including County Treasurer and/or Budget Officer), is hereby authorized to make any transfers of funds required within this budget.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 287-21 AUTHORIZE THE SALE OF COUNTY OWNED

PROPERTY LOCATED IN THE TOWN OF OWEGO, TO

THE TOWN OF OWEGO

WHEREAS: Property located in the Town of Owego at 6125 State Route 17C, assessed to Cecil J Van Patten and identified as Tax Map number 131.19-1-23, parcel number 12370, is delinquent on 2018, 2019, 2020 and 2021 taxes with the last date of redemption for the 2018 taxes having passed; and

WHEREAS: James Walley was the apparent winning bidder at the October 7, 2021 Tioga County Property Auction having bid \$14,000 for the parcel and having put down a deposit of \$4,100 which is currently being held by the County; and

WHEREAS: For reasons beyond Mr. Walley's control he will not be able to develop the property as intended and wishes to withdraw his bid without being in default; and

WHEREAS: The Town of Owego is interested in acquiring said property from the County for \$14,000, "as is" for municipal purposes and entering into an agreement with Mr. Walley to make him whole for the Auctioneers Fee and consideration for the agreement; therefore be it

RESOLVED: Upon concluding an agreement with the Town concerning his expenses, James Walley is allowed to withdraw his auction bid with said withdrawal not thereafter being held against him when considering his eligibility to participate in future Tioga County property auctions, the Tioga County Treasurer is directed to then return Mr. Walley's deposit of \$4,100 and the County rescinds its previous resolution to sell said property to James Walley; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$14,000 and recording costs, a Quit

Claim Deed conveying the property assessed to Cecil J Van Patten located in the Town of Owego identified on the Town of Owego Tax Map as number 131.19-1-23, parcel number 12370, to the Town of Owego.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 288-21 AMEND BUDGET & APPROPRIATE FUNDS

PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from New York State Department of Health; and

WHEREAS: The funding is designated for the Healthy Neighborhoods Program; and

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

RESOLVED: That funding be appropriated as follows:

From: A4090 434640 Environmental Health: State Aid \$ 50,000

To: A4090 540595 Environmental Health: Services \$50,000

And be it further

RESOLVED: That available funds on 12/31/21 of the original \$50,000 will be carried forward into the New Year.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 289-21 AMEND BUDGET & APPROPRIATE FUNDS

PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the CDC passed through NYSDOH: and

WHEREAS: The funding is specifically designated for Public Health efforts toward COVID-19 as Public Health Fellows as part of the Epidemiology & Laboratory Capacity (ELC) 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-ELC2 Public Health: State Aid/ELC2 \$719,282

To: A4011 540487-ELC2 Public Health: Program Exp/ELC2 \$719,282

And be it further

RESOLVED: That available funds on 12/31/21 of the original \$719,282 will be carried forward into the New Year.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 290-21 AMEND 2021 CAPITAL BUDGET AND

TRANSFER FUNDS FOR RENOVATIONS 56 MAIN -

PUBLIC WORKS

WHEREAS: The Economic Development and Planning will be moving into the vacated CCE space in 56 Main Street; and

WHEREAS: The vacated CCE space is in need of renovations including HVAC and carpet replacement; and

WHEREAS: Cost savings was achieved in another 2021 Capital Reserve Budget line and legislative approval is needed to authorize all Capital Reserve expenses and Capital Budget Amendments and Transfers; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H1620.520923 Standby Generator \$30,000.00 To: H1620.520911 Renovations 56 Main St \$30,000.00

ROLL CALL VOTE

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

No - None.

Absent - None.

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. 291-21 AMEND RESOLUTION 257-21

APPROPRIATION OF FUNDS 2021-2022 NYS STOP DWI

HIGH VISIBILITY ENGAGEMENT GRANT

STOP DWI

WHEREAS: Resolution 257-21 requested authorization to appropriate the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002567) in the amount of \$15,000; and

WHEREAS: The grant contract award is actually \$17,500; and

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

RESOLVED: That the 2021-2022 NYS STOP DWI High Visibility Engagement grant (contract #C002567) be appropriated with the corrected amount as follows:

FROM: A3315-445890-CRK21 Federal Aid-Other Transp NPSP \$17,500

TO: A3315-540590-CRK21 Services Rendered-STOP DWI \$17,500

And be it further

RESOLVED: That the balance of the original \$17,500 as of December 31, 2021 be carried forward into the 2022 budget.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 292-21 MODIFY 2021 BUDGET AND TRANSFER FUNDS

SHERIFF'S OFFICE

WHEREAS: Funds need to be transferred from various accounts to pay for obligatory 2021 expenses for car maintenance expenses; and

WHEREAS: Legislative approval is needed to modify the 2021 budget and transfer funds between object of expenses; therefore be it

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

FROM:

A3110.510010 Full Time Salary \$30,000

TO:

A3110.540070 Car Maintenance \$30,000

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 293-21 AMEND 2021 BUDGET

APPROPRIATION OF FUNDS

AMERICAN RESCUE PLAN ACT

BUDGET OFFICE REQUEST 2021-001

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 2021 Budget and appropriation of Fiscal Recovery Funds require Legislative Approval; therefore be it

RESOLVED: That the 2021 Budget be amended, and funds be appropriated as follows:

TO: A1325 540429 M7674 ARPA Outside Support

\$100,000.00

VID: 936 Tioga County Local Development Corporation ARPA Category: 2.11 Aid to Tourism, Travel, Hospitality Manual Check Payment to Tioga County Tourism

TO: A3410 540140 M7674 ARPA Contracted Services

\$63,500.00

VID: 4446 Center for Governmental Research
ARPA Category: 6.10 Provision of Governmental Services
Appropriation for EMO/Ambulance Study (Public Safety)

TO: A1325 540429 M7674 ARPA Outside Support

\$500,000.00

VID: 7009 Tioga County Property Development Corporation ARPA Category: 3.10 Housing Support: Affordable Housing Manual Check Payment to TCPDC (Land Bank)

TO: A1680 520270 M7674 ARPA Telephone Equipment

\$40,000.00

VID: 645 All Mode

ARPA Category: 6.10 Provision of Governmental Services
Appropriation for ShoreTel Hardware/Cyber Security Upgrade

TO: A1325 540429 M7674 ARPA Outside Support

\$250,000.00

VID: 829 Catholic Charities

ARPA Category: 3.10 Housing Support – Affordable Housing Manual Check Payment "A Place to Call Home" Housing Project

TO: A1680 540140 M7674 ARPA Contracted Services

\$192,368.00

VID: 1399 Pictometry International Corporation ARPA Category: 6.10 Provision of Governmental Services Appropriation for GIS Imagery Service (Emergency Response)

TO: A1460 540140 M7674 ARPA Contracted Services

\$8,250.00

VID: 7014 Jettner Information Services

ARPA Category: 6.10 Provision of Governmental Services Appropriation for Records Management Consultation Service

Chair Sauerbrey spoke. "This is the first act of the American Recovery Funds. This Legislature met and designated funds to go out to those areas and this is the first process for a limited amount of projects and more will follow. We

will be making a statement of what these funds are being used for and where they are going in the future."

ROLL CALL VOTE

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

No - None.

Absent – None.

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. 294-21 AUTHORIZE ACCEPTANCE OF STATEWIDE

INTEROPERABLE COMMUNICATIONS

"FORMULA" GRANT (SICG 20)
APPROPRIATION OF FUNDS &

MODIFY 2021 BUDGET

OFFICE OF EMERGENCY SERVICES

WHEREAS: The Office of Emergency Management applied for and was awarded a Homeland Security Statewide Interoperable Communications "Formula" Grant 2020 in the amount of \$429,140. The grant will be used for upgrading the radio communications in the county with no local share associated with said grant; and

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

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

RESOLVED: That the 2021 budget be modified and funds be appropriated to the following accounts:

FROM: A3415 433063 IO20F – State Aid Interop Comm Grant \$429,140

TO:	A3415 540140 IO20F	Contracted Services	\$100,000
TO:	A3415 540180 IO20F	Dues	\$ 950
TO:	A3415 520130 IO20F	Equipment (Not Car)	\$328,190

And be it further

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

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 295-21 AUTHORIZE ACCEPTANCE OF THE

FLOYD HOOKER FOUNDATION GRANT AND

MODIFY 2021 BUDGET

WHEREAS: The Probation Department applied and was awarded the Floyd Hooker Foundation grant in the amount of \$7,500.00; and

WHEREAS: This funding is for the Juvenile/Youth at Probation; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this grant; and be it further

RESOLVED: That the 2021 budget be modified to reflect this grant and that this funding be receipted with the following accounts:

Revenue Account: A3140 427050 \$7,500.00

Expense Account: A3140 540487 \$7,500.00

And be it further

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

Legislator Standinger spoke. "Our new Probation Director applied for this grant because he is concerned about the youth that may experience criminal behavior and I am sure that Mr. Hooker would be pleased that some of his money is going to that effort. Brian Cain, I give him a shout out for applying for this grant and being concerned about the youth of the County."

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 296-21 RESOLUTION TO RENEW CONSULTANT

CONTRACT FOR HAZARD MITIGATION PLAN

COORDINATOR FOR 2022

WHEREAS: Per resolution 193-12 and resolution 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department continues to lack existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2022 budget to cover these expenses, in the amount of \$20,000 from Planning Appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2022, not to exceed \$20,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 297-21 ENTER INTO CONTRACT WITH TWIN

TIERS DRUG & ALCOHOL TESTING, LLC FOR CDL DRUG AND ALCOHOL TESTING

WHEREAS: Federal law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: Tioga County has coordinated with towns and villages within Tioga County to have testing done by an outside agency; and

WHEREAS: Tioga County has received a proposal from Twin Tiers Drug & Alcohol Testing, LLC to perform this service; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a one-year contract for 2022 with Twin Tiers Drug & Alcohol Testing, LLC to perform this service at the rates indicated:

Complete DOT/Non-DOT Random Testing Program:

- Random Selection of Employees Calculated Quarterly (50% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests performed quarterly on-site
- Record Management

- DOT Audit Assistance
- Regulatory Updates
- MIS Reports
- Collection Site Management
- Supervisor Training
- Laboratory and MRO Set-up with own Laboratory Account
- Online Access to Reporting 24 hours a day
- Online Order of Pre-employment, Follow-up, or Return to Duty Testing
- Training to Navigate Online Portal
- Assistance with Mediation Between MRO and DER
- Over 50 years of collective DOT knowledge

<u>Additional Charges</u>: Pre-employment, post-accident, reasonable suspicion, follow-up, or return to duty tests:

Normal Business Hours:

Quest Diagnostics/Medical Facilities, Hospitals, etc.: \$65.00 per test
Breath alcohol test (in office or on-site): \$40.00 per test
Drug Test On-site: \$60.00 per test
Scheduled On-site fee \$150.00 one-time fee

Emergency and After Hours:

Emergency On-site fee: \$150.00/hr. with 2 hr. minimum
After hours fee: \$25.00 per test
Holiday fee: \$25.00 per test
Shy Bladder fee: \$1.00 per minute
Wait fee: \$1.00 per minute

<u>Split Specimen Testing</u> (re-test of positive specimen by another SAMHSA certified lab) Includes shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification: \$200.00 per test

ROLL CALL VOTE

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

No - None.

Absent – None.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 298-21 RESOLUTION TO CONTINUE APPROVAL FOR

CONTRACT BETWEEN THE TIOGA COUNTY

PROBATION DEPT. AND CAYUGA

COUNSELING SERVICE, INC.

WHEREAS: Raise the Age mandates and changes made to 9 NYCRR 356 and 9 NYCRR 359 require Probation Departments to offer a variety of Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth based on their risk level. The services provided must be proven evidence based services or promising evidence based services; and

WHEREAS: Tioga County Probation would like to continue to contract with Cayuga Counseling Service, Inc. to provide promising evidence based services to Probation involved youth. This program will provide both Alternative to Detention programing and Pre-Dispositional Supervision programing for youth in Youth Part Court, Family Court or Intake and Diversion Services at Probation; and

WHEREAS: In 2020, the County Legislature approved a contract with Cayuga Counseling Service, Inc. to provide 8 slots of juvenile specialized supervision to reduce the County's need for expensive specialized secure detention, secure and non-secure detention and the newly mandated Pre-Dispositional Supervision; and

WHEREAS: The cost of the contact is \$72,509.81 for twelve months. The County received RTA funding for this program for 2020 and the Probation Department will list the program in the next application for Raise the Age funding when it is available; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to continue to contract with Cayuga Counseling Service, Inc. in 2022 to provide Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 299-21 RESOLUTION TO APPROVE A CONTRACT BETWEEN

THE TIOGA CO. PROBATION DEPT. & THE FAMILY AND CHILDREN'S COUNSELING SERVICES TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES IN THE

JOURNEY PROJECT

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2019; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile offender assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; therefore be it

RESOLVED: That the Probation Director is approved to contract in 2022 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually.

ROLL CALL VOTE

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

No - None.

Absent – None.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 300-21 RESOLUTION TO APPROVE A CONTRACT BETWEEN

THE TIOGA COUNTY PROBATION DEPT. AND

ASCENTEC HOLDINGS LLC

WHEREAS: The Legislature has previously approved a contract between the Probation Department and Ascentec Holdings, LLC company for the use of Electronic Monitoring Mobile App and Services called vCheck24 to be used with youth and adults as an alternative to incarceration or an alternative to detention; and

WHEREAS: The Probation Department initiated a contract for electronic monitoring mobile app and services from Ascentec Holdings, LLC at the cost of \$0.75 per day per client, and this contract may be auto-renewed yearly per the written contract; and

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every county to create Alternative to Detention programing and Tioga County Probation has utilized Electronic Monitoring as an Alternative to Detention and is part of Tioga's STSJP funding request to NYS OCFS and part of the Tioga County Raise the Age Comprehensive Plan that such services should be available to youth; and

WHEREAS: Tioga County Probation has budgeted funds for Electronic Monitoring services in the amount of \$4,000 in account number A3142 540140; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with Ascentec Holdings, LLC to use their mobile app called vCheck 24 to provide Electronic Monitoring for adults and juveniles to the Probation Department as part of the County's Alternative to Incarceration and Alternative to Detention programming.

ROLL CALL VOTE

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

No - None.

Absent - None.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 301-21 RESOLUTION TO APPROVE STSJP CONTRACT FOR

SFY 2021-2022 PROBATION AS LEAD AGENCY FOR

APPLICATION FOR FUNDING VIA STSJP

WHEREAS: The NYS Office of Children and Family Services (OCFS) has directed every County to create Alternative to Detention programing and since 2015 the Probation Department has been the Lead Agency for the County to apply for STSJP funding; and

WHEREAS: The funding is based on an approved OCFS contract for a maximum of \$40,000 and is set at a ratio of 62% state reimbursement – 38% county share for monies expended by the County for Alternative to Detention programing for Juvenile Delinquents. The Tioga County Legislature agrees to accept this reimbursement funding format; therefore be it

RESOLVED: That the Tioga County Legislative Chair is approved to contract with the Office of Children and Family Services for STSJP funding as follows:

Probation Department – Juvenile Delinquency Alternatives to Detention

Reminder Call, Electronic Monitoring \$19,766.00 State Share \$12,254.92 County Share \$7,511.08

ROLL CALL VOTE

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

No – None.

Absent – None.

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

REFERRED TO: ITCS COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 302-21 AUTHORIZATION TO CONTRACT

WITH PICTOMETRY INTERNATIONAL

CORPORATION - ORTHO AND OBLIQUE

GIS IMAGERY

WHEREAS: The Tioga County Information Technology and Communication Services Department has a need to renew ortho and oblique imagery within the county Geospatial Information Systems toolset; and

WHEREAS: The Chief Information Officer would like to enter a multiple year contract with Pictometry International Corporation at a total cost of \$192,368.00 for the period of January 1, 2022 through December 31, 2026; and

WHEREAS: Funding will be provided using ARPA funds which will be allocated to account A1680.540140 (contracted services); therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and Pictometry International Corporation upon review by the County Attorney.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 303-21 AUTHORIZE CONTRACT RENEWAL

CSEA EBF MEMBER PLUS

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer vision and dental plans for CSEA and Non-Union employees, now named CSEA EBF Member Plus; and

WHEREAS: The dental and vision plans are contractual benefits for CSEA employees, and on November 9, 2021 the Tioga County Legislature ratified the CSEA contract through 2024; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA EBF Member Plus for the purpose of facilitating the dental and vision plans for the period of January 1, 2022 – December 31, 2024.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 304-21 AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON

NY TIOGA I, LLC AND NY TIOGA II, LLC PAYMENT IN

LIEU OF TAX AGREEMENTS

WHEREAS: NY Tioga I, LLC and NY Tioga II, LLC have submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately 5.0 Megawatts AC and 2.2 Megawatts AC respectively; and

WHEREAS: Both projects are situated at 443 Glenmary Drive, tax map # 117.00-1-80.1, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require Payment in Lieu of Taxes (PILOT) Agreements with NY Tioga I, LLC and NY Tioga II, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: NY Tioga I, LLC and NY Tioga II, LLC have agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Said fifteen (15) year term shall commence on the first taxable status date selected by NY Tioga I, LLC and NY Tioga II, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by one and one half percent (1.5%) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 15th of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdictions have agreed that the said payments shall be disbursed to the Town of Tioga, Owego Apalachin Central School District and County of Tioga in equal portions; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Tioga I, LLC and NY Tioga II, LLC, and the Town of Tioga, Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED: ED&P COMMITTEE

FINANCE COMMITTEE

RESOLUTION NO. 305-21 RESOLUTION AUTHORIZING AND APPROVING THE

RETAINAGE OF COVID-19 EMERGENCY RELIEF LOAN PROGRAM LATE FEES BY THE TIOGA COUNTY

INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS: By way of Resolution 96-20 the Tioga County Legislature authorized the use of revolved US Department of Housing and Urban Development for Community Development Block Grant, Small Cities program monies in the amount of \$475,000 for the establishment of a COVID-19 Emergency Relief Loan Program; and

WHEREAS: By way of the same Resolution the Tioga County Legislature authorized the Tioga County Industrial Development Agency (TCIDA) to administer said program on behalf of the County as outlined in the COVID-19 Emergency Relief Loan Program Scope of Work; and

WHEREAS: COVID-19 Emergency Relief Loan Program guidelines call for a late fee to be collected when a payment is more than ten (10) days late; and

WHEREAS: To date the TCIDA has collected a total of \$238.15 in COVID-19 Emergency Relief Loan Program late fees; and

WHEREAS: The Tioga County Legislature has received a request from the TCIDA Executive Administrator to authorize the TCIDA to retain all late fees associated with the program for the TCIDA's administration of the program on behalf of the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes and approves TCIDA to retain all late fees collected in association with the administration of the COVID-19 Emergency Relief Loan Program.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO 306-21 ESTABLISH RETIREE HEALTH INSURANCE

CONTRIBUTIONS

WHEREAS: Retirees who qualified to pay 0% of individual health insurance in accordance with Section IV.B.1.c. of the Employee Handbook Policy "Orientation/ Exit Interviews / Recruitment/ Retirement" (formerly Policy # 3) are currently not contributing toward their retiree coverage; and

WHEREAS: Due to continually rising health insurance costs, property tax cap, and other factors it is no longer feasible to offer these retirees free health insurance; therefore be it

RESOLVED: That any retiree as of the date of this resolution who qualified for free individual coverage in accordance with Section IV.B.1.c. shall contribute 3.25% of the monthly individual premium or \$20/month per individual policy, whichever is greater, effective January 1, 2022.

ROLL CALL VOTE

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

No - None.

Absent - None.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 307-21 AMEND RESOLUTION 176-94 AS AMENDED BY

RESOLUTION 281-17, AS AMENDED BY RESOLUTION

276-20: MEDICARE REIMBURSEMENT

WHEREAS: Resolution 281-17 amended Resolution 176-94 to set the Medicare Part B reimbursement rate for eligible retirees at \$115 per month for the period of February 1, 2018 through January 31, 2021 to be reviewed every three years; and

WHEREAS: Resolution 276-20 held the Medicare Part B reimbursement rate for eligible retires at \$115 per month through January 31, 2022 to be reviewed in 2021; and

WHEREAS: The 2022 Medicare Part B premium that retirees will pay is an increase of approximately 27% since 2017; and

WHEREAS: Tioga County will achieve substantial savings with the 2022 retiree Medicare health insurance plan change; therefore be it

RESOLVED: That the Medicare Part B reimbursement rate for eligible retirees will increase to \$148.50 per month, 2021 Part B premium, for the period of February 1, 2022 through January 31, 2025; and be it further

RESOLVED: That the Legislature will review again in 2024; and be it further

RESOLVED: That this resolution shall amend Resolution 176-94 only as to the Medicare reimbursement portion of said Resolution.

ROLL CALL VOTE

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

No - None.

Absent – None.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

PERSONNEL COMMITTEE

RESOLUTION NO. 308-21 AUTHORIZE EXCEPTION TO EMPLOYEE HANDBOOK

SECTION IV. PERSONNEL RULES – SUBSECTION J:

NON-UNION VACATION

WHEREAS: Public Health has experienced significant and ongoing staffing coverage issues working throughout the COVID-19 pandemic; and

WHEREAS: The Employee Handbook Section IV. Personnel Rules - Subsection J. Non-Union Vacation Policy dictates the rules regarding vacation accruals and carry-over for Non-Union staff; and

WHEREAS: The Policy allows for carry-over of 20 days of vacation from one anniversary to the next; and

WHEREAS: Due to the responsibilities related to the ongoing response, a TCPH nonunion employee has been unable to utilize their vacation time and is in jeopardy of losing earned vacation days; and

WHEREAS: Public Health requests that during this unique and exceptional pandemic circumstance this employee be granted exception and to cash-in the vacation days in jeopardy of being lost; and

WHEREAS: Funds for this "cash-in" are available in the 2021 Public Health budget and are fully reimbursable without any County cost; therefore be it

RESOLVED: That the County Legislature hereby authorizes an exception to Employee Handbook Section IV. Personnel Rules – Subsection J. Non-Union Vacation Policy due to the current and ongoing pandemic, for Lisa McCafferty to cash-in 88 hours Vacation that are in excess of the allowable 20-day carryover on her anniversary date (December 14th) at an amount not to exceed \$4,500.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

PERSONNEL COMMITTEE

RESOLUTION NO. 309–21 APPOINTMENT OF PART-TIME

INFORMATION SECURITY OFFICER

LEGISLATIVE OFFICE

WHEREAS: Tioga County Comprehensive Information Security Policy requires the Legislature to appoint annually, a part-time Information Security Officer who will be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That Susan Haskett shall be appointed to the part-time Information Security Officer position for 2022 and will be compensated at an annual rate of \$2,746.00

ROLL CALL VOTE

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

No - None.

Absent – None.

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. 310-21 AUTHORIZE CREATION OF FULL-TIME

LOCAL COORDINATOR POSITION
PUBLIC HEALTH DEPARTMENT

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

WHEREAS: Funding requirements from New York State have resulted in the immediate need for the Tioga County Public Health Department to create a full-time position to oversee contractual Public Health Fellows providing COVID related services to the citizens of Tioga County; and

WHEREAS: The Public Health Department has provided the Personnel Department with a job description approved by New York State to fulfill said duties; and

WHEREAS: Funding for the position is through the Epidemiology and Laboratory Capacity (ELC) Public Fellows grant that is to be appropriated under Resolution 289-21 in December 2021; therefore be it

RESOLVED: That the Legislature approves the creation of a full-time Local Coordinator position at an annual salary of \$50,000 (Non-union) effective January 1, 2022; and be it further

RESOLVED: That the authorized full time head count shall increase from 30 to 31.

ROLL CALL VOTE

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

No - None.

Absent – None.

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. 311-21 AUTHORIZE CREATION OF TEMPORARY FULL-TIME

OFFICE SPECIALIST I POSITION PUBLIC HEALTH DEPARTMENT

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

WHEREAS: Requirements related to COVID Pandemic from New York State have resulted in immediate need for the Tioga County Public Health Department to

create a full-time temporary administrative support position to assist with COVID related services; and

WHEREAS: The Public Health Department has provided the Personnel Department with a request to create a full-time Office Specialist I position to be filled on a temporary, two year duration; and

WHEREAS: The funding for this position is through the Epidemiology and Laboratory Capacity (ELC) grant which was appropriated by Tioga County Legislative Resolution #20-160; therefore be it

RESOLVED: That the Legislature approves the creation of a temporary, full-time Office Specialist I position at an hourly rate of \$13.20 effective January 1, 2022 through December 31, 2023.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

PERSONNEL COMMITTEE

RESOLUTION NO. 312-21 AUTHORIZE CREATION OF SYSTEMS ADMINISTRATOR

INFORMATION TECHNOLOGY & COMMUNICATION

SERVICES DEPARTMENT

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

WHEREAS: The position of Network Administrator (\$54,937 – 64,937 Non-union) will become vacant as of January 1, 2022, due to the provisional promotion of the incumbent as Deputy Director of Information Technology & Communication Services (ITCS); and

WHEREAS: In light of this, the Chief Information Officer has met with the Personnel Officer and has identified necessary changes within his department to provide greater efficiency; therefore be it

RESOLVED: That the Tioga County Legislature authorizes to un-fund the vacant Network Administrator position and create a Systems Administrator (\$54,937-\$64,937 Non-union) position effective January 1, 2022; and be it further

RESOLVED: That the ITCS Department's 2022 authorized full-time headcount shall increase from 9 to 10; and be it further

RESOLVED: That the unfunded position of Network Administrator shall be abolished once the Deputy Director of ITCS attains permanent status in said title.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: INFORMATION TECHNOLOGY

PERSONNEL COMMITTEE

RESOLUTION NO. 313-21 AUTHORIZE SALARY REALLOCATION AND

APPOINTMENT OF DEPUTY DIRECTOR OF

INFORMATION TECHNOLOGY & COMMUNICATION

SERVICES

WHEREAS: Legislative approval is required for salary reallocations and for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Deputy Director of Information Technology & Communication Services (\$52,943 – 62,943 Non-union) will become vacant as of December 31, 2021, due to a prior announced resignation; and

WHEREAS: In light of this, the Chief Information Officer has identified revisions to the current job description in order to incorporate various network administrator duties and responsibilities; and

WHEREAS: The Personnel Officer has approved said revisions and as a result of the additional responsibilities, recommends a salary reallocation within the Non-union salary range for Deputy Director of Information Technology and Communication Services; therefore be it

RESOLVED: That the Non-union salary range for Deputy Director of Information Technology and Communication Services shall increase from \$52,943 – 62,943 to \$65,000 – 75,000 effective January 1, 2022; and be it further

RESOLVED: That the Chief Information Officer is authorized to provisionally appoint Cuyler Kochin as Deputy Director of Information Technology at an annual salary of \$65,063 effective January 1, 2022, pending successful completion of civil service examination requirements.

Legislator Sullivan spoke. "I want to let everybody know that our current Deputy Director, Drew Griffin, who has served the County for many, many years will be leaving us. I personally and, on behalf of the Legislature, want to thank Drew for all of his efforts through the years and wish him the very best in the future."

Chair Sauerbrey spoke. "We all wish you the best, Drew."

ROLL CALL VOTE

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

No - None.

Absent - None.

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. 314-21 AUTHORIZE SALARY ABOVE CSEA BASE FOR

PROBATION OFFICER

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

WHEREAS: The Probation Director has identified a candidate from the current civil service eligible list for Probation Officer 1 (CSEA SG XI, \$44,572 – 45,272) with over six years of prior relevant work experience; therefore be it

RESOLVED: That Jean R. Regis is hereby appointed to the title of Probation Officer 1 at \$45,272 / year (increment stage 2 of CSEA SG XI) effective December 20, 2021.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION

RESOLUTION NO. 315-21 2022 STAFF CHANGES

BOARD OF ELECTIONS

WHEREAS: The Board of Elections requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

<u>Name</u>	Current Title/ Salary	<u>New Title/</u> <u>Salary</u>	<u>Buc</u>	lget Impact
Vacant		lections Clerk PT (2 \$17/hour; 28 hrs/w		+ \$49,504
Vacant	(\$	Driver PT (2 posit \$15/hour; 42 hrs/ye	•	+ \$1,260

and be it further:

RESOLVED: That the Board of Elections authorized part-time headcount is increased from 6 to 10.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION

RESOLUTION NO. 316-21 2022 STAFF CHANGES

COUNTY CLERK'S OFFICE

WHEREAS: The County Clerk requested a staffing change in the DMV Office as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

Name Current Title/ New Title/ Budget Impact

<u>Salary</u> <u>Salary</u>

Vacant Motor Vehicle License Clerk

(CSEA Grade V: \$30,965-31,965) + \$30,965

and be it further:

RESOLVED: That the County Clerk's Office authorized full-time headcount is increased from 14 to 15.

Legislator Standinger spoke. "As evidenced by the lack of a line looking out this door, I think our County Clerk, Andrea Klett, has done a fantastic job keeping things moving in the DMV in spite of this pandemic. To her credit, she does examine the employees and how much they do and she certainly made the case to warrant this position.

Legislator Sullivan spoke. "In addition to that, because of the good work done by all staff in that Department, the revenue coming from this Department has increased significantly because that Department has taken on a lot of the dealership work because local dealerships have been unhappy with DMV services outside of Tioga County and bring their business to Tioga County. So, not only has the revenue increased significantly, it more than pays for this position. So, kudos to Andrea and the entire DMV Department."

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

PUBLIC WORKS COMMITTEE PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION

RESOLUTION NO. 317-21 2022 STAFF CHANGES

ED&P DEPARTMENT/

PUBLIC WORKS DEPARTMENT

WHEREAS: The Public Works and Economic Development & Planning Departments requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

Name Current Title/ New Title/ Budget Impact

<u>Salary</u> <u>Salary</u>

E. Pratt Sustainability Manager Abolish

(Public Works Dept)

E. Pratt Sustainability Manager

(ED&P Department) Create

and be it further:

RESOLVED: That the Public Works Department's authorized full-time headcount is decreased from 39 to 38 and the Economic Development & Planning Department's headcount is increased from 8 to 9.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION

RESOLUTION NO. 318-21 2022 STAFF CHANGES

EMERGENCY SERVICES DEPARTMENT

WHEREAS: The Emergency Services Department requested staffing changes as part of the 2022 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2022:

<u>Name</u>	<u>Current Title/</u> <u>Salary</u>	<u>New Title/</u> <u>Salary</u>	Budget Impact
S. Federowicz	Asst Fire Coord PT	Salary Increase to \$5200/yr	+ \$449
D. Churchman	Asst Fire Coord PT	Salary Increase to \$5200/yr	+ \$2171

and be it further:

RESOLVED: That the Emergency Services Department headcount is unchanged and includes 1 FT and 10 PT positions.

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

LEGISLATIVE WORKSESSION LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 319-21 2022 STAFF CHANGES

LAW DEPARTMENT

WHEREAS: The Law Department requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

Name Current Title/ New Title/ Budget Impact

<u>Salary</u> <u>Salary</u>

D. Thorpe Safety Officer PT Safety Officer FT + up to \$19,507

(Non-Union) (Non-Union)

and be it further:

RESOLVED: That the Law Department's authorized full-time headcount is increased from 7 to 8 and their part-time headcount is reduced from 2 to 1.

ROLL CALL VOTE

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

No – None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

LEGISLATIVE WORKSESSION LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 320-21 2022 STAFF CHANGES

PUBLIC DEFENDER'S OFFICE

WHEREAS: The Public Defender's Office requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

Name Current Title/ New Title/ Budget Impact

Salary Salary

T. Cline 2nd Assistant Public

Defender Salary Increase + \$5,000

and be it further:

RESOLVED: That the Public Defender's Office headcount remains unchanged.

ROLL CALL VOTE

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

No - None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

PERSONNEL COMMITTEE LEGISLATIVE WORKSESSION

RESOLUTION NO. 321-21 2022 STAFF CHANGES

VETERANS' SERVICES AGENCY

WHEREAS: The Veterans' Services Agency requested a staffing change as part of the 2022 Budget process; and

WHEREAS: This request was approved by the County Legislature; therefore be it

RESOLVED: That the following staffing change be effective January 1, 2022:

Name Current Title/ New Title/ Budget Impact
Salary Salary

Vacant Veterans Service Officer PT + \$15,741

(\$17.81/hour; 17 hrs/wk)

and be it further:

RESOLVED: That the Veterans' Service Agency's authorized part-time headcount is increased from 1 to 2.

Chair Sauerbrey spoke. "The Veterans Service Agency is another one of our outstanding Departments that have made big progress under the guidance of Legislator Balliet and with the determination of Mike Middaugh, Director of Veterans Service Agency. They needed more staff and we said yes. They are helping our Veterans and it is very much appreciated."

ROLL CALL VOTE

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

No - None.

Absent - None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

LEGISLATIVE WORKSESSION

RESOLUTION NO. 322-21 STANDARD WORK DAY AND

REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
	Rhonda		07/06/21 –		
Public Defender	Pasto	7	12/31/21	Ν	11

I, Cathy Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the fourteenth day of December, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this fourteenth day of December, 2021

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on December 14, 2021 and continued for at least 30 days. That the resolution was available to the public on the

- □ Employer's website at <u>www.tiogacountyny.com</u>
- □ Official sign board at Tioga County Legislative Office.
- □ Main Entrance Clerk's Office at 56 Main Street, Owego, NY

ROLL CALL VOTE

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

No - None.

Absent - None.

Chair Sauerbrey spoke. "Thank you to the Department Heads that showed up today to support your outgoing Legislators. This is very much appreciated. Thank you to the outgoing friends and allies that have worked on this Legislature for many years. It has been a pleasure working with all of you. We bumped heads, we disagreed, we argued, we came to a resolution, and we did our best in government and it is very, very much appreciated. I think that I may be calling you to pick your brains in the future because we work as a team to make good government for Tioga County. I have to say these have been the proudest years of my service, as well. Thank you, again."

The meeting was adjourned at 1:01 P.M.