

Fifth Regular Meeting
May 14, 2024

The Fifth Regular Meeting of 2024 was held on May 14, 2024 and was called to order by the Chair at 12:02 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked Legislator Flesher to have a moment of prayer. "Dear Lord, we thank you for the opportunity you have given us to lead our County and our constituents. We ask for your continued wisdom and due diligence in our decision-making. We also would like to honor and remember those that have come before us and those we have lost."

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

There were 44 people in attendance.

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

Legislator Standingger spoke. "I don't know if you noticed, but there is an empty chair next to me; that is where Legislator Weston used to sit. So, before I read this resolution, I just want to say a couple of things. I thought about what I would say about Dale and there are three words that come to mind: unpretentious, humble, and honest and I think that kind of sums him up. If we can all be as good as him, the world would be a better place."

Legislator Standingger read and presented the following resolution to Joan Weston and her family recognizing former District #6 Legislator, Dale N. Weston posthumously.

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

RESOLUTION NO. 150-24 *RECOGNITION RESOLUTION RECOGNIZING
DALE N. WESTON POSTHUMOUSLY*

WHEREAS: Legislator Dale N. Weston passed away on April 2, 2024; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Dale N. Weston for his dedicated service and leadership as a Tioga County Legislator for the last 20 years; and

WHEREAS: Dale was elected to the position of Tioga County Legislator District #6 on January 1, 2005 and was successfully re-elected every term thereafter; and

WHEREAS: During his tenure as a Tioga County Legislator, Dale served as the Chair of the Legislature from January 1, 2007 – December 31, 2013 leading the County through the historic 2011 Flood, closing and selling of the Barton Transfer Station, relocation of the Department of Motor Vehicles back to the County Office Building just to name a few; and

WHEREAS: Dale was recognized by his fellow Legislators at the January 14, 2014 First Regular Legislature Meeting by way of Resolution No. 13-14 for his seven years of steadfast dedicated service and leadership as Chair of the Tioga County Legislature; and

WHEREAS: On January 1, 2016, Dale was appointed as Deputy Chair of the Legislature; a position he held for seven years until December 31, 2022; and

WHEREAS: During the last 20 years, Dale has served with 23 different Legislators with whom they shared a mutual respect; and

WHEREAS: Over the course of his Legislative career, Dale served on the Agriculture, Economic Development & Planning, Finance, Legal & Safety, Personnel, Public Safety, and Public Works Legislative Standing Committees; serving as Chair of the Agriculture, Economic Development & Planning, Public Safety, and Public Works Committees with his longest running term as Chair of Economic Development & Planning for seven years; and

WHEREAS: Dale was always willing to step in and serve where needed as a Legislative representative on outside agency boards. One that Dale was most passionate about and proud to serve on was the Tioga County Soil & Water Conservation District Board of Directors where he served from 2005 – 2023 and held the position of Chair of the Board from 2014-2023.

Coinciding with his term as Chair of the Board, Dale also served as Soil & Water's representative on the Ag & Farmland Protection Board. Additionally, Dale served on the Tioga Tobacco Asset Securitization Corporation Board from 2005 – 2024 and held the position of Chairman coinciding with his years served as Chair of the Legislature, NYS Fish & Wildlife Management Board from 2014-2022 where he was able to serve with his long-time friend, William J. Woods, Jr., and the Tioga County Property Development Corporation (Land Bank) from 2017 –2019; and

WHEREAS: Dale was extremely dedicated and loyal in the performance of his duties and responsibilities as a Legislator and was very well-respected by his peers; and

WHEREAS: Prior to being a Tioga County Legislator, Dale served on the Tioga County Industrial Development Agency from 1993 –1998; and

WHEREAS: As a Tioga County Legislator, Town of Spencer Board member, Educator, Coach, Leader, Mentor, Community Member, Business Owner, and especially Friend, Dale's influence has been spread across many generations leaving an impact on all who knew him; and

WHEREAS: Dale was very proud of his hometown community of Richford, NY where he grew up and his Spencer, NY community where he retired as a schoolteacher, owned and operated two current successful businesses, and where he and his wife co-chaired the Nichols Park Pond Project spending countless hours dedicated to this community project; a legacy for the Spencer community to enjoy for years to come; and

WHEREAS: Dale is survived by his wife of 60 years, Joan, and his son, Brent; 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 Dale N. Weston posthumously for his years of dedicated service and leadership to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Dale N. Weston.

ROLL CALL VOTE

Unanimously Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standing, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. "That was a pretty lengthy dissertation, but Dale was a special guy. I can say that he taught me a lot about how to do this job from my prior job in law enforcement. I am glad that he sat next to me and taught me how to do things here."

Joan Weston spoke. "Thank you for your recognition of Dale's service to the residents of Tioga County. It was especially important to him that those in the rural areas had a voice. We all know there is always work to be done and that you will be challenged to step up to the plate in his absence. You will need to pose difficult questions and present unique ideas for solving problems. On the lighter side, someone will need to adopt the role of storyteller. Another will need to raid the candy dish more often. Someone will need to schedule the lunches at Mario's, and everyone will need to smile more often.

"Brent and I are very grateful for your support of Dale throughout these challenges. The cards and many poignant comments have been heartwarming and the generous gift from the Legislature for the Nichols Park Pond Project in his memory is a perfect tribute.

"I hope you all will visit Spencer and enjoy the pond site where there is clear evidence of what can be done when thoughtful deeds are paid forward. Thank you."

Chair Sauerbrey reported the following recognition resolution will be noted for the minutes and mailed to Mrs. Smith following today's meeting.

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

RESOLUTION NO. 151-24 *RECOGNITION RESOLUTION RECOGNIZING
TODD E. SMITH POSTHUMOUSLY*

WHEREAS: Todd E. Smith passed away on April 8, 2024; and

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

WHEREAS: Todd E. Smith was elected to the position of Tioga County Legislator District #7 on January 1, 1999 and was successfully re-elected up until his resignation on September 30, 2003; and

WHEREAS: Over the course of his Legislative career, Todd E. Smith served with thirteen different Legislators and was Chair of the of the Information Technology and Administrative Services, Purchasing, ADA & Safety, Right to Know, and DWI Legislative Standing Committee from 1999-2001, Chair of Finance/Legal and Capital Projects Legislative Standing Committee from 2002-2003, and served on the Health & Human Services, Personnel, and Public Works Legislative Standing Committees; and

WHEREAS: Todd E. Smith was extremely dedicated and loyal in the performance of his duties and responsibilities as a Tioga County Legislator; and

WHEREAS: In addition to his time served as a Tioga County Legislator, Todd E. Smith also served many roles in local government as a town councilman, town supervisor, and magistrate in Newark Valley, NY; and

WHEREAS: Todd E. Smith was very involved in the Ti-Ahwaga Players of Owego, NY through acting, directing, and designing and building sets; and

WHEREAS: Todd E. Smith is survived by his wife of 40 years, Joan Stoughton Smith and his sons Ira T. Smith and Kenneth R. Smith, and granddaughter Wren Lee Smith; 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 Todd E. Smith posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Todd E. Smith.

ROLL CALL VOTE

Unanimously Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey reported we have three Proclamations; **American Stroke Month in Tioga County** that will be read by Legislator Standinger and presented to Katie Wait, Public Health Educator, and **Foster Care Recognition Month** and **Mental Health Awareness Month & Children's Mental Health Week (May 5th – 11th)** that will be noted in the minutes.

Legislator Standinger spoke. "I have traditionally read this proclamation in May and that is when I had a stroke myself in 2009, which is why I am here today and why I sit at this table instead of behind my desk at the State Police barracks. I certainly do not wish that illness on anybody. Strokes are pretty nasty things, and it is pretty rare that you survive as well as I did. I think it is because I am just a stubborn guy and, of course, Weston encouraged me a lot to do the best I could, and I am trying to do it."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States; and

WHEREAS: In Tioga County stroke has a mortality rate of 21.5 per 100,000 population according to data from 2018-2020; and

WHEREAS: High blood pressure, high cholesterol, smoking, obesity, and diabetes are leading causes of stroke and one in three Americans has at least one of these conditions or habits; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Ninety-three percent of Americans recognized that sudden numbness on one side is a symptom of stroke, but only 38% were aware of all major symptoms and knew to call 9-1-1 when someone was having a stroke; and

WHEREAS: Patients who arrive at the emergency room within 3 hours of their first symptoms often have less disability 3 months after a stroke than those who received delayed care; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2024 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "That being said, I can tell you that when I had my stroke, I had no idea what was going on. Fortunately, someone recognized that I was having a problem and got me the help I needed. Twelve days in a prison of a hospital was my reward for that, but I would guess my reward is that I am able to sit here today and do what I do."

Public Health Educator, Katie Wait spoke. "Thank you, Legislator Standinger. I just wanted to thank the Legislature for their continued support of recognizing May as American Stroke Month. As Legislator Standinger mentioned, it is quite devastating so that is why we continue to do this and really raise awareness of what the warning signs are so that if you or someone else were experiencing a stroke you can definitely call 9-1-1 to get the care needed to minimize disability. Thank you."

Chair Sauerbrey spoke. "Bill, you are our hero today. You are a good witness, paying attention, recovering, and just being on the ball, so thank you for being a representative for that cause."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem, and support for children in Tioga County; and

WHEREAS: There are 42 children in foster care in Tioga County, 34 of these children are in foster homes, with 11 being in relative foster home placements; and

WHEREAS: We have 16 certified foster homes in Tioga County with 7 of them being approved relative homes; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim May 2024, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

Mental Health Awareness Month & Children's Mental Health Awareness Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable.

WHEREAS: There is evidence that early intervention, family-centered care for children, and person-centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive, and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing, and recovery for the citizens of Tioga County who experience symptoms of mental illness, and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity, and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2024 as *Mental Health Awareness Month* and May 5th – 11th, 2024 as *Children's Mental Health Awareness Week* in Tioga County.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of April 9 and 18, 2024, seconded by Legislator Brown 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.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 152-24 APPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member in the REAP Board of Directors; and

WHEREAS: Abbey Ortu resigned from the REAP Board September 13, 2023; and

WHEREAS: Sean Lanning, Community Development Specialist, is willing to serve a two-year term on the REAP Board of Directors; therefore be it

RESOLVED: That Sean Lanning, Community Development Specialist, be hereby appointed to the REAP Board for a two-year term from May 14, 2024 through May 13, 2026.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 153-24 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2023 to March 31, 2024 be and it hereby is accepted; and be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 13,682.59
Berkshire (Town)	3,902.14
Candor (Town)	13,690.41
Candor (Village)	2,862.47
Newark Valley (Town)	10,661.30
Newark Valley (Village)	3,326.10
Nichols (Town)	3,161.45
Nichols (Village)	2,595.80
Owego (Town)	75,427.83
Owego (Village)	19,196.35
Richford (Town)	4,639.36
Spencer (Town)	7,297.79

Spencer (Village)	2,309.04
Tioga (Town)	10,727.82
Waverly (Village)	<u>13,638.41</u>
	\$187,118.86

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 154-24 *RESOLUTION OPPOSING SENATE BILL S4545/
ASSEMBLY BILL A3069 ATTEMPTING TO
CONSOLIDATE THE 109 INDUSTRIAL DEVELOPMENT
AGENCIES INTO 10 REGIONAL INDUSTRIAL
DEVELOPMENT AGENCIES*

WHEREAS: Senator Skoufis sponsored Senate Bill S4545 and Assemblywoman Wallace sponsored Assembly Bill A3069 as Acts to amend General Municipal Law, in relation to establishing ten (10) regional Industrial Development Agencies; and to repeal certain provisions of such law relating thereto; and

WHEREAS: Said Acts would force the Tioga County Industrial Development Agency (TCIDA) to be consolidated into the “Southern Tier Region” covering a seven (7) county Economic Development Region consisting of Tioga, Steuben, Schuyler, Tompkins, Chenango, Broome, and Delaware Counties; and

WHEREAS: Said Acts sponsoring memos provide very limited justification for this legislation by mentioning only concerns regarding IDA applicants “shopping around” amongst IDA’s with overlapping jurisdiction to attempt to obtain the “best deal”; and

WHEREAS: The local IDA members have vested interests in the communities in which they live and are far more knowledgeable of the local economic development priorities as compared to a 15-member regional agency spanning counties; and

WHEREAS: Many of these 15 appointed members of the regional agency could not be expected to be familiar with Tioga County and the communities served by our local IDA; and

WHEREAS: Accountability for actions taken by Industrial Development Agencies should be vested in individuals who love and work in affected communities and understand the local economic development landscape; and

WHEREAS: Neither the Tioga County IDA nor the Tioga County Legislature is aware of any attempted instances of “shopping around” within the County and furthermore do not believe that this is a widespread issue across New York State; and

WHEREAS: The Tioga County Legislature agrees with the Tioga County IDA that keeping local decision-making on important economic development priorities is imperative and a pillar of local government control accountable to its residents; therefore be it

RESOLVED: That the Tioga County Legislature hereby opposes Senate Bill S4545 and Assembly Bill 3069 that attempt to consolidate all 109 Local Industrial Development Agencies into ten (10) Regional Industrial Development Agencies; and be it further

RESOLVED: That the Clerk of the Legislature shall forward certified copies of this resolution to Governor Kathy Hochul, Senator Thomas F. O’Mara, Assemblyman Christopher S. Friend, New York State Association of Counties (NYSAC) and all others deemed necessary and proper.

Legislator Mullen spoke. “In my opinion, this is a very egregious breach of Home Rule, and I am glad that we are opposed to it.”

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 155-24 AWARD BID FOR EMERGENCY PREPAREDNESS
SMARTPHONE APPLICATION
OFFICE OF EMERGENCY SERVICES

WHEREAS: The Tioga County Office of Emergency Services sought bids for Emergency Preparedness Smartphone Application for Tioga County Fire & Emergency Management; and

WHEREAS: The Tioga County Office of Emergency Services received sealed bids on April 15, 2024; and

WHEREAS: Tioga County Office of Emergency Services has determined that OCV, LLC / MyEMAA.com is the lowest responsible bidder in substantial and material compliance with the bid specifications:

Mobile App Development (iOS and Android)	\$13,000
Year 1 Support & Maintenance	\$ 6,995/year
Two additional years of Support & Maintenance	<u>\$13,990</u>
	\$33,985

Therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to OCV, LLC / MyEMAA.com, the lowest responsible bidder in material and substantial compliance with the bid specifications, and authorizes the Chair of the Legislature to sign a contract, upon County Attorney review, for \$33,985.00 to be paid out of Account A3360.540140.DT22 Contracted Services.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 156-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON CONTRACTS FOR PROFESSIONAL SERVICES WITH DELUGE MEDIA TO CREATE TWO PROMOTIONAL VIDEOS*

WHEREAS: Tioga County Sustainability would like hire Deluge Media to produce two educational/outreach videos on waste reduction in Tioga County; and

WHEREAS: These professional services will be produced prior to December 31, 2024, for the total cost of \$10,480 for the two videos; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Legislative Chair or their designee to enter into these agreements with Deluge Media as approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 157-24 *AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH CASELLA WASTE SYSTEMS, INC. TO ACCEPT HOUSEHOLD ELECTRONIC WASTE FROM TIOGA COUNTY RESIDENTS*

WHEREAS: In April 2020, Taylor Garbage stopped accepting electronic waste for recycling at their transfer station in Owego due to COVID; and

WHEREAS: On August 1, 2023, Casella Waste Systems, Inc. purchased Taylor Garbage; and

WHEREAS: Tioga County Sustainability has an electronic waste recycling outlet for residents through their Household Hazardous Waste program; however, Broome County Solid Waste will be eliminating the collection of electronics from Tioga County residents in the next contract in 2025; and

WHEREAS: Tioga County Sustainability would like to enter into an agreement with Casella Waste Systems, Inc. where Tioga County residents can drop off their household electronic waste at no charge; and

WHEREAS: Tioga County Sustainability will pay for the recycling costs for household electronic waste brought to Casella Waste Systems, Inc. transfer station located at 352 Glen Mary Drive, Owego, NY; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said agreement; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the said agreement upon its approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 158-24 *AUTHORIZATION TO RENEW CONTRACT WITH THOMSON REUTERS (WESTLAW) FOR A ONE YEAR SUBSCRIPTION TO WEST PROFLEX*

WHEREAS: The County is desirous of renewing a contract with Thomson Reuters (Westlaw) for a subscription to their legal research service starting July 1, 2024, through June 2025 at a cost of \$12,324.12; and

WHEREAS: The services provided through this subscription will be utilized by personnel in the County Attorney's office, Public Defender's office, District Attorney's office, and Department of Social Services; therefore be it

RESOLVED: That the County Attorney is authorized to execute a renewal contract with Thomson Reuters for a one-year subscription to WEST PROFLEX legal research services for the period of July 1, 2024 through June 2025 at a cost of \$12,324.12.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Flesher moved for the adoption of the following resolution, seconded by Legislator Ciotoli.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 159-24 *AUTHORIZE CONTRACT WITH THOMSON REUTERS
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office has a need to enter into a five-year contract with Thomson Reuters for the CLEAR Proflex Program at an amount not to exceed \$16,580.40 during this period; and

WHEREAS: The County Attorney has reviewed and approved this contract; and

WHEREAS: Legislative approval is needed to be in compliance with County purchasing policies; therefore be it

RESOLVED: That the Tioga County Sheriff's Office is authorized to contract with Thomson Reuters for the CLEAR Proflex Program for the five-year period at an amount not to exceed \$16,580.40.

Legislator Standinger spoke. "I am going to vote no on this resolution as I am concerned about oversight of this program."

Legislator Mullen spoke. "I echo Legislator Standinger's comments. The reports are 52 pages long and they give absolutely everything about a person's background. I do not believe there are enough checks and balances in place. I would be in favor of this program for the Sheriff's Office when the checks and balances are in place and that there is proper oversight, and that conversation has been started with the County Attorney. The amount of information that comes out of one of these reports is mind-boggling and without the ability to say that a report is attached to a specific investigation albeit a background or criminal investigation, and without the proper checks and balances in place, I will also be voting no on this resolution."

Legislator Flesher spoke. "I would just like to say that I agree with both Legislator Standinger's and Mullen's opinions. There should absolutely be checks and balances, but also this is a program that I believe the Sheriff's Office needs to have to be able to utilize proper background and criminal checks, so I will be voting yes with the caveat that I feel we should implement some reasonable checks and balances for the use of this program."

Legislator Roberts spoke. "Now, that the Legislature is aware of this we will address a policy for this program."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Roberts, Sauerbrey, Brown, and Ciotoli.

No – Legislators Mullen and Standinger.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 160-24 *AUTHORIZE CONTRACT EXTENSION WITH
TRIAD GROUP, LLC FOR WORKERS'
COMPENSATION ADMINISTRATION*

WHEREAS: The Tioga County Self-Insurance Plan has been using the services of Triad Group, LLC (Triad) as the workers' compensation third-party administrator (TPA) since June 1, 2020, when Triad was selected through a Request for Proposal (RFP) in the first quarter of 2020; and

WHEREAS: The RFP was to select a TPA for a three-year period with the option for a one-year renewal up to two years; and

WHEREAS: Triad has a dedicated in-house team of claims adjusters, nurse case managers, legal representatives, and medical bill auditors that work together to provide effective proactive management on all workers' compensation claims; and

WHEREAS: Triad communicates with all representatives of the Tioga County Self-Insurance Plan to ensure that cases are handled appropriately; and

WHEREAS: Tioga County Self-Insurance Plan has approximately fifty open or reopened claims and continuing with Triad will ensure continuity of claims handling; and

WHEREAS: Triad submitted a one-year contract extension for June 1, 2024, through May 31, 2025, at an annual cost of \$31,000, with a 0% rate increase over prior year; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to contract with Triad, subject to review by the County Attorney, to continue as the third-party administrator for the Tioga County Self-Insurance Plan for the period of June 1, 2024, through May 31, 2025; and be it further

RESOLVED: That the cost of this contract will be paid out of the Tioga County Self-Insurance Fund Account S1720.540140.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 161-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Culvert Program Phase 1 (FFY 2022), PIN 9754.94 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

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

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

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

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

RESOLVED: That the sum of \$420,803 is hereby appropriated from account H51 10.520003.H1008 and made available to cover the costs of participation in the above phase of the Project; and it is further

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

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement

requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 162-24 *AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT GRANT APPLICATION TO RESTORE NEW YORK COMMUNITIES INITIATIVE ROUND 8 ("RESTORE NY") GRANT FUNDING AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS FOR RECONSTRUCTION OF RESIDENTIAL HOMES ON LIBERTY STREET AND TEMPLE STREET AND REHABILITATION OF BUILDING AT 81 NORTH AVENUE, VILLAGE OF OWEGO*

WHEREAS: Tioga County Property Development Corporation (TCPDC) intends to reconstruct single family residential homes on Temple Street and Liberty Street and rehabilitate a blighted, vacant mixed-use building at 81 North Avenue, in the Village of Owego; and

WHEREAS: Five single family residential homes will be constructed on Temple Street and Liberty Street, where blighted residential homes were demolished by TCPDC in 2022; and

WHEREAS: The mixed-use building at 81 North Avenue acquired by TCPDC in 2023 will be fully rehabilitated to house commercial space on the first floor and residential space on the second and third floors; and

WHEREAS: The Restore NY program is administered by NYS Empire State Development (ESD) and provides municipalities with financial assistance for the revitalization of commercial and residential properties and encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS: This project is consistent with Tioga County's effort to revitalize commercial and residential properties that make up the downtown or "Main Street" areas of the County per Resolution No. 159-03; and

WHEREAS: The proposed financing is appropriate for this project; and

WHEREAS: This proposed project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources; and

WHEREAS: This project will develop and enhance infrastructure in a manner that will attract, create, and sustain employment; and

WHEREAS: Tioga County is proposing the submittal of an application under the Restore NY program of \$1,065,000.00 to assist TCPDC with the aforementioned project, with a match to be provided by the property owner; and

WHEREAS: The proposed project is an eligible activity under the Restore NY program and Tioga County, NY is an eligible entity to apply for and receive Restore NY funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application of \$1,065,000.00 and upon award, authorizes the Chair of the Legislature to sign all grant-related contract and other paperwork, contingent upon review by the County Attorney.

Legislator Ciotoli spoke. "It has been a challenge for the Temple and Liberty Street properties, and I commend the Economic Development & Planning Department and everyone who has been involved to work through that so this can get done and back on the tax rolls."

Legislator Mullen spoke. "I echo Legislator Ciotoli's remarks completely. It has been a tremendous amount of work to get to this point and I am very pleased to see that we are at this point now."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 163-24 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT APPLICATION (SHSP24)*

WHEREAS: The NYS Department of Homeland Security/Federal Emergency Management Agency will be issuing a grant to the Tioga County Office of Emergency Services with no local share; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the 2024 Homeland Security grant application and authorizes the Chair of the Legislature to sign such application after review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 164-24 *AUTHORIZE THE SUBMISSION OF
 2024 PSAP OPERATIONS GRANT
 SHERIFF'S OFFICE*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2024 PSAP (Public Safety Answering Point) Operations grant funding, which has no county share; and

WHEREAS: County Policy requires that a resolution be approved before any such grant application is submitted; and

WHEREAS: The grant application deadline is June 12, 2024; therefore be it

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

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 165-24 *AUTHORIZE SUBMISSION OF STATEWIDE
 INTEROPERABLE COMMUNICATIONS FORMULA
 GRANT APPLICATION (SICG24)
 OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security and Emergency Services has issued a Statewide Interoperable Communications Formula Grant 2024. The grant will

be used for the maintenance and upgrading of the radio communications in the county and no local share is associated with said grant; and

WHEREAS: County Policy requires that permission be obtained prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be authorized to submit the Statewide Interoperable Communications Formula Grant 2024 application and authorizes the Chair of the Legislature to sign any and all grant related paperwork upon review by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 166-24 *AUTHORIZE PARTICIPATION IN HGACBUY
COOPERATIVE PURCHASING PROGRAM*

WHEREAS: Tioga County is dedicated to the procurement of the right goods and services at the right price for the various County departments in a timely manner assuring the prudent and economical use of public monies; and

WHEREAS: Tioga County declares its intention to purchase competitively without prejudice and to seek maximum operational value for every dollar expended; and

WHEREAS: Tioga County's purchasing policy shall be administered in accordance with all ethical rules called for by the County of Tioga and the National Institute of Governmental Purchasing Code of Ethics; and

WHEREAS: HGACBuy Cooperative Purchasing Program serves government and non-profit organizations with a cooperative purchasing program whose procurement process meets or exceeds local purchasing requirements; and

WHEREAS: Tioga County purchasing procedures shall be subject to the approval of the Legislature; therefore be it

RESOLVED: That the HGACBuy Cooperative Purchasing program satisfies certain purchasing requirements and is hereby authorized for use by all Tioga County departments within the scope of Section VII – Purchasing and Payment Policy of the Tioga County Employee Handbook.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 167-24 *REQUESTING TIOGA COUNTY VETERANS' SERVICE AGENCY BE ALLOWED TO EXCEED FOOD & BEVERAGE PURCHASE GUIDELINES*

WHEREAS: The Tioga County Veterans' Service Agency (TCVSA) conducts multiple community outreach events monthly and at these events provides food, beverages, and supplies to those in attendance as well as information on resources, benefits, and services available to veterans, military, and their families; and

WHEREAS: County Policy – Section III; Subsection H. Purchase of Food, Beverages, and Supplies limit expenses to \$150 per event; and

WHEREAS: The TCVSA will be holding the following event in May, with grant funds being used, that will exceed the \$150.00 per event limit, and requests to exceed the event limit must be made by resolution and require the approval of the County Legislature:

May 20: "No One Left Behind" Onward Ops Information Session - \$500.00 (ETSSP Grant)

Therefore be it

RESOLVED: That the Tioga County Legislature allow the Tioga County Veterans' Service Agency to exceed the per event limit using grant funding as identified, noting that TCVSA will not exceed the total amount mentioned for each event above.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 168-24 *RESCIND RESOLUTION NO. 284-23;
UPDATE PUBLIC HEALTH CHART OF ACCOUNTS*

WHEREAS: Resolution No. 284-23 authorized the updating of Tioga County's chart of accounts; and

WHEREAS: Upon implementing these updates in the Munis test mode, it has been determined they will have detrimental impacts on historical and ongoing reporting; and

WHEREAS: Legislative approval is required to amend chart of accounts; therefore be it

RESOLVED: That Resolution No. 284-23 be rescinded, and the chart of accounts remain as they were prior to Resolution No. 284-23.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 169-24 *ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND 2024 BUDGET*

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C140049) in the amount of \$123,804.00; and

WHEREAS: The Tioga County ILS was awarded \$123,804.00 from 01/01/24 through 12/31/26; and this funding now needs to be appropriated; and

WHEREAS: New York State Indigent Legal Services refused to extend \$2,779.55 from Grant #10 so the appropriation needs to be adjusted to \$121,024.45; therefore be it

RESOLVED: That the ILS Grant #14 of \$121,024.45 be appropriated and the 2024 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid- Indigent Grant \$ 121,024.45

Expense Account: A 1173 510010 Full Time Salary	\$ 52,000.00
A 1173 510020 Part Time Salary	\$ 28,220.45
A 1173 520200 Office Equipment	\$ 4,150.00
A 1173 540040 Books	\$ 3,000.00
A 1173 540140 Contracted Services	\$ 6,000.00
A 1173 540280 Investigations	\$ 12,000.00
A 1173 540420 Office Supplies	\$ 1,650.00
A 1173 540620 Software Expense	\$ 2,500.00
A 1173 540700 Transcripts	\$ 6,504.00
A 1173 540733 Training/All Other	\$ 1,700.00
A 1173 583088 Social Security Fringe	\$ 878.36
A 1173 584088 Workers Comp. Fringe	\$ 2,389.92
A 1173 588988 EAP Fringe	\$ 31.72

And be it further

RESOLVED: That available funds at year-end of the original \$121,024.45 be carried forward into future years until used.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 170-24 *AMEND 2024 BUDGET
CONTINGENCY TRANSFER REQUEST
LEGISLATIVE OFFICE*

WHEREAS: The Tioga County Legislative Office has identified a need for an additional Legislative Service Plaque Wall Display at the entrance of the Hubbard Auditorium, Ronald E. Dougherty County Office Building, 56 Main Street; and

WHEREAS: As there are no funding means within the A1010 Legislative budget, funds will need to be transferred from the Tioga County Contingency account in order to accommodate the cost of the procurement and installation of the Legislative Service Plaque Wall Display; and

WHEREAS: Amending of the 2024 Budget and the appropriation of Contingency account funds require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from the Contingency account as follows:

FROM:	A1990 540715 Contingency Transfer	\$8,000.00
TO:	H1010 520210 Other Furniture	\$8,000.00

And be it further

RESOLVED: That the following Interfund transfer be approved:

FROM:	A9950 593000 Transfer to Capital Fund	\$8,000.00
TO:	H1340 450310 Interfund Transfers	\$8,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 171-24	<i>AMEND BUDGET & APPROPRIATE FUNDS PUBLIC HEALTH</i>
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WHEREAS: Tioga County Public Health (TCPH) received reimbursement from a vendor for pass-through advanced grant funds they were unable to utilize; and

WHEREAS: TCPH has worked with the Treasurer's Office to restore the funds to the grant fund account to be used for other purposes in the grant deliverables; and

WHEREAS: Treasurer's Office has directed TCPH to go through the Resolution process to re-appropriate the funds; and

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

RESOLVED: That funding be appropriated as follows:

From: A4053 422800	Grants - Non State or Federal	\$5,119.01
To: A4053 540640	Supplies (Not Office)	\$5,119.01

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 172-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: The Tioga County Advocacy, Support and Prevention (ASAP) Coalition was coordinated by CASA Trinity; and

WHEREAS: CASA Trinity is no longer involved with the ASAP Coalition, as of April 2024, causing the risk of losing this highly effective program for our County residents; and

WHEREAS: Tioga County Public Health (TCPH) has offered and been accepted to take over the coordination of the ASAP Coalition and related grant funding; and

WHEREAS: TCPH will receive the balance of the grants that fund the ASAP Coalition via pass-through from Tioga County Mental Hygiene; and

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

RESOLVED: That funding be appropriated as follows:

From:			
	A4053 422800	Grants – Non State or Federal	\$141,845.79
To:			
	A4053 540487-ASAP	Program Expense	\$141,845.79

And be it further

RESOLVED: That the balance of this funding on 12/31/2024 be carried forward into the 2025 budget in the same budget lines.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 173-24 *AMEND BUDGET & APPROPRIATE FUNDS*
 MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) receives grant funding for specific use toward the ASAP Coalition; and

WHEREAS: The annual grant funding awards are not aligned with the calendar year, so there is need to add an additional balance of funds into the 2024 budget; and

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

RESOLVED: That funding be appropriated as follows:

From: A4213 444863 CARA Federal Aid - CARA Grant	\$12,550.92
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To: A4213 540590 CARA Services Rendered – CARA Grant	\$12,550.92
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ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 174-24 APPROPRIATION OF FUNDS AND
AMEND 2024 BUDGET
MENTAL HYGIENE

WHEREAS: The Southern Tier Rural Integrated Performing Provider Systems, Inc. d/b/a Care Compass Network has made available resources intended to assist with initial expenses related to readiness for participation in a Social Care Network (the “1115 Waiver Readiness Program”); and

WHEREAS: Care Compass Network has awarded Tioga County Mental Hygiene funding for this 1115 Waiver Readiness Program; and

WHEREAS: The Department deems it to be in the best interest of the community to accept this grant funding to improve access to care; and

WHEREAS: The grant funding will be awarded as milestones are achieved and this funding is designated for specific program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it
RESOLVED: That the grant funds be appropriated and the 2024 budget be amended as follows:

From: A4312 434900-WAIVR	State Aid Waiver Funding	\$ 10,000.00
To: A4312 540590-WAIVR	Services Rendered	\$ 10,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 175-24 *APPROPRIATION OF FUNDS*
AMEND 2024 BUDGET
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for the operation of the Child Advocacy Center; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

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

RESOLVED: That funding be appropriated as follows:

From: A6050.436100	State-Child Advocacy Center	\$ 49,999.00
To: A6050.520090	Computer	\$ 6,744.00
To: A6050.520190	Nursing/Medical Equipment	\$ 3,650.00
To: A6050.520210	Other Furniture	\$ 10,930.00
To: A6050.540640	Supplies (Not Office)	\$ 2,000.00
To: A6050.540487	Program Expense	\$ 16,675.00
To: A6050.540733	Training/All Other	\$ 10,000.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 176-24 TRANSFER OF FUNDS
2024 BUDGET MODIFICATION
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need for a ProBook 450 G9 Business Laptop, a portable computer, for Assistant District Attorneys to take with them to local courts to document the proceedings; and

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

RESOLVED: That the District Attorney's 2024 budget be modified and the following sums be transferred from within the District Attorney's budget to cover the costs of said office furnishings.

From: A1165.540480	Postage	\$799.69
To: A1165.520090	Computer	\$799.69

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 177-24 APPORTIONING FORFEITURE OF CRIME PROCEEDS
FOR DRUG ENFORCEMENT ACTIVITIES

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$4831.00 from a drug forfeiture case; and

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

WHEREAS: Distribution details are as follows:

Restitution to Broome County Drug Task Force for Buy Money	\$250.00
Tioga County District Attorney's Office (15%)	\$687.15
Tioga County Sheriff's Department (2%)	\$ 91.62
Broome County Drug Task Force (3%)	\$137.43
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$1465.92
Tioga County Sheriff's Department (36.375%)	\$799.84
Broome County Drug Task Force (38.625%)	\$849.32
Tioga County District Attorney's Office (25%)	<u>\$549.72</u>
	\$4831.00

And

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

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 2864.96
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 1074.58
	A3110-426260 Forfeiture of Crime Proceeds Restricted	\$ 91.62
	A3110-426250 Forfeiture of Crime Proceeds	\$ 799.84
TO:	A1165-540335 Asset Forfeiture Expense	\$ 2864.96
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 1074.58
	A3110-540336 Asset Forfeiture Expense-Restricted	\$ 91.62
	A3110-540335 Asset Forfeiture Expense	\$ 799.84

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Ciotoli moved for the adoption of the following resolution, seconded by Legislator Brown.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 178-24 *APPORTIONING FORFEITURE OF CRIME PROCEEDS FOR DRUG ENFORCEMENT ACTIVITIES*

WHEREAS: Resolution No. 239-20 established a system for the disposal of property, the order of priority of disbursements and the restrictions on the use of both pre-conviction and post-conviction forfeitures of crime proceeds; and

WHEREAS: Tioga County has received \$1200.00 from a drug forfeiture case; and

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

WHEREAS: Distribution details are as follows:

Tioga County District Attorney's Office (15%)	\$180.00
Owego Police Department (5%)	\$ 60.00
NYS Office of Alcoholism and Substance Abuse Services (OASAS)	\$384.00
Owego Police Department (75%)	\$432.00
Tioga County District Attorney's Office (25%)	<u>\$144.00</u>
	\$1200.00

And

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

RESOLVED: That funding be appropriated as follows:

FROM:	A1165-426250 Forfeiture of Crime Proceeds	\$ 960.00
	A1165-426260 Forfeiture of Crime Proceeds Restricted	\$ 240.00
TO:	A1165-540335 Asset Forfeiture Expense	\$ 960.00
	A1165-540336 Asset Forfeiture Expense-Restricted	\$ 240.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 179-24 *AUTHORIZE SALARY REALLOCATION WITHIN
CSEA SALARY SCHEDULE AND
ABOLISH DENTAL COORDINATOR
PUBLIC HEALTH*

WHEREAS: Legislative approval is required for a title's salary reallocation and abolishment of a position; and

WHEREAS: The Public Health Director has continuously worked with the Personnel Officer regarding the job specifications and placement of the dental program titles within the CSEA Salary Schedule in conjunction with a desk audit submitted by Kimberly Thomas, Dental Hygienist; and

WHEREAS: The Public Health Director has determined, to better utilize the titles within the department, that the Dental Health Coordinator (CSEA SG X) title be abolished; and

WHEREAS: The Personnel Officer has made a determination that due to the specific college degree and licensing requirements of the minimum qualifications there is justification to request a salary reallocation of the Dental Hygienist title within the CSEA Salary Schedule; therefore be it

RESOLVED: That the title of Dental Hygienist shall be reallocated from CSEA Salary Grade IX to CSEA Salary Grade X (\$46,940-\$47,940) effective May 20, 2024; and be it further

RESOLVED: That the 2024 annual salary of Ms. Thomas increase by \$2,033 to \$47,470 effective May 20, 2024; and be it further

RESOLVED: That the Dental Health Coordinator (CSEA SG X) position be abolished effective May 20, 2024.

Legislator Standinger spoke. "Public Health has been examining their positions and how best to compensate the employees in those positions. This resolution is a result of that effort. It makes the position a better fit for the duties."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 180-24 *AMEND RESOLUTION NO.187-19;
INCREASE HOURS AND RATE OF PAY FOR
3RD ASSISTANT COUNTY ATTORNEY
(LAW DEPARTMENT)*

WHEREAS: Tioga County has an interest in providing sufficient County Attorney staff to cover all necessary court appearances; and

WHEREAS: Resolution No. 187-19 created the part-time position of 3rd Assistant County Attorney to which the County Attorney was authorized to hire Thomas Coulson at an hourly rate of pay up to an annual maximum of \$5,000; and

WHEREAS: Due to the announced retirement of the current 1st Assistant County Attorney as of April 30, 2024, the County Attorney has a need to increase the

coextensively on the same terms as Legislative Clerk, County Attorney, and Public Defender; and be it further

RESOLVED: That based on the number of years of relevant experience, including his current position as part-time Budget Officer, and in accordance with County policy, Jackson D. Bailey, II is entitled to 15 days of vacation upon hire; and be it further

RESOLVED: That the position of part-time Budget Officer will be unfunded effective July 1, 2024.

Chair Sauerbrey spoke. "I want to thank the Committee made up of Legislators and Department Heads who participated in this process for hiring a County Administrator. We worked with a consultant who helped us reach out across the State and outside of New York State. We had some viable, excellent candidates and in the end, we believe we chose the right person for this position. His name is Jackson D. Bailey, II. I believe he will serve this County well."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 182-24 APPOINT 1ST ASSISTANT COUNTY ATTORNEY
LAW DEPARTMENT

WHEREAS: Legislative approval is required for any appointments made to a Management/Confidential position; and

WHEREAS: Due to the announced retirement of the current 1st Assistant County Attorney as of April 30, 2024, the County Attorney has implemented a succession plan; and

WHEREAS: The County Attorney has determined Mari Townsend to be a qualified candidate; therefore be it

\$65,258, effective May 20, 2024; and that if unable to be permanently appointed shall return to the position of Public Health Sanitarian.

Legislator Standinger spoke. "This is the result of the reconfiguring of the Public Health Department, and I think it is a good move."

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 184-24 *AUTHORIZE APPOINTMENT OF
DEPUTY COMMISSIONER OF PUBLIC WORKS
(PUBLIC WORKS)*

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

WHEREAS: The Deputy Commissioner of Public Works position became vacant as of March 13, 2024; and

WHEREAS: The Commissioner of Public Works, who intends to fill this vacancy, has identified a well-qualified candidate who has passed the Fundamentals of Engineering Exam; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to appoint Justin Ruggiero to the title of Deputy Commissioner of Public Works effective May 20, 2024, at an annual Management/Confidential salary of \$60,979; and be it further

RESOLVED: That Mr. Ruggiero shall be eligible for any Management/Confidential salary increase that may occur January 1, 2025; and be it further

RESOLVED: Upon a successful completion of the 52-week probationary period, Mr. Ruggiero's annual Management/Confidential salary shall increase to \$65,979; and be it further

RESOLVED: That this resolution will be null and void if Mr. Ruggiero fails to pass the County mandated criminal background check.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 185-24 *AUTHORIZE APPOINTMENT OF
CIVIL SERVICE TECHNICIAN
(PERSONNEL DEPARTMENT)*

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

WHEREAS: Karen Weston was appointed to the Civil Service Technician Trainee position on May 8, 2023; and

WHEREAS: Karen Weston has successfully completed the training period and upon promotion, the Civil Service Technician Trainee (M/C) position will be reclassified to Civil Service Technician (M/C); therefore be it

RESOLVED: That the Personnel Officer is authorized to promote Karen Weston to the title of Civil Service Technician, at an annual, Management/Confidential salary of \$42,622, effective May 20, 2024.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 186-24 *AUTHORIZE APPOINTMENT OF
ECONOMIC DEVELOPMENT SPECIALIST
ECONOMIC DEVELOPMENT & PLANNING*

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

WHEREAS: Due to a promotion in the Department of Economic Development and Planning, the Economic Development Specialist position will become vacant May 6, 2024; and

WHEREAS: The Director of Economic Development and Planning received authorization to fill said vacancy; and

WHEREAS: The Director of Economic Development and Planning conducted interviews and identified a qualified candidate; therefore be it

RESOLVED: That the Director of Economic Development and Planning is hereby authorized to appoint Casey Yelverton provisionally to the position of full-time Economic Development Specialist pending successful completion of civil service requirements at an annual Management/Confidential salary of \$54,725.00 effective June 17, 2024.

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 187-24 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	Days/Month (based on Record of Activities)	Pay Frequency	Not Submitted
Appointed Officials						
County Clerk	Andrea Klett	7	1/1/2024-12/31/2027	22.03	Biweekly	

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 14th day of May 2024 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 14th day of May 2024.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy Haskell, being duly sworn, depose and say that the posting of the resolution began on May 14, 2024 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.gov
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at 56 Main Street, Owego, NY 13827

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to bring forth two late-file resolutions for Legislature consideration, seconded by Legislator Roberts. Motion carried.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE, LEGAL COMMITTEE

RESOLUTION NO. 188-24 *AWARD DESIGN SERVICES TO
C&S ENGINEERS FOR ROOF REPLACEMENTS &
CUPOLA REHABILITATION*

WHEREAS: Tioga County has budgeted for roof replacements and cupola rehabilitation at the Court Annex; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for these projects from C&S Engineers, Syracuse, NY; and

WHEREAS: The proposal for these projects came in at \$28,426; therefore be it

RESOLVED: That the Tioga County Legislature approve C&S Engineers proposal for these projects not to exceed \$28,426 to be paid out of

H1620.520927	Court Annex	\$28,426
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ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 189-24 *AMEND 2024 CAPITAL BUDGET AND
TRANSFER FUNDS FOR LOADER FORKS
AND SKIDSTEER BROOM ATTACHMENTS
PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has identified a need for Loader Forks and Skidsteer Broom Attachments; and

WHEREAS: The Commissioner of Public Works has received a quote for Loader Forks and Skidsteer Broom Attachments that can be purchased under NYSOGS Contract #PC69406; and

WHEREAS: Cost savings was achieved in another 2024 Capital Budget line and Legislative approval is needed to authorize all Capital expenses; and

WHEREAS: Legislative approval is needed to amend 2024 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the 2024 Capital Budget:

From: H5130.521906	One Ton Flatbed/Rollback Truck	\$23,086.00
To: H5130.520920	Loader	\$13,500.00
H5130.521903	Skidsteer	\$ 9,586.00

ROLL CALL VOTE

Yes – Legislators Flesher, Monell, Mullen, Roberts, Sauerbrey, Standinger, Brown, and Ciotoli.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:41 p.m.