

Tenth Regular Meeting
October 15, 2024

The Tenth Regular Meeting of 2024 was held on October 15, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standinger were present.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we ask for guidance as we conduct the business of Tioga County. We pray for those that are affected by the recent hurricanes they recover quickly."

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

There were 34 people in attendance.

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

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

Legislator Flesher read and presented the following resolution to Shawn Kemmery, Sheriff's Office.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 317-24	<i>RESOLUTION RECOGNIZING SHAWN KEMMERY'S 27 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Shawn Kemmery was appointed as a Part-Time Corrections Officer on 7/30/97; appointed as a Full-Time Corrections Officer on 10/5/98; appointed as a Corrections Sergeant on 1/12/01 and appointed to his current position as Deputy Sheriff on 7/31/04; and

WHEREAS: Shawn Kemmery has been dedicated and loyal in the performance of his duties and responsibilities during the 27 years of service to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Shawn Kemmery will retire from the Tioga County Sheriff's Office on October 31, 2024; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Shawn Kemmery for 27 years of dedicated and loyal service to the residents of Tioga County; and be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Flesher spoke. "This is special for me because I have known Shawn for a lot of years. We worked together and I am going to be sad to see you go. He helped us out at the Town of Berkshire for court security and some other things, but it is really special when you actually know somebody and you're able to say thanks for everything you did for the County and good luck in your new adventures in retirement. Well-deserved. Congratulations."

Shawn Kemmery spoke. "First, I want to thank my wife, Katrina. She has been my support throughout my career. It has not always been easy, but we got through it because of her. Sheriff, thank you for all the opportunities throughout my career and to my co-workers for putting up with me. It's not always easy, but I appreciate everyone, and you are all family to me. Thank you."

Sheriff Howard spoke. "The resolution gives you the overall, but I want to tell you about the real Shawn and what he does for us at the office. He takes care of all our training records for the law enforcement side of the house, which is a huge task. He makes sure everyone has their files up to date on their training and he also coordinates their training so when a Lieutenant or Captain says one of the deputies is going to training, he arranges their lodging, vehicles, etc. Shawn also takes care of accreditation files, as we are accredited. This is a huge thing for our office. This is almost a daily thing that he has to keep up with which incorporates all of the training, etc. Every five years, the Sheriff's Office is accredited. The accreditors come and go through our office, and everything is set. We have been accredited because

of Shawn. It is a lot of work. Shawn works road patrol as a Deputy when needed. He is Officer in Charge (OIC) on the road if we need him. He has worked a lot of weekends being the OIC. Shawn takes care of all our new hires and gets them registered with the State and their insurance in the County. He does a lot of transports for us; local or long-distance. He has been to some places that nobody else wants to go, but he always raises his hand. He will sit at the hospital on inmate duty. These are things up and beyond what is in the resolution. He is also the backup for our Compliance Officer, which he works a lot with our Criminal Investigation Division. He schedules all the services for our vehicles. He is also in charge of the Interlock System (DWI). There are a lot of things behind the scenes that he does for everybody. There is not a person here who he hasn't helped out.

"Now, the biggest thing he does and the most important thing he does is being the lunch coordinator. If I go to one of the guys and ask where they are going to lunch, they say they do not know because they haven't talked with Shawn. Shawn says where we are going, what time, and how much it is going to cost.

Congratulations and good luck on your new adventures."

Chair Sauerbrey reported we have one Proclamation; **Lead Poisoning Prevention Week** that will be noted for the minutes.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Lead poisoning is a serious, permanent condition that can lead to lifelong health problems including developmental delays, behavioral issues, and difficulty learning; and

WHEREAS: Lead poisoned children have increased medical costs, educational needs and increased risk for criminal behavior as adults; and

WHEREAS: The goal of New York State's Healthy People 2030 is to reduce blood lead levels in children; and

WHEREAS: New York State Public Health Law states that all children must be tested for lead at age one and again at age two to identify lead poisoned children; and

WHEREAS: Tioga County Public Health works with medical providers and parents to advocate for child lead testing to reduce the risk of exposure to lead in the home; and

WHEREAS: Between 2020-2023 Tioga County Public Health provided case management and environmental health services to over 50 children with elevated blood lead levels; and

WHEREAS: Lead poisoning can be prevented by knowing and eliminating all possible sources of lead children may have access to; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of October 20 - 26, 2024, as

LEAD POISONING PREVENTION WEEK

and urges all residents to take steps to educate themselves and their families about the importance of lead poisoning prevention.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of September 12 and 19, 2024, seconded by Legislator Mullen 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 Standinger introduced Local Law Introductory No. B of 2024.

Local Law Filing	New York State Department of State 41 State Street, Albany, NY 12231
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County of Tioga

Local Law No. X of the Year 2024

A Local Law Amending Local Law No. 1 of 1988 establishing a Schedule of Fees for permits issued by the Tioga County Department of Health as amended by Local Law No. 1 of 1990, as amended by Local Law No. 3 of 1991, as amended by Local Law No. 8 of 1995 and as amended by Local Law No. 3 of 2002.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: FOOD SERVICE

Section 2, (I)(A)(1-4) Food Service is hereby amended to read as follows:

1. Low Risk	\$135.00
2. Medium Risk	\$200.00
3. High Risk	\$215.00
4. Catering & Commissaries ONLY	\$200.00
Add on to existing permit	\$ 50.00
5. Temporary Food:	
1 Day	\$ 50.00
2-14 Days	\$ 80.00
*Non-Profit	0 to 50% of fee
6. Vending Machine Site	\$175.00
Per Machine	\$ 10.00/Machine
7. Frozen Dessert Machine	\$ 25.00/Machine
8. Plan Review	\$150.00 + Engineer fee if applicable
9. Expedited Fee (Permit application received within 2 weeks of event)	\$ 25.00 - If able to complete

SECTION 2: MOBILE HOME PARKS

Section 2 (I)(D)(1-2) Mobile Home Parks is hereby amended to read as follows:

1. 5-25 sites	\$150.00
2. 26-74 sites	\$280.00
3. 75 + sites	\$450.00
4. Plan Review	\$ 40.00 per site + Engineer fee if applicable

SECTION 3: TEMPORARY RESIDENCES

Section 2, (I)(B)(1-3) Temporary Residences is hereby amended to read as follows:

Hotels/Motels/Cabin Colonies:

- | | |
|----------------|---|
| 1. 5-25 rooms | \$150.00 |
| 2. 26-74 rooms | \$275.00 |
| 3. 75 + rooms | \$400.00 |
| 4. Plan Review | \$ 40.00 per room + Engineer
fee if applicable |

SECTION 4: CAMPGROUND AND TRAVEL TRAILER PARKS

Section 2, (I)(C)(1-2) Campground and Travel Trailer Parks is hereby amended to read as follows:

- | | |
|----------------|--|
| 1. 5-49 sites | \$150.00 |
| 2. 50+ sites | \$200.00 |
| 3. Plan Review | \$40.00 per site + Engineer
fee if applicable |

SECTION 5: SWIMMING POOLS, BATHING BEACHES, SPAS, AND SPRAY GROUNDS

Swimming Pools, Bathing Beaches, Spas and Spray Grounds is hereby amended to read as follows:

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|--|------------------------------|
| 1. Swimming Pool/Bathing Beach /
Spa/ Spray Ground | \$200.00 for first |
| 2. More than 1 Pool/ Bathing
Beach/ Spa/ Spray Ground | \$150.00/each additional |
| 3. Plan Review | \$100.00/each + Engineer fee |

SECTION 6: SEPTIC/SEWAGE SYSTEM FEES

Septic/Sewage System Fees is hereby amended to read as follows:

- | | |
|--------------------------------------|-------------------------|
| 1. New Install/Replacement System | \$400.00 + Engineer fee |
| 2. Repair or Extension | \$150.00 + Engineer fee |
| 3. Plan Review: | |
| Individual Sewage Conventional | \$175.00 + Engineer fee |
| Individual Sewage Alternative Design | \$150.00 + Engineer fee |

SECTION 7: WATER FEES

Water fees are hereby amended to read as follows:

- | | |
|-------------------------------------|-------------------------|
| 1. Individual Water Supply Permit | \$60.00 |
| 2. Annual Surveillance Water Sample | \$60.00 |
| 3. Annual Public Water User Fee | |
| Community less than 1,000 | \$150.00 |
| Community 1,000 or greater | \$300.00 |
| Non-Community | \$125.00 |
| Bottled, Bulk, Ice, Dispensary | \$150.00 |
| 4. Plan Review: Water Community | |
| Source/Treatment | \$ 75.00 + Engineer fee |
| Distribution | \$ 75.00 + Engineer fee |
| 5. Plan Review: Non-Community | \$200.00 + Engineer fee |

SECTION 8: RECORDS SEARCH/REQUESTS

Records Search/Requests are hereby amended to read as follows:

- | | |
|------------------------------------|-------------------|
| 1. FOIL Requests | \$ 0.25 per page |
| 2. Environmental Audit Requests | \$100.00 per hour |
| 3. Hazardous Material Site Request | \$100.00 per hour |
| 4. Rabies Records Search | \$ 6.00 per copy |

SECTION 9: MISCELLANEOUS FEES

Miscellaneous Fees are hereby amended to read as follows:

- | | |
|---|--|
| 1. Mass Gathering (>5,000 people) | |
| Under 25,000 people | \$ 25,000.00 |
| 25,000-50,000 people | \$ 50,000.00 |
| Over 50,000 people | \$100,000.00 |
| Plan Review | \$ 1,000.00 + Engineer fee |
| 2. Agricultural Fairgrounds | \$ 225.00 + Engineer fee if applicable |
| 3. Children's Camps | \$ 275.00 + Engineer fee if applicable |
| 4. Tanning | New York State Established Rate |
| 5. Migrant/Farmworker Camp | \$ 200.00 + Engineer fee if applicable |
| 6. Plan Review-Realty Subdivision | \$ 125.00 + Engineer fee |
| 7. Petroleum Product Spill Registration | \$ 100.00 per hour |
| 8. Lead Investigation Fee | \$ 100.00 per hour |

SECTION 10: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 11: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State but not before January 1, 2025.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 318-24 SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY NO. B OF 2024

RESOLVED: That a Public Hearing shall be held on Thursday, October 24, 2024 at 10:05 A.M. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY 13827 on Local Introductory No. B of 2024, a Local Law establishing a revised Environmental Health Fee Schedule as approved by the Tioga County Board of Health to be effective on January 1, 2025. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 319-24 SET PUBLIC HEARING
2025 BUDGET

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2025 be held at 10:00 A.M., Tuesday, November 12, 2024, in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 320-24 SCHEDULE PUBLIC HEARING FOR
NEW YORK STATE COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) FOR NEIGHBORHOOD
DEPOT

WHEREAS: The Tioga County Legislature authorized the CDBG-CV CARES grant application to NYS Office of Community Renewal for the Neighbor Depot Nonprofit Hub in the amount of \$3,000,000 via Resolution No. 93-22; and

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

WHEREAS: The Tioga County Legislature accepted said CDBG-CV CARES grant award via Resolution No. 213-22; and

WHEREAS: The grant funds have been fully expended and the project is nearing completion; and

WHEREAS: The Tioga County Legislature is required to hold a public hearing at the end of the grant to solicit comments on the effectiveness of the program's administration; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regard to the current Community Development Block Grant project in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, October 24, 2024, at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	AGRICULTURE COMMITTEE
RESOLUTION NO. 321-24	APPOINT MEMBER TO THE TIOGA COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

WHEREAS: The Land Preservation Organization position on the Agricultural & Farmland Protection Board has been vacant since John Lacey resigned from the Board in April of this year; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling said position and the Tioga County Farm Bureau has found Kevin (Cub) Frisbie is willing and able to serve in this capacity; and

WHEREAS: Tioga County has traditionally used Tioga County Farm Bureau as the Land Preservation Organization for this Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Kevin (Cub) Frisbie to the Agricultural and Farmland Protection Board as the Land Preservation

Organization representative and fulfilling John Lacey's unexpired term of 1/1/2023 – 12/31/2026.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 322-24 *APPOINT DIRECTOR AT LARGE
SOIL & WATER CONSERVATION DISTRICT*

WHEREAS: A Director at Large vacancy exists on the Tioga County Soil & Water Conservation District Board due to the recent resignation of Eileen Selnekovic; and

WHEREAS: The Tioga County Soil & Water Conservation District has found a candidate who is willing and able to fill this vacancy for the unexpired term of January 1, 2024 – December 31, 2026; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Debra Standinger as the Director at Large to the Tioga County Soil & Water Conservation District Board to fill the remainder of Eileen Selnekovic's unexpired term of January 1, 2024 – December 31, 2026, effective October 16, 2024.

ROLL CALL VOTE

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

No – None.

Abstention: Legislator Standinger

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE
RESOLUTION NO. 323-24 SUPREME COURT ORDER
TOWN OF TIOGA

WHEREAS: The Supreme Court of the State of New York has rendered an order in the matter of NY Tioga I, LLC and NY Tioga II, LLC v. Denise Spaulding, Sole Assessor, Town of Tioga, Tioga County, New York, and filed a Consent Order indicating a reduction of assessment on August 19, 2024; and

WHEREAS: The petitioner's attorney, Walter F. Garigliano, P.C., filed a Demand for Refund on August 29, 2024; and

WHEREAS: The Consent Order reduces the assessment of the NY TIOGA I, LLC parcel 117.00-1-80.12-1 and NY TIOGA II, LLC parcel 117.00-1-80.12-2 on the final assessment rolls of 2023 and 2024; and

WHEREAS: The Assessor, Town and Treasurer of Tioga County shall make the changes necessary to the proper books and records and assessment rolls to conform said assessment for the years 2023 and 2024 to such amended and reduced values; and

WHEREAS: The 2024 tax bills, based on the 2023 final assessment roll, were paid to the Town of Tioga for both subject properties, and the order stipulates a refund shall be issued according to the reduced assessment; and

WHEREAS: The 2025 tax bills, based on the 2024 final assessment roll, have not been issued yet, and the order stipulates the tax bills shall be generated according to the reduced assessment; therefore be it

RESOLVED: That the new assessment for the 2023 final assessment roll/2024 Town and County taxes for NY TIOGA I, LLC be \$55,739 and for NY TIOGA II, LLC be \$23,329; and be it further

RESOLVED: That the new assessment for the 2024 final assessment roll/2025 Town and County taxes for NY TIOGA I, LLC be \$70,015 and for NY TIOGA II, LLC be \$20,957; and be it further

RESOLVED: That a refund be issued to NY TIOGA I, LLC and NY TIOGA II, LLC for the 2024 Town and County tax bill and the erroneous amounts be charged back to the proper accounts in the records of the Tioga County Treasurer's office; and be it further

RESOLVED: That the 2025 Town and County tax bills be generated according to the reduced assessment.

ROLL CALL VOTE

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

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 324-24 *AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH TARGET CONCERNING CLAIMS RELATED TO THE OPIOID CRISIS*

WHEREAS: Tioga County has joined in a legal action seeking compensation from those who are responsible for causing and perpetuating the opioid addiction crisis (the “Action”); and

WHEREAS: The Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS: The Action alleges several causes of action against defendant Target based on claims that Target contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various “front groups” and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in New York; and

WHEREAS: Target has offered to settle the claims against it by entering into a national settlement and paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to enter into the settlement but will have an approximate value to Tioga of \$70,234.04 (USD); and

WHEREAS: Henry Schein has offered to settle the claims against it by entering into a national settlement and paying a sum to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS: The final amount to be received by Tioga County will vary depending on several factors including the number of Plaintiff's ultimately agreeing to enter into the settlement but will have an approximate value to Tioga of \$4,515.05 (USD); and

WHEREAS: It is in the best interest of Tioga County to resolve this matter with respect to Henry Schein without further litigation and enter into an agreement to settle all allegations against Henry Schein and avoid protracted litigation; therefore be it

RESOLVED: That Tioga County is authorized to participate in the proposed settlement with Henry Schein and Tioga County Chair of the Legislature, Martha Sauerbrey, is authorized to execute such forms and agreements, as approved by the County Attorney to compromise the claim the Defendants Henry Schein and distribute the proceeds between the participating Plaintiffs.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 326-24 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
MEMO OF UNDERSTANDING WITH TIOGA COUNTY
CORNELL COOPERATIVE EXTENSION*

WHEREAS: The Tioga County Cornell Cooperative Extension (TCCCE) is willing to hold the first annual Pumpkin Smash Event in partnership with Tioga County Sustainability at their Hilltop Farm; and

WHEREAS: A Pumpkin Smash is an effort by a community to divert pumpkins from landfills by providing locations for residents to drop-off jack-o-lanterns to be composted; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS are recommending a to hire Southern Tier Network to build a dark fiber circuit between the Tioga County Office building located at 56 Main Street, Owego, NY 13827 and the Tioga County Health and Human Services building located at 1062 NY-38, Owego, NY 13827 with an initial build-out cost of \$4,908 and a monthly service lease of \$275; and

WHEREAS: The Chief Information Officer and Deputy Director of ITCS are recommending to hire Southern Tier Network to build a dark fiber circuit between the Tioga County Office building located at 56 Main Street, Owego, NY 13827 and the Tioga County Public Safety building located at 103 Corporate Drive, Owego, NY 13827 with an initial build-out cost of \$5,364 and a monthly service lease of \$275; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute the Statements of Work between Tioga County, NY and Southern Tier Network for two dark fiber circuits at a cost \$550 per month and \$10,272 installation cost; and be it further

RESOLVED: That the installation cost of \$10,272 will be paid out of the Capital Fund IT Budget and appropriated from account **H1680 521090 Computer**; and be it further

RESOLVED: That the monthly maintenance cost of \$550 per month will be paid out of the General Fund ITCS budget and appropriated from the following account **A1680 540660 Telephone**; and be it further

RESOLVED: That any unspent and unappropriated 2024 Capital ITCS Hardware and/or Software funds will be carried forward into the 2025 Capital ITCS Budget at yearend 2024 at the Treasurer's Departments discretion, and the 2025 Capital Hardware and/or Software funds are to be spent prior to Capital Hardware Reserve utilization at year end 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 328-24 *AUTHORIZE CONTRACT WITH EXCELLUS HEALTH PLAN (EHP) FOR RETIREE MEDICARE ADVANTAGE PLAN/MEDICARE PART D PRESCRIPTION DRUG COVERAGE THROUGH BROOME COUNTY PURCHASING ALLIANCE (BCPA)*

WHEREAS: Resolution No. 119-21 authorized Tioga County to participate in the Broome County Purchasing Alliance (BCPA). Request for Proposals seeking a contract for Medicare Advantage and Prescription Drug Benefit Services for Medicare-eligible retirees and their eligible spouses was conducted; and

WHEREAS: Broome County has reviewed and evaluated all of the proposals and selected Excellus Health Plan (EHP) as the carrier to provide the retiree Medicare coverage; and

WHEREAS: The EHP prescription co-pays in Plan 1 are \$0 for generic, \$5 for preferred brand, \$20 for non-preferred brand, and \$20 for specialty tier for 30-day supply; and

WHEREAS: The EHP Plan 1 does allow for 90-day prescriptions for one co-pay through mail order; and

WHEREAS: The EHP pharmacy network is all major pharmacy chains similar to our current plan's pharmacy network; and

WHEREAS: EHP is able to offer a three-year rate guarantee, with a rate cap in years 2 and 3 not to exceed 3-7.5% through the BCPA; therefore be it

RESOLVED: That the Tioga County Legislature wishes to change Tioga County Medicare eligible retirees' and eligible spouses' coverage to EHP Plan 1 effective January 1, 2025; and be it further

RESOLVED: That Tioga County is authorized to execute the necessary steps to change retirees' coverage to EHP Plan 1 as of January 1, 2025; and be it further

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Health Plan, subject to review by the County Attorney, electing Plan 1 Medicare Advantage and Medicare Part D Prescription Drug Benefits for Tioga County Medicare eligible retirees and their eligible spouses for the period of January 1, 2025 through December 31, 2027.

ROLL CALL VOTE

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

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

RESOLUTION NO. 329-24 *AUTHORIZE 2024-2025 CONTRACTS WITH
SADD SCHOOL ASSOCIATES
STOP DWI*

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as independent contractors not entitled to county employee benefits; and

WHEREAS: It is the desire to contract with the following five SADD School Associates for the school year 2024-2025; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Cynthia Tebo to serve the Owego Apalachin School District; Michelle Varner to serve the Spencer Van Etten School District, and; Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2024-2025 school year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

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

RESOLUTION NO. 330-24 *AUTHORIZE CONTRACT WITH LEXIS NEXIS
PUBLIC SAFETY*

WHEREAS: The Sheriff's Office has a need to enter into a 3-year contract with LexisNexis for the Jail Law Library at an amount not to exceed \$17,964 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 be authorized to contract with LexisNexis, for the Jail Law Library for a three-year period, at an amount not to exceed \$17,964.

Legislator Standinger spoke. "I find it interesting that we have to provide a service like this to inmates that are incarcerated, but apparently, we are obligated to do so. Although I will vote yes, I am not really enamored with that fact."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 331-24 *AUTHORIZATION TO CONTRACT WITH
PRACADEMIC PARTNERS FOR LEADERSHIP AND
EXECUTIVE COACHING SERVICES*

WHEREAS: Tioga County is committed to providing professional development resources and opportunities to its employees and department heads; and

WHEREAS: The County Administrator has recommended contracting with Dr. Ian Coyle of Pracademic Partners to provide executive coaching and leadership training as part of this commitment; and

WHEREAS: There are sufficient funds contained in the adopted 2024 County Administrator budget to cover the costs of the proposed contract; therefore be it

RESOLVED: That the Legislative Chair or their designee is hereby authorized to execute a 6-month contract with Pracademic Partners for a term of November 1st, 2024, through April 30th, 2025, not to exceed \$7,500.00, paid from Account A1230 540140 Contracting Services as billed, for executive coaching and leadership training upon review and approval as to form by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 332-24 *AUTHORIZE CONTRACT WITH ASPIREHOPENY TO
ADMINISTER PARENT SUPPORT SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of AspireHopeNY, Inc. for the purpose of administering Parent Support Services in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: AspireHopeNY, Inc. has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal: therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with AspireHopeNY, Inc. for \$66,514 plus any additional state aid received, for the continuation of Parent Support Services in Tioga County for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 333-24 *AUTHORIZE CONTRACT WITH TRINITY TO ADMINISTER PREVENTION AND JAIL SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Council on Alcohol and Substance Abuses of Livingston County, d.b.a. Trinity for the purpose of Alcohol and Substance Abuse Prevention in Tioga County and in the Tioga County Jail; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents and Tioga County Jail inmates; and

WHEREAS: Trinity has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into renewal contracts with Trinity, for \$280,573 plus any additional state aid received, for the continuation of Alcohol and Substance Abuse Prevention in the community as well as the Tioga County Jail for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

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

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

RESOLUTION NO. 334-24 *AUTHORIZE CONTRACT WITH CATHOLIC CHARITIES TO ADMINISTER ONGOING INTEGRATED SUPPORTED EMPLOYMENT SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Catholic Charities of Rochester, d.b.a. Catholic Charities Tompkins/Tioga for the purpose of Ongoing Integrated Employment Services in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: Catholic Charities has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with Catholic Charities, for \$18,312 plus any additional state aid received, for the continuation of Ongoing Integrated Employment Services for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 335-24 *AUTHORIZE CONTRACT WITH REHABILITATION SUPPORT SERVICES, INC. TO ADMINISTER PSYCHOSOCIAL CLUB, HEALTH HOME NON-MEDICAID CARE MANAGEMENT, HEALTH HOME SERVICE DOLLARS & ADMINISTRATION, SUPPORTED HOUSING RENTAL ASSISTANCE & COMMUNITY SERVICES, WARM LINE AND DROP-IN CENTER*

WHEREAS: Tioga County Mental Hygiene uses the services of Rehabilitation Support Services, Inc. (RSS) for the purpose of administering the following programs: PsychoSocial Club, Health Home Non-Medicaid Care Management, Health Home Service Dollars & Administration, Supported Housing Rental Assistance & Community Services, Warm Line and Drop-In Center; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: RSS has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a renewal contract with RSS, for \$278,039 plus any additional state aid received, for the continuation of PsychoSocial Club, Health Home Non-Medicaid Care Management, Health Home Service Dollars & Administration, Supported Housing Rental Assistance & Community Services, Warm Line and Drop-In Center in Tioga County for the period January 1, 2025 through December 31, 2025.

Legislator Standinger spoke. "This provides services for those who are least among us and from what I have seen they are effective at what they do. Although it is a lot of money, it certainly is a worthy service."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 336-24 *AUTHORIZE CONTRACT WITH
TOMPKINS-SENECA-TIOGA BOCES TO ADMINISTER
PREVENTION SERVICES*

WHEREAS: Tioga County Mental Hygiene uses the services of Tompkins-Seneca-Tioga BOCES for the purpose of Alcohol and Substance Abuse Prevention in Tioga County; and

WHEREAS: Tioga County Mental Hygiene receives state aid pass through funding with no local share for these services to be rendered to Tioga County residents; and

WHEREAS: Tompkins-Seneca-Tioga BOCES has been performing these services in the past and Tioga County Mental Hygiene is seeking a contract renewal; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into renewal contracts with Tompkins-Seneca-Tioga BOCES, for \$11,000 plus any additional state aid received, for the continuation of Alcohol and Substance Abuse Prevention for the period January 1, 2025 through December 31, 2025.

ROLL CALL VOTE

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

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

RESOLUTION NO. 337-24 *AUTHORIZE CONTRACT WITH
FAIRVIEW RECOVERY SERVICES FOR
CONTRACTING FOR MENTAL HYGIENE
CONTRACTED STAFFING*

WHEREAS: Tioga County Mental Hygiene uses the services of Fairview Recovery Services for the purpose of contracted staffing for the Mental Hygiene Clinic; and

WHEREAS: Fairview Recovery Services has performed these services in the past for Tioga County Mental Hygiene; and

WHEREAS: Tioga County Mental Hygiene budgeted in 2025 for this contract; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Community Services to enter into a contract with Fairview Recovery Services, for \$270,000, contracting for Mental Hygiene Contractual Staffing for the period January 1, 2025, through December 31, 2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ITCS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 338-24 *AUTHORIZE AGREEMENT WITH FRESHWORKS, INC.*

WHEREAS: The Chief Information Officer has identified a need for an Information Technology Service Management (ITSM) platform to replace and significantly

improve and increase existing ITSM platform processes and reporting capabilities; and

WHEREAS: The Chief Information Officer, Deputy Director of ITCS, System Administrator and Network Administrator have completed analysis and demonstrations of different ITSM software platforms; and

WHEREAS: The Chief Information Officer was able to negotiate a 27.42% discount, providing best value for this service; and

WHEREAS: The Chief Information Officer is recommending to the Tioga County Legislature to subscribe to a Software as a Service (SaaS) platform from Freshworks, Inc. at an annual cost of \$7,560; and

WHEREAS: The software will be funded using the ITCS operating budget; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute the agreement between Tioga County, NY and Freshworks, Inc. for the ITSM platform, FreshService at an annual cost of \$7,560 for a period of 26 months.

ROLL CALL VOTE

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

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. 339-24

*AUTHORIZE CONTRACT BETWEEN
RIVERSIDE FORENSIC PATHOLOGY, PLLC AND TIOGA
COUNTY*

WHEREAS: Riverside Forensic Pathology, PLLC will provide professional services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County for the contract period of January 1, 2025 – December 31, 2025; and

WHEREAS: The contract with Riverside Forensic Pathology, PLLC calls for \$1,200 per complete autopsy examination to be paid to pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Legislative Chair to sign a contract, upon approval of the County Attorney, with Riverside Forensic Pathology, PLLC for services rendered to Tioga County at the costs listed above and for a term of 1/1/25 – 12/31/25.

ROLL CALL VOTE

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

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

RESOLUTION NO. 340-24 *RESOLUTION TO APPROVE
STSJP CONTRACT FOR SFY 2024-2025
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	\$12,882.00
State Share	\$ 7,986.84
County Share	\$ 4,895.16

ROLL CALL VOTE

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

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. 341-24 *INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last twenty-four years; and

WHEREAS: Broome County and Tioga County developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County’s Hazardous Waste Facility for the years 2025-2026; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2025-2026 upon approval by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE
IT COMMITTEE

RESOLUTION NO. 342-24 *RENEW SOFTWARE LICENSE AGREEMENT WITH NTS
DATA SERVICES FOR FIVE YEARS*

WHEREAS: The Tioga County Board of Elections utilizes the APEX voter registration system from NTS Data Services to maintain voter registrations, ballot applications, election inspector information, and petition information; and

WHEREAS: The Board of Elections plans to continue using such software for the stated purposes; and

WHEREAS: The current software agreement between the Board of Elections and NTS expires on December 31, 2024; and

WHEREAS: NTS provided the new agreement proposal to the Board of Elections listing the annual payments to be made over the next five years for ongoing license and support services; and

WHEREAS: The first payment was included in the Board of Elections' 2025 budget proposal; therefore be it

RESOLVED: With approval of the County Attorney and Chief Information Officer, the Board of Elections is authorized to renew the software license agreement with NTS from January 1, 2025 through December 31, 2029, and make the following payments:

On January 15, 2025, the BOARD shall make a payment of \$40,640.40 to NTS.

On January 15, 2026, the BOARD shall make a payment of \$43,078.82 to NTS.

On January 15, 2027, the BOARD shall make a payment of \$45,663.55 to NTS.

On January 15, 2028, the BOARD shall make a payment of \$48,403.36 to NTS.

On January 15, 2029, the BOARD shall make a payment of \$51,307.56 to NTS.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 343-24 *AUTHORIZE 2024 BALLOT BY MAIL GRANT AND
AMEND 2024 BUDGET
BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the Ballot By Mail Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$28,516.18 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS Ballot By Mail Grant Program, for up to \$28,516.18; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	A1450 439060 BBMG State Aid-Elections	\$28,516.18
TO:	A1450 540490 BBMG Election Expense	\$28,516.18

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 344-24 *AUTHORIZE 2024 ELECTRONIC POLL BOOK GRANT
AND AMEND 2024 BUDGET
BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the Electronic Poll Book Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$46,823.14 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS Electronic Poll Book Grant Program, for up to \$46,823.14; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	H1450 439060 EPOLL State Aid-Elections	\$46,823.14
TO:	H1450 520490 EPOLL Capital Election Expense	\$46,823.14

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 345-24 *AUTHORIZE 2024 GENERAL ELECTION GRANT AND AMEND 2024 BUDGET BOARD OF ELECTIONS*

WHEREAS: The 2024 NYS Budget created the 2024 General Election Grant Program, to be administered by the New York State Board of Elections (NYSBOE); and

WHEREAS: The Tioga County Board of Elections (BOE) is eligible for reimbursement of up to \$21,454.93 eligible expenses under this grant program, for the term of 04/01/2024 to 03/31/2025; and

WHEREAS: The BOE received the contract for this grant from the NYSBOE on September 26, 2024; therefore be it

RESOLVED: That the Tioga County BOE is authorized to apply for and receive reimbursement from the NYS 2024 General Election Grant Program, for up to \$21,454.93; and be it further

RESOLVED: That funding for expenditures under this grant shall be appropriated as follows:

FROM:	A1450 439060 GE24 State Aid-Elections	\$21,454.93
TO:	A1450 540490 GE24 Election Expense	\$16,117.82
TO:	A1450 520130 GE24 Equipment (Not Car)	\$ 5,337.11

And be it further

RESOLVED: That any unspent funds under this grant in FY2024 shall carry over to FY2025.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 346-24 RE-ESTABLISH PRIOR YEAR GRANT FUNDS
BOARD OF ELECTIONS

WHEREAS: With the 2024 NYS Budget, the NYS Legislature authorized the extension of the Elections Cybersecurity Remediation Grant Program through March 21, 2025; and

WHEREAS: The remaining balance for Tioga County for this grant is \$15,790.38; therefore be it

RESOLVED: That the remaining grant allocation of \$15,790.38, in the 2023 capital account H1450 520620 CYBER, shall carry forward to FY2024; and be it further

RESOLVED: That any remaining grant funds from H1450 520620 CYBER at the close of FY2024 shall carry forward to FY2025.

ROLL CALL VOTE

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

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

RESOLUTION NO. 347-24 AUTHORIZE GRANT APPLICATION
SOCIAL SERVICES

WHEREAS: The Community Foundation for the Twin Tiers, The Floyd Hooker Foundation, The Mildred Faulkner Truman Foundation, and Tioga Downs Regional Community Foundation has released grant funding opportunities intended to support and benefit programs for the children and youth of Tioga County; and

WHEREAS: Tioga County Department of Social Services is seeking authorization to apply for the above grant opportunities to support the ongoing work and expansion of the Child Advocacy Center; and

WHEREAS: Application of Grant Funds requires Legislative approval; therefore be it

RESOLVED: That the Department be allowed to apply for grant funds.

ROLL CALL VOTE

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

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. 348-24 *AUTHORIZE GRANT APPLICATION TO EPA
BROWNFIELD COMMUNITY WIDE ASSESSMENT
PROGRAM – ECONOMIC DEVELOPMENT &
PLANNING*

WHEREAS: Tioga County has located throughout it several abandoned, underutilized and/or contaminated or potentially contaminated sites that drain the County's tax base as many of these properties are in poor condition and delinquent in real property taxes; and

WHEREAS: The Environmental Protection Agency (EPA) has a grant program that provides funding to assess these deleterious sites both in terms of contamination evaluations and planning for site reuse called the Brownfield Community Wide Assessment Program; and

WHEREAS: Tioga County is eligible for \$500,000 through this EPA Program to hire a consultant to conduct the environmental and planning activities; and
WHEREAS: Within the \$500,000 grant budget Tioga County can request up to \$25,000 for administration; and

WHEREAS: There is no match required for this grant program and the application deadline is November 14, 2024; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes said grant application in the amount of \$500,000; and be it further

RESOLVED: That the County Legislature authorizes the Legislature Chair to sign all grant application paperwork contingent upon review and approval by the County Attorney.

ROLL CALL VOTE

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

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

RESOLUTION NO. 349-24 *AUTHORIZE THE SUBMISSION OF THE
2024-2025 NYS STOP DWI HIGH VISIBILITY
ENGAGEMENT CAMPAIGN APPLICATION
STOP DWI*

WHEREAS: The NYS STOP-DWI Foundation Board secured funding from the Governor's Traffic Safety Committee for the High Visibility Engagement Campaign during the grant cycle of October 1, 2024 – September 30, 2025 with funding set aside for Tioga County; and

WHEREAS: County Policy # 47 requires that a resolution be approved before any such grant application is submitted; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sheriff's Office to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, 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: ED&P COMMITTEE

RESOLUTION NO. 350-24 *FILING OF AN APPLICATION FOR
DEC MUNICIPAL WASTE REDUCTION AND
RECYCLING (MWRR) PROGRAM*

WHEREAS: The State of New York announced a grant from the DEC Municipal Waste Reduction and Recycling Program to support counties and local governments with their recycling and waste reduction program expenses; and

WHEREAS: Through this grant Solid Waste would be partially reimbursed for their eligible costs of the Sustainability Manager position and recycling and waste reduction educational and outreach program; therefore be it

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

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 351-24 ACCEPT NYS COMMUNITY DEVELOPMENT BLOCK GRANT AWARD FOR MICROENTERPRISE ASSISTANCE PROGRAM AND MODIFY ECONOMIC DEVELOPMENT BUDGET

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution No. 121-24 authorizing the submission of a grant application to New York State Community Development Block Grant (CDBG) Microenterprise Assistance Program in the amount of \$215,000.00 and authorizing Legislative Chair signature on grant related documents; and

WHEREAS: TCEDP was approved by Resolution No. 43-24 to schedule a public hearing for the NYS CDBG Microenterprise Assistance Program; and

WHEREAS: TCEDP has received the CDBG Program Award letter dated September 12, 2024 stating that TCEDP has been selected for a \$212,500.00 award; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said CDBG Microenterprise Assistance Program award of \$212,500.00 and authorizes the Chair of the Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney; and be it further

RESOLVED: That the 2024 budget be modified as follows:

CE8668 449100 CE008	CDBG Microenterprise	\$212,500.00
CE8668 540487 CE008	Program Expense-CDBG Microenterprise	\$212,500.00

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 352-24 *ACCEPT NYS ESD RESTORE NY ROUND 8 GRANT AWARD FOR 81 NORTH AVE. REHABILITATION PROJECT AND MODIFY ECONOMIC DEVELOPMENT BUDGET*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution No. 162-24 authorizing the submission of a grant application to Restore New York Communities Initiative Round 8 (Restore NY) in the amount of \$1,065,000.00 on behalf of the Tioga County Property Development Corporation (TCPDC) to reconstruct residential homes on Temple Street and Liberty Street that were demolished by the TCPDC and rehabilitate a blighted, vacant mixed-use building at 81 North Ave. and authorizing Legislative Chair signature on grant related documents; and

WHEREAS: TCEDP was approved by Resolution No. 116-24 to schedule a public hearing for the Restore NY reconstruction and rehabilitation project; and

WHEREAS: TCEDP has received the Restore NY Round 8 Award letter dated August 13, 2024 stating that TCEDP has been awarded \$165,000.00 for the rehabilitation project on 81 North Ave.; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said Restore NY \$165,000.00 award and authorizes the Chair of the Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney; and be it further

RESOLVED: That the 2024 budget be modified as follows:

CE8668 439890 CE009	81 North Ave Restore NY	\$165,000.00
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CE8668 540487 CE009 Program Expense – 81 North Ave Restore NY \$165,000.00

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 353-24 ACCEPT NYSERDA CLEAN ENERGY COMMUNITIES
PROGRAM GRANT AWARD AND
MODIFY SUSTAINABILITY BUDGET

WHEREAS: Tioga County Sustainability was approved by Resolution No. 286-24 authorizing the submission of a grant application to New York State Energy Research and Development Authority (NYSERDA) Clean Energy Communities Program in the amount of \$10,000.00 and authorizing Legislative Chair signature on grant related documents; and

WHEREAS: Since the Village of Owego is in a Disadvantaged Community and the electric landscaping equipment will be housed and primarily used in this community, Tioga County Sustainability was approved by NYSERDA to receive an extra \$5,000.00; and

WHEREAS: Tioga County Sustainability received NYSERDA notification on September 30, 2024 stating that Tioga County Sustainability has been approved for a \$15,000.00 award; therefore be it

RESOLVED: That the Tioga County Legislature hereby accepts said NYSERDA Clean Energy Communities Program award of \$15,000.00 and authorizes the Chair of the

Legislature to sign any and all grant related paperwork contingent upon review and approval of the County Attorney; and be it further

RESOLVED: That the 2024 budget be modified as follows:

A8160 439892	Solid Waste State Aid	\$15,000.00
A8160 520280	Tools Large/Power	\$15,000.00

And be it further

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

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 354-24 APPROVE TECHNICAL ASSISTANCE PROVIDED BY ED&P STAFF

WHEREAS: A resolution is required by County policy to disclose matching cash and or in-kind contributions from the County for grant applications written for the County and/or by the County on behalf of a municipality or entity; and

WHEREAS: The Tioga County Economic Development and Planning staff provided technical assistance for the following:

<u>Organization</u>	<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Village of Newark Valley	ESD-Planning and Feasibility Studies Program	\$22,500.00	Downtown Strategic Plan

And

WHEREAS: There is no further obligation by the County; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the technical assistance provided as noted above.

ROLL CALL VOTE

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

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. 355-24 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been notified of approval of funding for the 2024-25 fiscal year for both the *Sober Truth On Preventing underage drinking (STOP)* and the *Drug Free Communities (DFC)* portions of the County's Advocacy, Support and Prevention (ASAP) Coalition; and

WHEREAS: TCPH will receive the funds specifically for coordinating 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 DFC	Health Services-Other Governments	\$125,000
A4053 422800 STOP	Health Services-Other Governments	\$ 60,000

To:

A4053 540487 DFC	Program Expense	\$125,000
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ROLL CALL VOTE

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

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. 358-24 *REQUEST TO TRANSFER FUNDS &
MODIFY 2024 BUDGET
TREASURER'S OFFICE*

WHEREAS: The Law Department has experienced a significant increase in the legal fees in 2024 which have exceeded their current budget; and

WHEREAS: The Treasurer's Office has available budget in their Expense of County Owned Property org; and

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

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

From: A1364 540140	Contracting Services	\$ 10,000.00
To: A1420 540330	Legal Fees	\$ 10,000.00

ROLL CALL VOTE

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

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
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 359-24 AMEND 2024 CAPITAL BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation (BRIDGE NY) consisting of Federal funds for a project, Straits Corners Road over Pipe Creek PIN 9755.97; and

WHEREAS: The cost for Preliminary Engineering/Design work for this project is \$220,000.00, in which 95% of the project will be Federal Funds reimbursed to Tioga County with a 5% Local Share; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the following account(s) be established, and the 2024 Capital Budget be modified, and funds be appropriated to the following accounts:

H5110.540004.H2403	Straits Corners Road over Pipe Creek	\$220,000
H5110.445020.H2403	Straits Corners Road over Pipe Creek	\$209,000
H 390900	Unrestricted Fund Balance	\$ 11,000

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 360-24 *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 events in October, 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:

October 26, 28 & 31 – Trunk or Treats - \$600.00 (MHO 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 Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

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

RESOLUTION NO. 361-24 *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 Bridge Preventative Maintenance Program Phase 10 (FFY 24), PIN 9754.59 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

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

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

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

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

RESOLVED: That the sum of \$230,600 is hereby appropriated from account D51 10.540050 and made available to cover the costs of participation in the above phases 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 of the County of Tioga 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 Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

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

RESOLUTION NO. 362-24 *RESCIND RESOLUTION NO. 296-24;
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: Resolution No. 296-24 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 296-24 appropriated the sum of \$1,116,700.00 from the Paving Projects Account H5110.540001.H2402 and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The PIN number was incorrect and is being revised; therefore be it

RESOLVED: That Resolution No. 296-24 is hereby rescinded, and a new resolution will be adopted with the correct PIN number.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 363-24

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 Day Hollow Road, Taylor Road, Bodle Hill Road Pavement Rehabilitation PIN 9755.30 (the "Project") is eligible for funding under Title 23 US 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 Construction and Construction Support and Construction Inspection work; therefore be it

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

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the

cost of the Construction and Construction Support and Construction Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$1,116,700.00 is hereby appropriated from Paving Projects Account H5110.540001.H2402 and made available to cover the cost of participation in the above phases 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 Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

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

RESOLUTION NO. 364-24 *AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF A TRANSPORTATION PROJECT, WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND/ OR STATE-AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS*

WHEREAS: A project for the Straits Corners Road over Pipe Creek Bridge Deck Replacement (BIN 3335070) (BNY23) in the Town of Candor, County of Tioga, PIN 9755.97 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, 23 CFR as amended and PUB. L117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS: The County of Tioga will design, let, and construct the Project; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the Preliminary Engineering / Design work for the Project or portions thereof.

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

RESOLVED: That the Tioga County Legislature hereby approves the Project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay 100% of the costs of the Preliminary Engineering / Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$220,000 is hereby appropriated from account H5110.540004.H2403 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the Project which exceed the amount of

federal-aid, state-aid, or Bridge NY Funding awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by federal-aid, state-aid, or Bridge NY funding 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 Responsible Local Official of the County of Tioga; and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award of the construction phase of the Project and shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature of the County of Tioga be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid 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 funding of the 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 Standing, Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, and Sauerbrey.

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
PERSONNEL COMMITTEE

RESOLUTION NO. 365-24 *AMEND RESOLUTION NO. 142-24;
CREATE AND FILL THREE (3) HIGHWAY WORKER
(SEASONAL) POSITIONS
PUBLIC WORKS*

WHEREAS: Resolution No. 142-24 authorized the creation and filling of three (3) full-time, Highway Worker (Seasonal) positions (\$15.31/HR) in the Tioga County Department of Public Works for a temporary duration from April 15, 2024 – October 11, 2024; and

WHEREAS: One of these positions remained vacant after June; and

WHEREAS: The Commissioner of Public Works would like to extend the date of the temporary position to adequately staff his department; and

WHEREAS: Due to said vacancy of this position, there are sufficient funds within the department's Part Time/Temporary budget line D5110.510020 to cover an extension; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the continuance of one full-time, Highway Worker (Seasonal) position in Public Works through December 20, 2024.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE
 FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 366-24 *CREATE AND FILL TWO FULL-TIME SOCIAL SERVICES EMPLOYMENT SPECIALIST POSITIONS, AMEND BUDGET AND APPROPRIATE FUNDS*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Social Services Department has an approved allocation of \$165,385 for SFY 2024-2025 for Family-Centered Case Management Services; and

WHEREAS: The Family-Centered Case Management Services provides funding intended to support hiring staff and other costs related to the program; and

WHEREAS: The Family-Centered Case Management Services Initiative is to provide a range of case management services for TANF eligible families who are having difficulty stabilizing their households and transitioning toward greater financial security; and

WHEREAS: The Social Services Employment and Transitional Supports Director determined having two (2) additional Social Services Employment Specialists tied to the Family-Centered Case Management Services allocation would be required for said duties; therefore be it

RESOLVED: That the Commissioner of Social Services be authorized to create and fill two (2) full-time Social Services Employment Specialists positions (CSEA grade VII) effective October 21, 2024; and be it further

RESOLVED: That upon approval the funding be appropriated as follows:

From: A6010.446100	Federal Aid: Administration	\$ 165,385
To: A6010.510010	Full Time Expenses	\$ 83,240
To: A6010.581088	State Retirement Fringe	\$ 12,011
To: A6010.583088	Social Security Fringe	\$ 6,395
To: A6010.584088	Workers Compensation Fringe	\$ 2,170
To: A6010.585588	Disability Insurance Fringe	\$ 130
To: A6010.586088	Health Insurance Fringe	\$ 33,373

To:	A6010.588988	Eap Fringe	\$ 27
To:	A6010.520090	Computer	\$ 8,500
To:	A6010.520200	Office Equipment	\$ 4,539
To:	A6010.520210	Other Furniture	\$ 4,000
To:	A6010.540733	Training/All Other	\$ 3,000
To:	A6010.540420	Office Supplies	\$ 3,000
To:	A6010.540640	Supplies (Not Office)	\$ 5,000

And be it further

RESOLVED: That available funds on 12/31/24 of the original \$165,385 will be carried forward into the New Year.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 367-24 APPOINTMENT OF DEMOCRATIC
ELECTION COMMISSIONER

WHEREAS: The Chairman of the Democratic Party has submitted their recommendation to the Clerk of the Legislature; therefore be it

RESOLVED: That James Wahls be and hereby is appointed Election Commissioner for the Democratic Party from January 1, 2025 through December 31, 2026.

ROLL CALL VOTE

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

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
PERSONNEL COMMITTEE

RESOLUTION NO. 368-24 *AUTHORIZE APPOINTMENT OF ACCOUNTANT
TREASURER'S OFFICE*

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

WHEREAS: The position of Accountant became vacant as of August 12th, 2024 within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a desirable candidate; and

WHEREAS: The salary range for said position has been identified as \$49,758 to \$59,758; and

WHEREAS: The Treasurer and the Personnel Officer have determined that the qualified candidate possesses 20+ years' experience, which is sufficient experience and skills to justify an entry salary at the top of the salary range; therefore be it

RESOLVED: That David Collison is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual Management/Confidential salary of \$59,758, effective October 21st, 2024; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Mr. Collison shall be eligible for any authorized 2025 Management/Confidential salary increase effective April 21st, 2025, following a successful six-month evaluation.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 369-24 *AUTHORIZE APPOINTMENT OF BENEFITS ASSISTANT
(PERSONNEL DEPARTMENT)*

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

WHEREAS: The Personnel Officer and the Benefits Manager have conducted a recruitment search and have identified a desirable candidate; therefore be it

RESOLVED: That the Personnel Officer is authorized to provisionally appoint Christa Anderson to the title of Benefits Assistant, pending successful completion of civil service examination requirements at an annual, Management/Confidential salary of \$44,000 effective October 21, 2024; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Ms. Anderson shall be eligible for any authorized 2025 Management/Confidential salary increase effective April 21, 2025, following a successful six-month evaluation.

ROLL CALL VOTE

Yes – Legislators Standinger, Brown, Ciotoli, Flesher, 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: ED&P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 370-24 *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: The Director of Economic Development and Planning received authorization to fill said vacancy per Resolution No. 256-24; and

WHEREAS: The Director of Economic Development and Planning conducted interviews and identified a qualified candidate with prior relevant work experience; therefore be it

RESOLVED: That the Director of Economic Development and Planning is hereby authorized to appoint Sara Zubalsky-Peer to the position of full-time Economic Development Specialist at an annual Management/Confidential salary of \$60,000.00 effective November 4, 2024; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Zubalsky-Peer shall serve a probationary period of eight to fifty-two weeks; and be it further

RESOLVED: That in accordance with Tioga County Employee Handbook Management/Confidential Benefits policy, Ms. Zubalsky-Peer shall be eligible for any authorized 2025 Management/Confidential salary increase effective May 4, 2025, following a successful six-month evaluation; and be it further

RESOLVED: That this resolution will be null and void if Ms. Zubalsky-Peer fails to pass the County mandated criminal background check.

ROLL CALL VOTE

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

No – None.

- a. Develop, approve, and maintain a list of individuals with authorized access to the facilities where the information systems reside.
- b. Issue authorization credentials for facility access.
- c. Review the access list detailing authorized facility access by individuals and remove individuals from the facility access list when access is no longer required.

2. Physical Access Control

ITCS Department shall:

- a. Enforce physical access authorizations by verifying individual access authorizations before granting access to the facility.
- b. Control ingress/egress to the facility using an automated access system or physical keys.
- c. Maintain physical access audit logs for each information system location.
- d. Provide signage to control access within the facility officially designated as publicly accessible.
- e. Escort visitors and monitor visitor activity in restricted areas.
- f. Secure keys, combinations, and other physical access devices.
- g. Inventory keys and other physical access devices every quarter.
- h. Change combinations annually and/or when combinations are compromised, or individuals are transferred or terminated.

3. Monitoring Physical Access

ITCS Department shall:

- a. Monitor physical access to the facility where the information system resides to detect and respond to physical security incidents.
- b. Review physical access logs monthly and coordinate results of reviews and investigations with the IT Standing Committee.

4. Visitor Access Records

ITCS Department shall:

- a. Maintain visitor access records to the facility where the information system resides for 2 years; and reviews visitor access records monthly.

5. Emergency Power

ITCS Department shall:

- a. Provide a short-term uninterruptible power supply to facilitate an orderly shutdown of the information system; transition of the information system to long-term alternate power in the event of a primary power source loss.
- b. Provide a long-term alternate power supply for the information system that is capable of maintaining minimally required operational capability in the event of an extended loss of the primary power source.

6. Emergency Lighting

ITCS Department shall:

- a. Employ and maintain automatic lighting for the information system that activates in the event of a power outage or disruption and that covers emergency exits and evacuation routes within the facility.
- b. Provide emergency lighting for all areas within the facility supporting essential missions and business functions.

7. Fire Protection

ITCS Department shall:

- a. Employ and maintain fire suppression and detection devices/systems for the information system that are supported by an independent energy source.

This applies primarily to facilities containing concentrations of information system resources, including, for example, data centers, server rooms, and mainframe computer rooms. Fire suppression and detection devices/systems include, for example, sprinkler systems, handheld fire extinguishers, fixed fire hoses, and smoke detectors.

8. Temperature and Humidity Controls

ITCS Department shall

- a. Maintain temperature and humidity levels within the facility where the information system resides between 64.4 and 80.6 degrees Fahrenheit and 20 to 80% relative humidity.

- b. Monitor temperature and humidity levels continuously to include alarms and notifications of changes potentially harmful to personnel or equipment.

9. Water Damage Protection

ITCS Department shall:

- a. Protect information system from damage resulting from water leakage by providing master shutoff or isolation valves that are accessible, working properly, and known to key personnel.

This applies primarily to facilities containing concentrations of information system resources including, for example, data centers, server rooms, and mainframe computer rooms. Isolation valves can be employed in addition to or in lieu of master shut off valves to shut off water supplies in specific areas of concern, without affecting entire organizations.

10. Delivery and Removal

ITCS Department shall:

- a. Authorize, monitor, and control entering and exiting the facility and maintain records of those items delivered and removed from the facility.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

P. Security Assessment and Authorization

Purpose

The Information Technology and Communication Services (ITCS) Department and the various business units (information owners) will ensure security controls in information systems, and the environments in which those systems operate, as part of initial and

ongoing security authorizations, annual assessments, continuous monitoring and system development life cycle activities.

Reference

National Institute of Standards and Technology (NIST) Special Publications (SP): NIST SP 800-53a – Security Assessment and Authorization (CA), NIST SP 800-12, NIST SP 800-37, NIST SP 800-39, NIST SP 800-47, NIST SP 800-100, NIST SP 800-115, NIST SP 800-137, NIST Federal Information Processing Standards (FIPS) 199

Policy

This policy is applicable to all departments and users of Tioga County IT resources and assets. Every department that maintains or collects informational assets must be compliant with this policy.

1. Security Assessment and Authorization Policy and Procedures

Tioga County, NY shall:

- a. Develop a security assessment plan that describes the scope of the assessment including:
 - i. Security controls and control enhancements under assessment.
 - ii. Assessment procedures to be used to determine security control effectiveness.
 - iii. Assessment environment, assessment team, and assessment roles and responsibilities.
- b. Assess the security controls in the information system and its environment of operation annually to determine the extent to which the controls are implemented correctly, operating as intended, and producing the desired outcome with respect to meeting established security requirements.
- c. Produce a security assessment report that documents the results of the assessment.
- d. Provide the results of the security control assessment to the IT Standing Committee.

2. System Interconnections

ITCS Department shall:

- a. Authorize connections from the information system to other information systems through the use of Interconnection Security Agreements.

- b. Document, for each interconnection, the interface characteristics, security requirements, and the nature of the information communicated.
 - c. Review and update Interconnection Security Agreements annually.
 - d. Employ and permit by exception policy for allowing Tioga County information systems to connect to external information systems.
3. Plan of Action and Milestones

ITCS Department shall:

- a. Develop a plan of action and milestones for the information system to document the planned remedial actions to correct weaknesses or deficiencies noted during the assessment of the security controls and to reduce or eliminate known vulnerabilities in the system.
 - b. Update existing plan of action and milestones as necessary, based on the findings from security control assessments, security impact analysis, and continuous monitoring activities.
4. Security Authorization

Tioga County, NY shall:

- a. Assign a senior-level executive or manager as the authorizing official for the information system.
- b. Ensure that the authorizing official authorizes the information system for processing before commencing operations.
- c. Update the security authorization annually.

5. Continuous Monitoring

ITCS Department shall:

- a. Develop a continuous monitoring strategy and implement a continuous monitoring program that includes:
 - i. Establishment of metrics to be monitored.
 - ii. Establishment of monthly monitoring and annual assessments supporting such monitoring.
 - iii. Ongoing security control assessments in accordance with the organizational continuous monitoring strategy.

- iv. Ongoing security status monitoring of organization-defined metrics in accordance with the organizational continuous monitoring strategy.
- v. Correlation and analysis of security-related information generated by assessments and monitoring.
- vi. Response actions to address results of the analysis of security-related information.
- vii. Reporting the security status of organization and information systems to the IT Standing Committee monthly.

6. Internal System Connections

ITCS Department shall:

- a. Authorize internal connections of Tioga County information system components to the information system.
- b. Document, for each internal connection, the interface characteristics, security requirements, and the nature of the information communicated.

Compliance

Employees who violate this policy may be subject to appropriate disciplinary action up to and including discharge as well as both civil and criminal penalties. Non-employees, including, without limitation, contractors, may be subject to termination of contractual agreements, denial of access to IT resources, and other actions as well as both civil and criminal penalties.

Policy Exceptions

Requests for exceptions to this policy shall be reviewed by the Chief Information Officer (CIO) and the Information Security Officer (ISO). Departments requesting exceptions shall provide such requests to the CIO. The request should specifically state the scope of the exception along with justification for granting the exception, the potential impact or risk attendant upon granting the exception, risk mitigation measures to be undertaken, initiatives, actions and a timeframe for achieving the minimum compliance level with the policies set forth herein. The CIO shall review such requests; confer with the requesting department.

And be it further

RESOLVED: That the remainder of Section VIII. Comprehensive Information Security Policy remains unchanged.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Meeting was adjourned at 12:29 p.m.