

*Fourth Regular Meeting*  
April 9, 2024

The Fourth Regular Meeting of 2024 was held on April 9, 2024 and was called to order by the Chair at 12:00 P.M. Legislators Brown, Ciotoli, Flesher, Monell, Mullen, Roberts, Sauerbrey, and Standingger were present.

Chair Sauerbrey asked to have a moment of prayer. "Today, we are remembering our friend and colleague, Dale Weston. We are grateful for his 19 years of service to the Tioga County Legislature and for his many acts of community service across the County. Most importantly, we are thankful for his kindness, his humbleness, his compassion, and his friendship. O God, we pray the old order has passed away and welcome Dale into paradise where there will be no sorrow, no weeping or pain, but fullness of peace and joy with your Son and the Holy Spirit forever and ever. We ask you Lord in your mercy, turn the darkness of death into the dawn of new life and the sorrow parting into the joy of Heaven."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 35 people in attendance.

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

Legislator Flesher read and presented the following resolution to Roy Schreiner, Sheriff's Office.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 114-24      *RESOLUTION RECOGNIZING ROY SCHREINER'S  
NEARLY 30 YEARS OF DEDICATED SERVICE  
TO TIOGA COUNTY*

WHEREAS: Roy Schreiner was appointed as a Part-Time Corrections Officer on 10/18/94; then appointed to a Full-Time Corrections Officer position on 4/7/97; and

WHEREAS: Roy Schreiner has been dedicated and loyal in the performance of his duties and responsibilities during the nearly 30 years of service to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Roy Schreiner will retire from the Tioga County Sheriff's Office on April 18, 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 Roy Schreiner for his nearly 30 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, Roy Schreiner.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Flesher spoke. "In my brief time here on the Legislature, I got to work with Roy again. I was a Deputy Sheriff when he was hired way back when, but it became clear to me, as Chair of the Public Safety Committee, his work with the Weekend Work Program was just outstanding. Also, being part of the Alternatives to Incarceration (ATI) Committee and seeing firsthand the statistics and the time and dedication Roy put into this program and the results that this program has garnered was just outstanding. For me, this was super impressive. I want to thank you personally, but also on behalf of Tioga County. You are leaving a tremendous hole with your retirement that hopefully we can fill. Congratulations and I hope you enjoy your retirement."

Undersheriff Hallett spoke. "The Sheriff is unable to be here today, however, he has prepared a few words that he asked that I read into the record.

"Roy, as you know family always comes first although the Sheriff's Office comes a close second. It is with a heavy heart you leave, but rest assured you have left the office in a better place. I will miss our breaks together and the talks of family and plans for the future. You have always represented the Sheriff's Office with honor and pride. It has been my honor to have worked with you for nearly 30 years. Enjoy your time off with family and friends and I will see you on the outside. The citizens of Tioga County will miss you, as will all the employees of the Sheriff's Office. Thank you, Roy, for your dedication and for being my friend. God speed. Sheriff Howard."

Undersheriff Hallett spoke. "I would just like to add to that and say that you are leaving some big shoes to fill, and we are really happy for the time you spent with us. Thank you, Liz, for all the sacrifices you have made. I wish we could have kept you longer. We wish you all the best."

Roy Schreiner spoke. "Thank you for everything. The Sheriff's Office has been my home during the time I raised my family. This is just a tight core group, and we all take care of each other every day. One of the things that I loved the most was this family and there is nothing like it. The Sheriff's Office is nothing like anything that I have ever been a part of, and you all mean so much to me. Someday, you are going to be standing up here and in my shoes. It has truly been an honor to work with all of you. I love you all. I got promoted 19 years ago and I just hit the ground running with community service. I just wanted to make sure that the place that I lived in was always taken care of and this was always my focal point of making sure that Owego and Tioga County was prepped, looked good, and was presentable. We get a lot of tourists in Owego and Tioga County and when I go to bed at night and after today, I will always know that I gave it 110% every day. It gives me great pleasure to present that little piece to the body of the County and my family who are here today. Thank you and thank you to the Sheriff's Office for everything. I am going to miss you all."

Chair Sauerbrey reported we have two Proclamations; **Fair Housing Month** and **Child Abuse Prevention Month** that will be noted for the minutes.

### **COUNTY OF TIOGA EXECUTIVE PROCLAMATION**

WHEREAS: The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS: The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS: Tioga County is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS: Our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS: More than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS: Acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; therefore

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

### **FAIR HOUSING MONTH**

in Tioga County as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Tioga County.

### **COUNTY OF TIOGA EXECUTIVE PROCLAMATION**

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

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WHEREAS: The Tioga County Department of Social Services received 1156 reports of alleged abuse/neglect involving 2474 children in 2023; and

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

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

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

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

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

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2024 as

### **CHILD ABUSE PREVENTION MONTH**

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

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of March 12 and 21, 2024, seconded by Legislator Brown and carried.

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

Chair Sauerbrey delivered the following State of the County Address:

“The first best news about Tioga County government is our financial status. In 2023, our sales tax collections were up 4.96% to \$33,288,309 or \$1,500,000 over 2022. County towns and villages received 25% of our sales tax collections that we share with them, benefitting their communities.

“The Treasurer auctioned off 28 tax foreclosed properties at an August public auction. Despite writing off three years of uncollected property taxes, the sales produced a surplus of \$210,000 at closing. However, a proposed State law will no longer allow counties to retain surplus and shall address a priority distribution of such funds. The State is still discussing how that law will roll out.

“In 2023, the County paid \$2,900,000 in community college tuition bills. This mandated education service represented 12% of our county tax levy last year. Tioga County had 1,470 residents who benefitted from this program. If you have children who are attending community colleges, you can thank the County for paying part of their tuition costs.

“The year 2023 was filled with many successes and challenges.

“Processes and procedures have been improved in our Public Health Department and new staff and management have brought much success to programs such as Public Health Emergency Preparedness and the Welcome Baby Outreach Program.

“The Veterans’ Service Agency continues to provide needed services to our county veterans by hosting monthly outreach programs for veterans to connect with one another. Their outreach efforts have helped county veterans through times of many struggles.

“The Economic Development & Planning Department (ED&P) has been very active with economic development programs such as the Village of Owego DRI, New York State Main Street Programs in the Villages of Candor and Owego, along with ongoing projects such as Restore NY projects for the Village of Owego. The Village of Waverly is being assisted with their \$4,500,000 NY Forward Project. All these projects help improve our communities and draw more people to our area. Broadband expansion in the Nichols area was helped through the American Recovery Funds facilitated through Economic Development & Planning.

“Our Real Property Office proposed and drafted a local law that the Legislature adopted granting Volunteer Firefighters and Ambulance Workers a property tax exemption.

“For the second year in a row, the County Clerk’s Office saw a large increase in passport applications and photos. Passport applications increased by 64% over 2022 and the passport photo service increased by 79%. The total of 2023 revenue from the County Clerk’s Office was down roughly 24% from 2022. The area that saw the most decline was in land records, deeds, and mortgages, most likely due to the increase in interest rates.

“Tioga County Department of Motor Vehicles (DMV) needs to be applauded for the excellent service they provide to our community. We continually receive compliments from our customers who are very pleased with their service.

“Our Records and Asset Management Department has plans to work with the County Clerk to start a process of digitizing historic records so the public can access them electronically rather than handling the original records.

“Another active team of employees is our Information Technology and Communication Services (ITCS) Department who have been extremely busy with installing more effective storage systems, significant security upgrades from camera installations to threat intelligence and cyberattack response. The ITCS municipal shared services program has kept staff extremely busy addressing the needs of towns and villages who are participating. Those municipalities are Village of Waverly, Town of Barton, Town of Owego, Village of Owego, Town of Nichols, and the Town of Candor.

“Our Probation Department is prescribed by New York State laws and is a mandated service in all counties. The Probation Department runs an excellent

program Alternative to Detention Program which reduces or eliminates the use of expensive detention placement of youth in the juvenile justice system. The Probation Department's external focus in 2023 revolved around community safety and provision of services expanding the number of tools available to assist with the individuals under supervision such as electronic monitoring.

"The Public Works Department will always be an active department within the County; renovating and relocating office space, repairing heating and cooling issues, replacing culverts, paving roads, or other unusual actions such as retrieving a historic bell. As for the Bell of Sessions, if you read the paper or watched the news, you will know that our County Historian, Emma Sedore, was able to find what we believed to be lost, a precious artifact. The Public Works Department was able to retrieve the Bell of Sessions and install it at the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. It was a proud moment for our County, and we are grateful to Emma for her diligence in locating the Bell of Sessions.

"Some of our biggest challenges in 2023 were centered around employment. Our Personnel Department struggled with recruiting employees with an average of 39 full-time vacancies being carried at any time. This was a problem not only for Tioga County, but true around the country. The State assisted by creating a program called "Hiring for Emergency Limited Placement (HELP) Program, which Personnel participated. The program helped remove barriers to Civil Service hiring and address the statewide workforce shortage related to health and safety titles.

"Staffing shortages affected all departments and most significantly the Department of Social Services. However, our Department of Social Services was able to provide excellent services in the Children and Adult Services and the Employment and Transitional Supports Services. The Accounting, Systems, Resource and Recovery, and Fraud Activities for 2023 were greatly challenged due to finding qualified and experienced candidates.

"As we moved into a new year, the Board of Elections welcomed new staff members from both the Democratic and Republican Party gearing up for the Presidential Election as well as State and Local elections. Election reforms continue with the Early Vote by Mail Law, which was passed and becomes effective in 2024. Legislation was also signed to move most local elections to even-numbered years starting in 2025.

"The Law Department is active in responding to litigations and claims, contract bidding and administration and providing legal counsel, not to mention legal counsel for Social Services, Public Health, and Mental Hygiene. The Assistant County Attorney's Office continues to be extremely busy with child protection

matters. Despite the unfortunate nature of these cases, the Assistant County Attorney works in the best interest of our children.

"The Public Defender's Office completed another year and not a single case or matter was returned by the Appellate Court due to ineffective assistance of counsel provided by their office.

"The District Attorney's Office will be prosecuting the Thomas Rath homicide who was abducted in Tompkins County, but eventually transported to Tioga County where he was eventually murdered. We have arrested over a dozen individuals involved in this case and we anticipate several felony trials over the next year.

"Moving into 2024, we have exciting projects underway for the safety and security of our County.

"The Sheriff's Office arranged for two Deputies to be trained and certified as drone pilots. The goal of the future is to implement a department-wide Drone Program, which includes two drones for multiple uses including search and rescue, accident crime scene reconstruction, and public relations.

"The Interoperable Radio Communications Project is well underway. Four new communications towers have been established and construction of the towers will begin later this year. We will report more when construction begins.

"Interviews for the County Administrator position have begun, and we hope to have someone in place by the beginning of summer.

"Lastly, the County is engaged in a large project regarding a new location for our Mental Hygiene Department in the Village of Waverly. The County is working with the Village of Waverly on an agreement to house our mental health services in part of the Village of Waverly Hall located at 32 Ithaca Street, Waverly, NY. This will allow mental health services to be more easily obtained in this area of the county. This was a long-term project that required funding and agreements to come into place. We are extremely pleased with the cooperation of all parties to make this project a success.

"For more detailed reporting for each County Department, please visit the County's website at [www.tiogacountyny.gov/departments](http://www.tiogacountyny.gov/departments). Thank you."



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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 115-24 ADOPT LOCAL LAW NO. 1 OF 2024

WHEREAS: A public hearing was held on March 21, 2024, following due notice thereof to consider the adoption of Local Law Introductory No. A of 2024; A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter; and

WHEREAS: It is in the best interest of the residents of Tioga County to adopt such Local Law which will be Local Law No. 1 of 2024; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted:

County of Tioga County

Local Law No. 1 of the Year 2024.

A Local Law authorizing twelve (12) and thirteen (13) year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

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

SECTION 1: LEGISLATIVE INTENT

New York State Department of Environmental Conservation's (NYSDEC) Youth Deer Hunting Pilot Program (Environmental Conservation Law Section 11-0935) has been extended from December 31, 2023 to December 31, 2025. Tioga County previously participated in this pilot program by way of Local Law No. 3 of 2021 with a sunset date of December 31, 2023. It is the intent of this Local Law to authorize Tioga County to permit twelve (12) and thirteen (13) year old individuals to participate in the extension of the NYSDEC Youth Deer Hunting pilot program in accordance with Environmental Conservation Law § 11-0935. NYSDEC's Report to the New York State Senate and Assembly *Deer Hunting by 12-and 13-Year-Old Hunters dated February 1, 2024*, found the statewide program to be a success with 52 out of NYS's 54 eligible counties participating during the first three years of the pilot program. During the two-year program, over 9,600 youth hunters participated. On safety, the report states, "no hunting-related shooting incidents, violations, or license revocations involving 12- and 13-year-old hunters were reported/occurred during the first two

years of the pilot program” further determining that “youth hunters are the safest group of hunters.”

The enacted 2023-2024 New York State Budget extended the pilot program allowing counties to opt-in by way of Local Law to provide an opportunity for young hunters, ages twelve (12) and thirteen (13), to continue to hunt deer with firearms and crossbow through 2025 if a county authorizes such action within their municipality. Tioga County is passing this Local Law, as hunting is a valued tradition for many families and this continued opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

#### SECTION 2: PILOT PROGRAM AUTHORIZATION

Pursuant to Environmental Conservation Law, ECL § 11-0935, Tioga County elects to participate in the extended pilot program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.

#### SECTION 3: STATE REQUIREMENTS TO ADHERE ONCE AUTHORIZED

Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer with the following requirements to be followed:

- A. Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- B. Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt under the supervision of a licensed adult hunter, age twenty-one (21) years or older, with a crossbow during the times when other hunters may use crossbows; and
- C. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required; and
- D. All licensed twelve (12) and thirteen (13) year old hunters, as well as their adult supervisors, shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York; and

- E. All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- F. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.

#### SECTION 4: LOCAL LAW FILING REQUIREMENTS

A copy of this Local Law shall be sent to the New York State Department of Conservation as well as the New York State Department of State.

#### SECTION 5: SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### SECTION 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule.

Legislator Standinger spoke. "The Federal government sometimes gets concerned about youth and gun violence. This is a program where a youth would be using a gun in a safe manner under the supervision of an adult licensed hunter, so I think it is a good thing. I say that because I am a Certified Hunter Safety Instructor and I know that the youth that I have taught are very anxious and energetic, but they follow the rules; unlike some of the older hunters that I know. I think this is an excellent opportunity to train the youth."

#### ROLL CALL VOTE

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

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. 116-24      *SET PUBLIC HEARING FOR  
RESTORE NY COMMUNITIES INITIATIVE ROUND 8  
APPLICATION FOR TEMPLE AND LIBERTY STREET  
RECONSTRUCTION AND NORTH AVE  
REHABILITATION*

WHEREAS: Tioga County is applying for a NYS ESD Restore New York Communities Initiative Round 8 ("Restore NY") Grant on behalf of Tioga County Property Development Corporation for their project at 81 North Ave., 39-41 Temple St., 112 Liberty St., 110 Liberty St., 96-102 Liberty St., 92-94 Liberty St., 37 Temple St., 43-45 Temple St., 47 Temple St., and 49 Temple St., Owego, as listed on the Property Assessment List in the application; and

WHEREAS: The Restore NY Grant program requires a public hearing to discuss the Restore NY application and the Property Assessment List; therefore be it

RESOLVED: That Tioga County will hold a public hearing to discuss its Restore NY application and Property Assessment List on Thursday, April 18, 2024, at 10:00 a.m. in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY. All interested parties will be heard at this hearing.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 117-24 APPOINT MEMBER TO THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Jenny Ceccherelli has resigned from the Tioga County Industrial Development Agency Board of Directors effective January 29, 2024; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Brenda Evanek has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); 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 Jenny Ceccherelli for her loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Brenda Evanek to replace Jenny Ceccherelli's position on the Tioga County Industrial Development Agency Board of Directors effective April 10, 2024.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 118-24      *ACCEPTANCE OF THE APPLICATION FOR  
JEFFREY WINCHELL  
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Jeffrey Winchell has applied for membership to the County Haz-Mat Team; and

WHEREAS: Jeffrey Winchell currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; therefore be it

RESOLVED: That Jeffrey Winchell be added to the Tioga County Haz-Mat Team roster.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 119-24      *ACCEPTANCE OF THE APPLICATION FOR  
THOMAS A. KELLEY TO THE  
TIOGA COUNTY HAZ-MAT TEAM*

WHEREAS: The Office of Emergency Services provides high quality Hazardous Materials Team support to the Fire Service in Tioga County and adjacent counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Thomas A. Kelley has applied for membership to the County Haz-Mat Team; and

WHEREAS: Thomas A. Kelley currently possesses training and skills needed by the Tioga County Haz-Mat Team to work at the Entry Level of the Team; therefore be it

RESOLVED: That Thomas A. Kelley be added to the Tioga County Haz-Mat Team roster.

ROLL CALL VOTE

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

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. 120-24      *AUTHORIZE THE SUBMISSION OF PTS  
(POLICE TRAFFIC SERVICES)  
GRANT APPLICATION*

WHEREAS: The NYS Governor's Traffic Safety Council has announced a 2025 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2024; and

WHEREAS: County Policy requires Legislative approval before any such grant applications are submitted; therefore be it

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

ROLL CALL VOTE

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

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. 121-24      *AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT AN APPLICATION TO THE NYS COMMUNITY DEVELOPMENT BLOCK GRANT MICROENTERPRISE ASSISTANCE PROGRAM AND AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON GRANT RELATED DOCUMENTS*

WHEREAS: Economic Development and Planning often receives requests from small business owners seeking grant funding; and

WHEREAS: Tioga County currently does not have a grant program available to offer to small businesses; and

WHEREAS: The NYS CDBG Microenterprise Assistance Program allows municipalities to apply for grant funds to assist microenterprise businesses with business start-up and expansion funding to support the creation or retention of permanent, private sector job opportunities, principally for persons from low-moderate income families; and

WHEREAS: A microenterprise business is defined as a for-profit business with five or fewer employees, including the owner(s); and



WHEREAS: Thoma Development Consultants is assisting Economic Development & Planning with the application; and

WHEREAS: Tioga County is proposing the submittal of an application under the NYS CDBG Microenterprise Assistance Program of \$215,000 to assist microenterprise businesses in the County; and

WHEREAS: The proposed project is an eligible activity under the NYS CDBG Microenterprise Assistance Program and Tioga County, NY is an eligible entity to apply for and receive NYS CDBG funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes said grant application of \$215,000 and upon award, authorizes the Chair of the Legislature to sign any and all grant-related contract and other paperwork, contingent upon review by the County Attorney.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:

ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 122-24

*AUTHORIZE LEGISLATIVE CHAIR SIGNATURE ON  
MEMO OF UNDERSTANDING WITH BINGHAMTON  
UNIVERSITY AND REQUEST FOR AN ACCREDITED  
INTERNSHIP IN THE ECONOMIC DEVELOPMENT &  
PLANNING DEPARTMENT*

WHEREAS: A request was made to the Economic Development & Planning Department to provide an unpaid internship to a Tioga County resident who attends Binghamton University; and

WHEREAS: The intern, Alexander Umiker, is enrolled in Binghamton University's Master of Public Administration program, and is required to complete 300 hours of an internship between May 2024 and July 2024; and

WHEREAS: The intern will research and present findings regarding the Climate Smart Communities Program to the County and Tioga County municipalities under the supervision of Deputy Director, Brittany Woodburn and provide administrative support for the County Planning Director under the supervision of Deputy Director, Brittany Woodburn until his obligations have been met; and

WHEREAS: A Memo of Understanding with Binghamton University is required; and

WHEREAS: The County's Employee Handbook, Section V. Non-Traditional Workers, Subsection b. Internships allows for unpaid internships if authorized by the Legislature; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Chair of the Legislature to sign the Memo of Understanding between Binghamton University and Tioga County upon review and approval of the County Attorney; and be it further

RESOLVED: That the Economic Development & Planning Department is hereby authorized to have an unpaid intern in the Economic Development & Planning Department between May 2024 and July 2024.

ROLL CALL VOTE

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

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. 123-24 AMEND RESOLUTION NO. 20-23  
AUTHORIZE LEASE WITH MOTOROLA SOLUTIONS TO  
FUND EQUIPMENT FOR P25 RADIO SYSTEM PROJECT  
OFFICE OF EMERGENCY SERVICES

WHEREAS: Resolution No. 20-23 adopted on January 10, 2023 authorized a lease with Motorola, for a P25 Radio System Project, at an amount not to exceed \$3,557,413.44; and

WHEREAS: The total amount, including interest, is actually \$4,044,973.15, which is stated in the current lease agreement; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Resolution No. 20-23 be amended to reflect the payment of \$4,044,973.15 for the yearly lease of the P25 Radio System Radio Project as stated in the current lease.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 124-24 AMEND RESOLUTION NO. 498-23  
TRANSFER OF SURCHARGE FUNDS  
PURCHASE WORKSTATIONS/CARPET  
COMMUNICATIONS DIVISION

WHEREAS: Resolution No. 498-23 adopted on December 12, 2023 authorized the purchase of workstations and carpet from NYS contract vendors and transfer of funds from surcharge monies; and

WHEREAS: The original quote had expired and a new one was obtained, which indicates a slight price increase on the workstations from \$110,772.75 to \$112,982.08; and the carpet indicates a slight price decrease from \$11,490.17 to \$10,857.05 for a total of \$123,839.13, which is a total price increase of \$1,576.21 over the original quote of \$122,262.92; therefore be it

RESOLVED: That the Tioga County Legislature authorizes Resolution No. 498-23 be amended to reflect the total cost of \$123,839.13 for the workstations and carpet.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 125-24      *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 Glenmary Drive over Thorn Hollow Creek (BIN 3335110) Bridge Replacement PIN 9755.38 (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.

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

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

RESOLVED: That the Tioga County Legislature hereby 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 funding be appropriated and made available to cover the cost of participation in the above phases of the project and new project accounts established as follows:

From: H5110.445020.H2401 Federal Aid-County Road Bridge	\$255,200.00
H5110.435020.H2401 State Aid-County Road Bridge	\$ 47,850.00
H.390900 Fund Balance Unrestricted	\$ 15,950.00
To: H5110.540004.H2401 Glenmary Dr Bridge BIN 3335110	\$319,000.00

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 Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 126-24 *AUTHORIZE PURCHASE OF ADJACENT  
DELPHINE STREET PROPERTY*

WHEREAS: Tioga County Department of Public Works acquired the former Town of Owego Highway Facility to be used as a facility to wash vehicles and equipment to prolong their service life; and

WHEREAS: The Commissioner of Public Works desires to install a drive through automatic car wash; and

WHEREAS: There is currently not enough county owned land to make this building a drive through car wash; and

WHEREAS: There is a piece of property adjacent to the Delphine Street property that is available for purchase for \$10,000; and

WHEREAS: The Tioga County Legislature has granted the utilization of American Recovery Plan Act (ARPA) Funds for the sum of \$10,000 to cover the purchase of the adjacent Delphine Street property under the ARPA Provision of Governmental Services; therefore be it

RESOLVED: That the Legislature authorizes the purchase of the adjacent Delphine Street property for the sum of \$10,000.00 to be paid out of H1620 520994 M7674.

Legislator Standinger spoke. "Commissioner of Public Works Gary Hammond has put a lot of effort into securing this facility and the purchase of this adjoining property makes it safer for use of the facility. Kudos to him for going the extra mile and figuring out how to do it. He saved the County a lot of money with this project.

ROLL CALL VOTE

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

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. 127-24      *AWARD DESIGN SERVICES TO  
BARTON & LOGUIDICE FOR BIN 33351 10*

WHEREAS: Tioga County was awarded funding from NYSDOT to replace a bridge, Glenmary Drive over Thorn Hollow Creek BIN 33351 10, in the Town of Tioga; and  
WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Barton & Loguidice, Liverpool, NY; and

WHEREAS: The proposal for this project came in at \$262,000; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Glenmary Drive over Thorn Hollow Creek from Barton & Loguidice not to exceed \$262,000 to be paid out of the Glenmary Drive over Thorn Hollow Creek account H5110.540004.H2401.

ROLL CALL VOTE

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

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. 128-24 *AWARD CONSTRUCTION INSPECTION SUPPORT SERVICES TO DELTA ENGINEERS PIN 9754.94*

WHEREAS: Tioga County was awarded funding for Glenmary Drive Culvert PIN 9754.94 through NYSDOT; and

WHEREAS: The Commissioner of Public Works has received a proposal for construction inspection and construction support services from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this project came in at \$110,779.00; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for Glenmary Drive Culvert PIN 9754.94 not to exceed \$110,779.00 to be paid out of H5110.520003.H1008 Culvert Replacement.

ROLL CALL VOTE

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

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. 129-24 *AMEND BUDGET AND TRANSFER FUNDS GLENMARY DRIVE CULVERT PIN 9754.94*



WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: The Commissioner has received a proposal for construction inspection and construction support; and

WHEREAS: The budgeted amount is insufficient; and

WHEREAS: Additional funding has been approved through NYSDOT due to a change order bringing the current contract amount to \$483,143.00; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: H390900	Fund Balance-Unrestricted	\$66,643.00
To: H5110.520003.H1008	Culvert Replacement	\$66,643.00

ROLL CALL VOTE

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

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 COMMITTEE

RESOLUTION NO. 130-24      *AMEND 2024 BUDGET AND TRANSFER FUNDS*  
*SAFETY AUDIT*  
*PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has identified safety improvement funding which is available through the BMTS; and

WHEREAS: In order to qualify for this funding, a safety audit will need to be performed that will cost \$20,000.00; and

WHEREAS: Public Works is willing to utilize the available funds in their 2024 Operating Budget for this safety audit; and

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

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

From: A1620.540140	Contracting Services	\$20,000.00
To: D5110.540140	Contracting Services	\$20,000.00

And be it further

RESOLVED: That the Tioga County Legislature authorizes an interfund transfer and appropriation of funds from the General Fund to the County Road Fund as follows:

From: A9901.591715	Transfers – A to D Fund	\$20,000.00
To: D5110.450310	Interfund Transfers	\$20,000.00

#### ROLL CALL VOTE

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

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
	FINANCE COMMITTEE

RESOLUTION NO. 131-24	AMEND 2024 BUDGET AND TRANSFER FUNDS FOR HIGHWAY WORKER (SEASONAL) POSITION PUBLIC WORKS
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WHEREAS: There will be a need for the Highway Department to employ one (1) additional Highway Worker (Seasonal) position for 2024; and

WHEREAS: Public Works has budgeted for a Motor Equipment Operator II position that has not been able to be filled to date; and

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

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

From: D5110.510010	Full Time	\$10,000.00
To: D5110.510020	Part Time/Temporary	\$10,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. 132-24 RE-ESTABLISH PRIOR YEAR 2023  
CAPITAL EQUIPMENT FUNDS AND  
AMEND 2024 BUDGET  
SOCIAL SERVICES

WHEREAS: Tioga County Social Services ordered 2 vehicles utilizing 2023 budgeted monies. Due to production delays, the vehicles will not be received prior to the closing of the budget year 2023; and

WHEREAS: 2023 Capital Equipment funds and related revenues need to be re-established and the 2024 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Car/Truck account H6010 521060 be re-established with 2023 money in the amount of \$53,990.44 and the 2024 budget be increased accordingly.

H6010 521060	Car/Truck	\$53,990.44
H6010 436100	State Aid-Social Services Admin	\$13,497.61
H6010 446100	Federal Aid-Social Services-Admin	\$26,995.22

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO:	HEALTH & HUMAN SERVICES COMMITTEE FINANCE COMMITTEE
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RESOLUTION NO. 133-24	RE-ESTABLISH PRIOR YEAR 2023 CAPITAL EQUIPMENT FUNDS AND AMEND 2024 BUDGET PUBLIC HEALTH
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WHEREAS: Tioga County Public Health ordered 4 vehicles utilizing 2023 budgeted monies. Due to production delays, the vehicles will not be received prior to the closing of the budget year 2023; and

WHEREAS: 2023 Capital Equipment funds and related revenues need to be re-established and the 2024 budget increased accordingly; therefore be it

RESOLVED: That Capital Equipment Car/Truck account H4011 520060 be re-established with 2023 money in the amount of \$107,603.56 and the 2024 budget be increased accordingly.

H4011 520060	Car/Truck	\$107,603.56
H4011 434010	State Aid- Public Health Capital	\$ 38,737.29

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 134-24 *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 April, 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:

April 28: Ice Cream Social @ Candor Legion - \$450.00 (Dwyer 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 Sauerbrey, Standinger, Brown, Ciotoli, Flesher, Monell, Mullen, and Roberts.

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. 135-24 *APPROVE SOLE SOURCE PURCHASE OF FIBER BUILD TO CONNECT TIOGA COUNTY PUBLIC SAFETY BUILDING TO BROOME COUNTY PUBLIC SAFETY BUILDING*

WHEREAS: A fiber path is needed from the Tioga County Public Safety Building to the Broome County Public Safety Building for the new radio system; and

WHEREAS: The Director of Emergency Services has been working in conjunction with Tioga County's IT Director on this project and has received a quote in the amount of \$78,000, from a sole source provider, Southern Tier Network, which has been determined to be in the county's best interest; and

WHEREAS: Legislative approval is required for all sole source purchases; and

WHEREAS: There are sufficient funds available in the State Interoperable Communications 2020 Grant, account A3415.520130.IO20F; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Director of Emergency Services to enter into an agreement with Southern Tier Network, for the purchase of fiber build connecting the Tioga County Public Safety Building to the Broome County Public Safety Building, in the amount of \$78,000, which will be paid from account A3415.520130.IO20F.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 136-24 *REQUEST AND TRANSFER RESERVE FUNDS AND AMEND 2024 BUDGET*

WHEREAS: Chapter 497 of the New York State Law of 1999 requires every county to establish a separate handicapped parking and education program with the purpose of providing education to increase the awareness of handicapped parking laws; and

WHEREAS: Implementation of this plan is dependent upon revenue generated from a mandatory thirty-dollar (\$30.00) handicapped parking fine surcharge which the New York State Law of 1999 requires will be used for activities such as public service announcements, public education and awareness campaigns, distribution of literature and other activities with such purpose; and

WHEREAS: Org (A2989) Other Education/Handicapped Parking has been set up to receive and expend said reserve funds; and

WHEREAS: The Safety Officer would like to purchase fifteen (15) acrylic brochure holders for the purpose of distributing printed materials to provide awareness of handicapped parking laws; and

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

RESOLVED: That funding be transferred and appropriated as follows:

From: A.388904	Reserve for Handicapped Parking Education	\$34.99
To: A2989.540010	Advertising	\$34.99

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 137-24 STATE AID CASINO REVENUE  
RESERVE ALLOCATION

WHEREAS: Resolution No. 234-22 authorized the Tioga County Legislature to annually determine the designated reserve fund or funds to allocate the funds received from State Aid Casino Revenue; and

WHEREAS: State Aid Casino Revenue grossed \$1,816,422.29 in 2023; and

WHEREAS: The Tioga County Legislature would like to fund the Capital Building Reserve-SAC with the total 2023 amount received in State Aid-Casino funds; therefore be it

RESOLVED: That the Tioga County Legislature authorizes an Interfund transfer and appropriation from the General Operating Fund to the Capital Operating Fund as follows:

FROM:	A9950 593715	TRANSFERS TO CAPITAL FUND	\$1,816,422.29
TO:	H1340 450310	INTERFUND TRANSFER	\$1,816,422.29

And be it further

RESOLVED: That the SAC Building reserve be funded with Unrestricted Capital Fund Balance as follows:

FROM:	H 390900 UNRESTRICTED FUND BALANCE	\$1,816,422.29
TO:	H 387810 BUILDING RESERVE-SAC	\$1,816,422.29



ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. 138-24 *FUNDING OF THE RESERVES FOR  
CAPITAL EQUIPMENT, CAPITAL SOFTWARE, AND  
CAPITAL HARDWARE*

WHEREAS: The Tioga County Legislature recognizes the importance of Capital Infrastructure especially as it relates to Equipment and Computer Hardware & Software; and

WHEREAS: The Tioga County Legislature also recognizes the need for the continued maintenance and upgrades of County infrastructure via the utilization of established Capital Reserves; and

WHEREAS: The Tioga County Legislature wishes to fund the Capital, Capital Software, and Capital Hardware Reserves with Unrestricted General Fund Balance; therefore be it

RESOLVED: That \$6,000,000.00 be transferred from the General Operating Fund to the Capital Fund as follows:

FROM:	A9950 593715 TRANSFERS TO CAPITAL FUND	\$6,000,000.00
TO:	H1340 450310 INTERFUND TRANSFER	\$6,000,000.00

And be it further

RESOLVED: That the Capital, Capital Software & Capital Hardware Reserves be funded with Unrestricted Capital Fund Balance as follows:

FROM:	H 390900 UNRESTRICTED FUND BALANCE	\$6,000,000.00
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TO: H 387807 CAPITAL RESERVE FUND	\$5,000,000.00
TO: H 387804 CAPITAL SOFTWARE RESERVE	\$ 500,000.00
TO: H 387805 CAPITAL HARDWARE RESERVE	\$ 500,000.00

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 139-24 CORRECT PRIOR YEAR 2023 ARPA  
OPERATING & CAPITAL APPROPRIATIONS

WHEREAS: American Rescue Plan Act “ARPA” Funds had been granted to Tioga County by the US Treasury in 2021 in the total amount of \$9,362,868; and

WHEREAS: Resolution No. 26-24 had re-established \$4,000,000.00 of ARPA funding in the 2024 Budget for the Radio Tower Upgrade Project; and

WHEREAS: As of 12/31/2023, there were \$340,031.73 of ARPA funds expended for the Radio Tower Upgrade Project, and the amount expended in 2023 must be corrected out of the originally re-established funds for 2024; and

WHEREAS: Legislative review and approval are required for any and all changes to the amount of ARPA funds designated to be appropriated; therefore be it

RESOLVED: That the authorized amount of ARPA funds to be spent for the Radio Tower Upgrade Project be corrected within the 2024 Budget to the following:

**Capital Appropriations**

H3021 521230 M7674 RADIO & EQUIPMENT	\$3,659,968.27
<i>Radio Tower Communications Upgrades</i>	

## ROLL CALL VOTE

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

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

RESOLUTION NO. 140-24 *CREATE AND FILL (1) FULL-TIME  
DIRECTOR OF ENVIRONMENTAL HEALTH SERVICES  
PUBLIC HEALTH*

WHEREAS: Legislative approval is required to create and fill a new or re-established position; and

WHEREAS: The Public Health Director has determined there is need of a Management/Confidential (M/C) position of Director of Environmental Health; and

WHEREAS: The Public Health Director has worked in conjunction with the Personnel Office in updating the previously used position description and to determine the appropriate classification for said title; therefore be it

RESOLVED: That one (1) full-time M/C position of Director of Environmental Health (M/C \$60,258 – \$70,258) be created and filled effective April 22, 2024, in accordance with payroll requirements.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 141-24 *CREATE AND FILL TEMPORARY, FULL-TIME CLERK  
(SEASONAL) POSITION  
PUBLIC HEALTH*

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

WHEREAS: Tioga County Public Health has need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support; and

WHEREAS: Public Health has funds available in the 2024 budget due to position vacancies to cover the expenditures of such employment; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to create and fill one (1) temporary full-time Clerk (Seasonal) position effective May 6, 2024 through August 30, 2024 at an hourly rate range of \$15.00.

ROLL CALL VOTE

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

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. 142-24 *CREATE AND FILL THREE (3)  
HIGHWAY WORKER (SEASONAL) POSITIONS  
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ three (3) Highway Worker (Seasonal) positions for 2024; and

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

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill three (3) temporary full-time Highway Worker (Seasonal) positions effective April 15, 2024 through October 11, 2024 at an hourly rate of \$15.31 (equivalent to CSEA Grade 9), not to exceed \$30,000.

ROLL CALL VOTE

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

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. 143-24      *AUTHORIZATION TO CREATE AND FILL  
ONE, FULL-TIME HEO I POSITION AND  
ABOLISH ONE, FULL-TIME MEO II POSITION  
PUBLIC WORKS*

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

WHEREAS: The Commissioner of Public Works has identified a staffing need for an additional HEO I position; and

WHEREAS: The Commissioner of Public Works feels that this position would aid in the retention of a skilled employee; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and promotional filling of one, full-time HEO I position (CSEA SG 3) effective April 22, 2024; and be it further

RESOLVED: That once the newly created HEO I position has been filled promotionally, it will create a vacant MEO III position that will also be filled promotionally. The Commissioner of Public Works will then abolish the vacant MEO II; and be it further

RESOLVED: That the HEO I position shall not represent an increase to the department's full-time headcount.

Legislator Standinger spoke. "Commissioner of Public Works Gary Hammond has examined the needs of his department, and this resolution fulfills those needs with minimal impact on his workforce."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 144-24 AUTHORIZATION TO FILL PART-TIME  
VETERANS SERVICE OFFICER POSITION WITHIN  
THE VETERANS' SERVICE AGENCY

WHEREAS: The Tioga County Veterans Service Agency (TCVSA) has a current opening for a part-time Veterans Service Officer and the Director of TCVSA has completed interviewing of applicants for the position; and

WHEREAS: The Director of Veterans' Services has proffered an offer of employment to John Watson for the position, which he has accepted; therefore be it

RESOLVED: That the Director of Veterans' Services shall be allowed to fill said position provisionally pending the incumbent's successful completion of civil service requirements effective May 20, 2024; and be it further

RESOLVED: That the incumbent shall be paid at the rate of \$19.86 per hour, with a work week of 19.5 hours; and be it further

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

ROLL CALL VOTE

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

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. 145-24 *AUTHORIZE APPOINTMENT TO  
DIRECTOR OF ECONOMIC DEVELOPMENT AND  
PLANNING POSITION*

WHEREAS: The Director of Economic Development and Planning position will become vacant on May 4, 2024, due to the retirement of the current Director of Economic Development and Planning, LeeAnn Tinney; and

WHEREAS: The Legislature has determined Brittany Woodburn to be a qualified candidate; therefore be it

RESOLVED: Brittany Woodburn is hereby appointed to the position of Director of Economic Development and Planning effective May 6, 2024, at an annual salary of \$90,086; and be it further

RESOLVED: That in accordance with Tioga County's Civil Service Rules, Ms. Woodburn shall serve a promotional probationary period of twelve to twenty-six weeks.

## ROLL CALL VOTE

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

No – None.

Absent – None.

## RESOLUTION ADOPTED.

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

REFERRED TO:                      ED&P COMMITTEE  
    PERSONNEL COMMITTEE

RESOLUTION NO. 146-24              *AUTHORIZE APPOINTMENT TO  
    DEPUTY DIRECTOR OF ECONOMIC DEVELOPMENT  
    AND PLANNING POSITION*

WHEREAS: The Deputy Director of Economic Development and Planning position will become vacant on May 6, 2024; and

WHEREAS: The Director of Economic Development and Planning has identified present Economic Development Specialist (EDS) Megan Schnabl to be a qualified candidate; and

WHEREAS: The salary range for the Deputy Director of Economic Development and Planning is determined to be \$58,904 - \$68,904; and

WHEREAS: Megan Schnabl has served as the EDS since September 3, 2019; and

WHEREAS: Ms. Schnabl has proven experience specific to the operations of the Department, and has the ability to train and oversee the work of her replacement as EDS; and

WHEREAS: Ms. Schnabl has exhibited the ability to serve as backup to the current Deputy Director of the Economic Development and Planning Department; and

WHEREAS: Ms. Schnabl's experience and expertise warrants an annual salary above the established base for the Deputy Director position; therefore be it



RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Megan Schnabl, who is eligible and willing to accept the appointment of Deputy Director of Economic Development and Planning at an annual salary of \$65,000 effective May 6, 2024; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of a civil service test examination.

Legislator Mullen spoke. "I would like to address this resolution and the one prior appointing the Director of Economic Development & Planning. First, I would like to say that we have two highly qualified and enthusiastic County employees that are being promoted and they are very, very effective in their jobs and that is a direct result of ED&P Director LeeAnn Tinney's mentorship and leadership. Even though LeeAnn is retiring; well-deserved and I hope nothing but the best for her we will deal with that next month. I do want to say thank you and we are very lucky for a County of our size for the development we have had, at least of what I can speak of through direct knowledge of the eight years I have been on the Legislature. It has been nothing short of amazing to me and I know as these two young professionals move up that they will carry on with the tradition and the dedication of the people that LeeAnn has instilled in them. I know both Brittany and Megan will do a great job."

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 147-24      *AUTHORIZE ONE-TIME STIPEND  
(LEGISLATIVE OFFICE)*

WHEREAS: The Tioga County Legislative Clerk is responsible for performing statutory duties imposed by County Law and other applicable laws and directives of the Legislature; and

WHEREAS: The Tioga County Legislative Clerk was directed by the Legislature to take on additional duties that required her to work additional days/hours; and

WHEREAS: The Tioga County Legislature would like to recognize these additional duties in a form of a one-time stipend; therefore be it

RESOLVED: That Cathy Haskell, Tioga County Legislative Clerk, be given a one-time stipend of \$3,000, to be paid in payroll #9, as set forth in the County budget.

ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: PERSONNEL COMMITTEE  
LEGISLATIVE WORKSESSION  
FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. 148-24 *AMEND RESOLUTION NO. 193-18; AS AMENDED BY RESOLUTION NO. 45-23; AS AMENDED BY RESOLUTION NO. 255-23; AS AMENDED BY RESOLUTION NO. 296-23; AS AMENDED BY RESOLUTION NO. 366-23; ADOPTION OF TIOGA COUNTY TITLE VI PLAN, ENVIRONMENTAL JUSTICE PLAN, LIMITED ENGLISH PROFICIENCY PLAN, DATA COLLECTION PLAN, ADA TRANSITION PLAN AND EMPLOYEE TRAINING PLAN*

WHEREAS: The Tioga County Legislature adopted the Tioga County Title VI Plan, Environmental Justice Plan, Limited English Proficiency Plan, Data Collection Plan, ADA Transition Plan, and Employee Training Plan by way of Resolution No. 193-18 on August 17, 2018, and amended the Plan by way of Resolution No. 45-23 on

January 10, 2023, and Resolution No. 255-23 on June 13, 2023, and Resolution No. 296-23 on July 11 2023, and Resolution No. 366-23 on September 12, 2023; and

WHEREAS: The County's Equal Employment Opportunity/Affirmative Action/ADA Policy in the Employee Handbook is incorporated in the adopted Tioga County Title VI Plan; and

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Equal Employment Opportunity/Affirmative Action/ADA Policy warrants revisions in several areas; therefore be it

RESOLVED: That this resolution shall amend Resolution No. 193-18, as amended by Resolution No. 45-23, as amended by Resolution No. 255-23, as amended by Resolution 296-23, as amended by Resolution No. 366-23 with the following revisions to the Tioga County Title VI Plan to read as follows:

- PWFA added to the title of the EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA POLICY
- Addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- Addition of Section VII. Pregnant Workers Fairness Act
- Addition of Section VIII. Forms

#### **VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

#### **VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

### VIII. Forms

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of the Tioga County Title VI Plan remains unchanged.

#### ROLL CALL VOTE

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

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

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. 149-24      *AMEND EMPLOYEE HANDBOOK:  
SECTION IV. PERSONNEL RULES, SUBSECTION K.  
ENTITLED EQUAL EMPLOYMENT OPPORTUNITY/  
AFFIRMATIVE ACTION/ADA/PWFA POLICY*

WHEREAS: The Equal Opportunity Commission adopted the Pregnant Workers Fairness Act (PWFA) requiring state and local governments with more than fifteen (15) employees to make "reasonable accommodations" to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an "undue hardship"; and

WHEREAS: The Personnel Officer in conjunction with the County Attorney has reviewed the Employee Handbook for compliance with the County's Title VI Plan and has identified the need to amend Section IV. Personnel Rules, Subsection k. Equal Opportunity/Affirmative Action/ADA Policy with revision of the policy title to

include PWFA and addition of Sections VI., VII., and VIII. due to the newly adopted PWFA; therefore be it

RESOLVED: That the EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA Policy is retitled and is hereby amended to read as follows:

#### EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY

And be it further

RESOLVED: That this policy is hereby amended with the addition of Section VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law, Section VII. Pregnant Workers Fair Act, and Section VIII. Forms to read as follows:

#### **VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibits discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

#### **VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with fifteen (15) or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

#### **VIII. Forms**

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

And be it further

RESOLVED: That the remainder of Section VI. Personnel Rules, Subsection k. Equal Employment Opportunity/Affirmative Action/ADA/PWFA Policy remains unchanged.

**K. EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION / ADA / PWFA POLICY (FORMERLY POLICY #48)**

TIOGA COUNTY  
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION/ADA/PWFA POLICY

- I. Policy Statement
- II. Policy Objective
- III. Implementation Responsibilities
- IV. Discrimination Complaint Procedure
- V. Accessibility Complaint Procedure
- VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law
- VII. Pregnant Workers Fairness Act
- VIII. Forms

**I. Policy Statement**

The County of Tioga provides equal opportunity to all individuals in its personnel and employment practices. The County prohibits discrimination on the basis/because of race, color, religion, age (18 and up), national origin, citizenship status, ethnicity, marital status, familial status, creed, gender, sexual orientation, disability, pregnancy or any other basis prohibited by law. Furthermore, services provided by Tioga County shall be accessible to all eligible County residents without discrimination.

This policy of equal employment opportunity/affirmative action:

- Applies equally to all job classifications and titles in the County and to all types of appointments under County jurisdiction, whether full-time, part-time, temporary or other.
- Governs all County employment policies, practices, and actions including, but not necessarily limited to: recruitment, employment, rate of pay or other compensation, advancement, reallocation, promotion, demotion, termination, leaves of absence, training and employee benefits of whatever nature.
- Applies equally to all County departments.
- Applies to all County facilities and programs.

It is the policy of Tioga County to comply with all Federal, State, and local anti-discrimination laws.

## II. Policy Objective

To preclude discriminatory practices in all phases of employment on Tioga County government, including all terms, benefits and conditions thereof, the County is committed to nondiscriminatory and appropriate recruitment, selection, appointment, placement, classification, compensation, training, promotion, upward mobility, termination, resignation, and retirement.

To preclude discriminatory practices in all phases of program administration to the Tioga County community.

The County will take measures to develop and implement an effective system to communicate the County's Equal Employment Opportunity to employees, job applicants and residents.

To provide a procedure for addressing and resolving complaints of discriminatory conduct and harassment.

## III. Implementation Responsibilities

**A. Personnel Officer:** The Personnel Officer shall have the ultimate authority and responsibility for ensuring that the objectives of the County EEO/Affirmative Action/ADA/PWFA policy are met with regard to employment practices, and for enforcing Federal and State equal employment opportunity and anti-discrimination laws within County government. Specific responsibilities include, but are not limited to:

- Effectuating corrective action, to the extent permissible under Federal, State, and County laws, collective bargaining agreements, and as otherwise deemed necessary to implement the objectives of this policy and the fact-finding determinations resulting from any investigation.
- Reviewing and approving all goals and objectives of the EEO/Affirmative Action/ADA/PWFA Policy.
  1. Providing administrative oversight for development and implementation of the EEO/Affirmative Action/ADA/PWFA Policy.
  2. Monitoring personnel procedures and policies that relate to recruitment, classification, compensation, training, resignation, retirement, and other terms, conditions, and benefits of employment.
  3. Ensuring distribution of the EEO/Affirmative Action/ADA/PWFA Policy to all new hires through the New Employee Orientation process.
  4. Consulting with the County Attorney and outside counsel, as needed, on the overall policy, plan, and program administration.

**B. Commissioners/Department Heads/Appointing Authorities (“Department Heads”):** Department Heads are generally responsible for ensuring that the County’s EEO/Affirmative Action/ADA/PWFA Policy is fully implemented within their departments. Specific responsibilities include, but are not limited to:

- Disseminating the EEO/Affirmative Action/ADA/PWFA Policy to their employees on an on-going basis.
- Ensuring the implementation of any actions as determined or requested by the Personnel Officer, with regard to attaining the goals of the EEO/Affirmative Action/ADA/PWFA Policy within their department, including corrective actions.

**C. County Attorney:** The County Attorney shall be the recipient of all complaints filed under this policy and shall arrange for necessary investigations, in consultation with the County Legislative Chair.

**D. ADA Coordinator(s):** The ADA Coordinator(s) is responsible for investigation of all issues of accessibility to County buildings and shall forward recommendations on issues/problems requiring legislative action through the County Attorney to the Legal, Finance and Safety Committee.

#### **IV. Employment Discrimination Complaint Procedure**

Tioga County has a zero-tolerance policy against discrimination. Employees are expected to report incidents of discrimination, whether affecting them or anyone else, as soon as possible after its occurrence.

Complaints may be filed with a supervisor, Department Head, Personnel Officer, or County Attorney. It is the employee’s choice as to where to file. The incumbents of all of the above listed positions eligible to receive such complaints are obliged to promptly document the complaint and forward it to the County Attorney & Personnel Officer in order to initiate an investigation. In the event such complaint shall involve the County Law Department, then any investigation shall be coordinated by the Personnel Officer. In the event such complaint shall involve the Personnel Department, then any investigation shall be coordinated by the County Attorney.

Any complaint of discrimination from an employee or applicant for employment shall be handled in the same manner as outlined in the Title VI Plan: Title VI Complaint Procedures. The Tioga County Title VI Complaint Form can be found on the County’s website under County Attorney-Compliance Reporting Forms or by using the link below:

<https://www.tiogacountyny.gov/media/t5foh1yh/civil-rights-complaint-form.pdf>.

In addition, complaints may be filed with the New York State Division of Human Rights regional office located at: 44 Hawley Street, Room 603, Binghamton, New York 13901 or emailed to [complaints@dhr.ny.gov](mailto:complaints@dhr.ny.gov).



**V. Accessibility Complaint Procedure**

Tioga County will make every effort to ensure all facilities meet Federal guidelines for accessibility. Employees are expected to report problems in this regard, whether affecting the public or themselves promptly.

Complaints may be filed with a Supervisor, Department Head, County Attorney or Personnel Officer. The incumbents of all the above listed positions are eligible to receive such complaints and are obliged to document the complaint and forward it to the ADA Coordinator(s) to allow for investigation and coordination of avenues to correct or mitigate identified issues.

**VI. Americans with Disabilities Act, as Amended and New York State Human Rights Law**

The Americans with Disabilities Act, as Amended (the "ADA") and the New York State Human Rights Law (the "NYSHRL") prohibit discrimination against individuals with disabilities. Tioga County is committed to providing reasonable accommodations in accordance with these laws. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

**VII. Pregnant Workers Fairness Act**

The Pregnant Workers Fairness Act (the "PWFA") requires employers, including state and local governments with 15 or more employees to make reasonable accommodations to a qualified employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. All requests for reasonable accommodations shall be made through the Personnel Officer on approved forms.

**VIII. Forms**

The following forms located on the County's Intranet "Employee Handbook-EH Forms" are to be used to request reasonable accommodations.

- ADA Medical Certification Form
- HIPAA Form

**ROLL CALL VOTE**

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

No – None.

Absent – None.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "Before we adjourn, I cannot let her go without an official good-bye. Director of ED&P LeeAnn Tinney's last day is May 3, 2024. I ask that you stand with me and give her a hand of applause. Thank you for your service."

ED&P Director Tinney spoke. "I would like to thank the Legislature for their support over the years. I very much appreciate it. It has been great. To Legislator Mullen, thank you for the words you spoke of Brittany Woodburn and Megan Schnabl. I would like to thank the Legislature for recognizing the need for succession planning and being open and willing to promote from within. As Legislator Mullen mentioned, Brittany and Megan are two highly qualified young professionals that will do a great job and I appreciate you recognizing the opportunity and the need to support those we are bringing up from within the County. Thank you."

Meeting was adjourned at 12:37 P.M.