

# Agenda



## TIOGA COUNTY LEGISLATURE

4/9/2024

12:00 PM

EDWARD D. HUBBARD AUDITORIUM

Ronald E. Dougherty County Office Building

56 Main Street

Owego NY 13827

Meeting called by: Chair Martha Sauerbrey

Type of meeting: 4<sup>th</sup> Regular

Attendees:  
 Legislator Brown  
 Legislator Ciotoli  
 Legislator Flesher  
 Legislator Monell  
 Legislator Mullen  
 Legislator Roberts  
 Legislator Sauerbrey  
 Legislator Standingger  
 Legislator Weston

### Agenda topics

|                            |  |
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| Invocation                 | Chair/Legislator Sauerbrey                         |
| Pledge of Allegiance       | Chair/Legislator Sauerbrey                         |
| Recognition Resolution (1) | Roy Schreiner, Sheriff's Office                    |
| Proclamations (2)          | Fair Housing Month<br>Child Abuse Prevention Month |
| Privilege of the Floor     |  |
| Approval of Minutes        | March 12 and 21, 2024                              |

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| <p>Petitions, Communications &amp; Notices</p> <p>Appointments/Reappointments</p> <p>Reports Standing Committees</p> <p>STATE OF THE COUNTY ADDRESS</p> | <p>Chair Sauerbrey</p>   |
| <p>RESOLUTIONS</p>  | <ol style="list-style-type: none"><li>1. Adopt Local Law No. 1 of 2024</li><li>2. Set Public Hearing for Restore NY Communities Initiative Round 8 Application for Temple and Liberty Street Reconstruction and North Ave. Rehabilitation</li><li>3. Appoint Member to the Tioga County Industrial Development Agency (TCIDA)</li><li>4. Acceptance of the Application for Jeffrey Winchell Tioga County Haz-Mat Team</li><li>5. Acceptance of the Application for Thomas A. Kelley Tioga County Haz-Mat Team</li><li>6. Authorize the Submission of PTS (Police Traffic Services) Grant Application</li><li>7. 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</li><li>8. Authorize Legislative Chair Signature on Memo of Understanding with Binghamton University and Request for an Accredited Internship in the Economic Development &amp; Planning Department</li><li>9. Amend Resolution No. 20-23 Authorize Lease with Motorola Solutions to Fund Equipment for P25 Radio System Project – Office of Emergency Services</li><li>10. Amend Resolution No. 498-23 Transfer of Surcharge Funds Purchase Workstations/Carpet Communications Division</li></ol> |

11. 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
12. Authorize Purchase of Adjacent Delphine Street Property – Public Works
13. Award Design Services to Barton & Loguidice for BIN 3335110
14. Award Construction Inspection Support Services to Delta Engineers PIN 9754.94
15. Amend Budget and Transfer Funds Glenmary Drive Culvert PIN 9754.94
16. Amend 2024 Budget and Transfer Funds Safety Audit – Public Works
17. Amend 2024 Budget and Transfer Funds for Highway Worker (Seasonal) Position – Public Works
18. Re-Establish Prior Year 2023 Capital Equipment Funds and Amend 2024 Budget – Social Services
19. Re-Establish Prior Year 2023 Capital Equipment Funds and Amend 2024 Budget – Public Health
20. Requesting Tioga County Veterans' Service Agency be Allowed to Exceed Food & Beverage Purchase Guidelines
21. Approve Sole Source Purchase of Fiber Build to Connect Tioga County Public Safety Building to Broome County Public Safety Building
22. Request and Transfer Reserve Funds and Amend 2024 Budget
23. State Aid Casino Revenue Reserve Allocation
24. Funding of the Reserves for Capital Equipment, Capital Software, and Capital Hardware
25. Correct Prior Year 2023 ARPA Operating & Capital Appropriations
26. Create and Fill (1) Full-time Director of Environmental Health Services – Public Health
27. Create and Fill Temporary, Full-time Clerk (Seasonal) Position – Public Health

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|  | <ul style="list-style-type: none"><li>28. Create and Fill Three (3) Highway Worker (Seasonal) Positions – Public Works</li><li>29. Authorization to Create and Fill One, Full-time HEO I Position and Abolish One, Full-time MEO II Position – Public Works</li><li>30. Authorization to Fill Part-Time Veterans Service Officer Position within Veterans' Service Agency</li><li>31. Authorize Appointment to Director of Economic Development and Planning Position</li><li>32. Authorize Appointment to Deputy Director of Economic Development and Planning Position</li><li>33. Authorize One-Time Stipend (Legislative Office)</li><li>34. 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</li><li>35. Amend Employee Handbook: Section IV. Personnel Rules, Subsection K. Entitled Equal Employment Opportunity/Affirmative Action/ADA/PWFA Policy</li></ul> |  |
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REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -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.

**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.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -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.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. – 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.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. -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.

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

RESOLUTION NO. -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.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. -24 AUTHORIZATION FOR ECONOMIC DEVELOPMENT AND PLANNING TO SUBMIT AN APPLICATION TO THE NYS COMMUNITY DEVELOPMENT BLOCK GRANT MICROENTERPIRSE 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.



REFERRED TO: ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

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

RESOLUTION NO. -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.

REFERRED TO: PUBLIC SAFETY COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -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.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -24

AWARD DESIGN SERVICES TO  
BARTON & LOGUIDICE FOR BIN 3335110

WHEREAS: Tioga County was awarded funding from NYSDOT to replace a bridge, Glenmary Drive over Thorn Hollow Creek BIN 3335110, 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.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. -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.



REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -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 |

REFERRED TO: PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -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 |

REFERRED TO:

PUBLIC WORKS COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. -24

AMEND 2024 BUDGET AND  
TRANSFER FUNDS FOR HIGHWAY WORKER  
(SEASONAL) POSITION  
PUBLIC WORKS

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 |

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. - 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 |

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
FINANCE COMMITTEE

RESOLUTION NO. - 24 RE-ESTABLISH PRIOR YEAR 2023  
CAPITAL EQUIPMENT FUNDS AND  
AMEND 2024 BUDGET  
PUBLIC HEALTH

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 |

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. -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.

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

RESOLUTION NO. -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.

REFERRED TO: FINANCE, LEGAL & SAFETY COMMITTEE

RESOLUTION NO. -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 |



REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. -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 |

REFERRED TO: FINANCE/LEGAL COMMITTEE  
LEGISLATIVE WORKSESSION

RESOLUTION NO. -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 |
| 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  |

REFERRED TO: LEGISLATIVE WORKSESSION  
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -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> |                |

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO:

PUBLIC WORKS COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.



REFERRED TO:

ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: ED&P COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. -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.

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

RESOLUTION NO. -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.

REFERRED TO: FINANCE, LEGAL AND SAFETY COMMITTEE  
PERSONNEL COMMITTEE

RESOLUTION NO. -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